

# Electronic Reporting under the NPDES Program



## **What You Need to Know about the Clean Water Act and NPDES Permit Program Electronic Reporting**

The National Pollutant Discharge Elimination System (NPDES) permit program, created in 1972 by the Clean Water Act (CWA), was designed to help manage pollutants that reach water sources in the United States. Each state is responsible for managing permits and reporting related to the NPDES program while ultimate program oversight lies with the Environmental Protection Agency (EPA) at the federal level. A list of pollutants is maintained under the CWA with reporting monitored under the NPDES permit program.

The EPA, by way of the CWA, requires NPDES permittees to submit discharge monitoring reports (DMRs) electronically starting December 21, 2016. Electronic DMRs are the reporting vehicle that describe NPDES permitted sampling results to the State. This requirement was established as Phase 1 of the NPDES Electronic Reporting Rule on October 22, 2015.

Electronic reporting systems are web-based software used to submit standardized reports for the purpose of meeting permit requirements. There are different electronic reporting systems depending on the state to store and distribute sampling results including NetDMR, State eDMR, or a combination of State eDMR and NetDMR. The different electronic reporting system requirements add complexity to the DMR submittal due to the different State templates used in disparate electronic DMR reporting systems. This is particularly an issue for corporations with facilities located among multiple states because the required electronic DMR file format varies. The electronic DMR reporting requirements for the states can be viewed at: <https://netdmr.zendesk.com/hc/en-us/articles/209616426>.

## **NPDES Electronic Reporting Rule Phase 1 and Phase 2**

Each of the two phases for the NPDES Electronic Reporting Rule include different programs under the CWA. The tables below divide the programs between Phase 1 and Phase 2. Phase 1, which was required in 2016, includes state-developed eDMR, NetDMR, and Planned DMR systems. Phase 2, which was scheduled initially for implementation by December 2020, was extended to December 20, 2023 to provide additional time for compliance, and uses the NPDES eReporting Tool (NeT) electronic reporting system.

Phase 1 of the NPDES Electronic Reporting Rule, which began on December 21, 2016, requires DMRs to be submitted electronically, instead of on paper and includes electronic report submission for the following programs:

<b>NPDES Program Reporting</b>	<b>40 CFR</b>
Discharge Monitoring Reports (DMRs)	122.41 (I)(4)(i)
Biosolids Annual Program Reports	503

Phase 2 extension of the NPDES Electronic Reporting Rule extends the Phase 2 deadline from December 20, 2020 to December 20, 2023. December 20, 2023 is the deadline by which reporting must be submitted electronically for the following programs:

<b>NPDES Program Reporting</b>	<b>40 CFR</b>
General Permit Reports (NOI, NOT, NECs, LEWs)	122
Biosolids Annual Program Reports	503
CAFO Annual Program Reports	122.42(e)(4)
MS4 Program Reports	122.34(g)(3), 122.42(c)
Pretreatment Program Annual Reports	403.12(i)
Industrial User Compliance Reports in Municipalities Without Approved Pretreatment Programs – When EPA or State is Control Authority	403.12(e) & (h)
Sewer Overflow/Bypass Event Reports (CSOs, SSOs, Bypass events)	122.41(I)(4), (6), (7), (m)
CWA 316(b) Annual Reports (Federally Listed Threatened or Endangered Species)	40 CFR 125 Subpart J

### **Clean Water Act in Recent News**

A recent Supreme Court ruling states the Clean Water Act applies to some groundwater pollution that reach navigable waters. This ruling adds an extra layer of complexity to the NPDES Electronic Data Reporting Rule. Facilities with point source groundwater pollution that reach navigable waters will be required to obtain a NPDES permit. Now is the time to prepare for electronic submittal of point source groundwater pollutant data regulated by the CWA. Read more about the ruling from CNN here: <https://www.cnn.com/2020/04/23/politics/supreme-court-clean-water-act-maui/index.html>.

### **Considerations**

ddms, inc. can help companies with electronic DMR reports (both state eDMR and NetDMR formats) included in Phase 1 and implementation plans for programs that are included in Phase 2 of the NPDES electronic data reporting program. ddms has extensive experience with creating electronic DMR reports and “paper copy” versions for internal review from out-of-the-box software, in addition to report output for an organization’s electronic upload to the state system. Although typically reporting requirements vary among states, ddms has leveraged similarities in reporting among states in the same US region. Managing

electronic DMRs regionally as portfolios is recommended and considered a best management practice for handling data for similar state requirements from facilities operated by a corporation.

Another best management practice for NPDES electronic DMR reporting is to centralize the data in one database for multiple facilities in different states. The advantage of centralizing data in one database is the ease of managing valid values and reports. If data are stored the same way in one central database, then the workflow for reporting DMR data and other NPDES program data can be streamlined. Individual custom exports for different states can be developed to export electronic DMR reporting data from the database. When data are stored in one central management system, the data reporting requirements can be evaluated much more easily or modified more efficiently for a different state in the same region. Additionally, a centralized database affords more flexibility for complying with updates to reporting and environmental requirements.

ddms is ready to help streamline electronic DMR reporting workflows and reduce costs by providing database services and reporting implementation plans for companies with facilities monitored by the NPDES program. To discuss the electronic reporting requirements for a facility's NPDES permit, contact the ddms Environmental Data Management (EDM) group at [edmteam@ddmsinc.com](mailto:edmteam@ddmsinc.com).

## References

NPDES Electronic Reporting, 40 C.F.R. § 127 (2016).

NetDMR Support Portal, EPA. <https://netdmr.zendesk.com/hc/en-us/articles/209616426>

NPDES Electronic Reporting Rule – EPA and State Webinar, EPA.  
<https://www.epa.gov/sites/production/files/2020-02/documents/npdesrule-webinar20190326-slides.pdf>

Supreme Court says Clean Water Act applies to some groundwater pollution, CNN.  
<https://www.cnn.com/2020/04/23/politics/supreme-court-clean-water-act-maui/index.html>

County of Maui v. Hawaii Wildlife Fund, 590 U. S. (2020).  
[https://www.supremecourt.gov/opinions/19pdf/18-260\\_jifl.pdf](https://www.supremecourt.gov/opinions/19pdf/18-260_jifl.pdf)

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