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Belfast, ME

U.S. Environmental Protection Agency
EPA Docket Center
Enforcement and Compliance Docket Center
1200 Pennsylvania Ave., N.W.
Washington, DC 20460

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December 12, 2013

Re: EPA-HQ-OECA-2009-0274 - NPDES Electronic Reporting Rule

Jessica Bunker
Holderness, NH

Jason Fleury
Jordan, NY

Ginny Grace
Stratham, NH

Manuel Irujo
Quincy, MA

Jay Kilbourn
Portland, ME

Geoffrey Kuter
Amesbury, MA

Thank you for the opportunity to submit comments on the proposed National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Rule (Reporting Rule). As an organization focused on the management of biosolids and other residuals, the brief comments provided below are either general in nature or focused specifically on those portions of the proposed rule that pertain to biosolids.

NEBRA has been involved in several biosolids data compilation and management projects, including leading the most recent national biosolids data compilation effort published in 2007 (and funded by EPA) and helping compile the national database of biogas production at wastewater treatment facilities in the U. S. and presenting it in the website www.biogasdata.org. Our comments draw from these experiences.

Lise LeBlanc
Mount Uniacke, NS

General comments on the proposed rule

Deborah Mahoney
Boston, MA

Donald Song
Topsham, ME

Mark Young
Lowell, MA

Staff

Ned Beecher
Maggie Finn

1. We support the overall concept of the proposed rule and agree that, if implemented thoroughly with considerable support, it might achieve the benefits stated in the *Federal Register* discussion. The increased availability of data would serve to enhance public understanding of wastewater treatment and biosolids management.

2. It is important that EPA ensure only quality data are published publicly. We have received considerable feedback from our membership and others concerning such questions as: How quickly will data be publicly posted? Can there be a delay between submission of the data and public posting, to allow the data submitter a chance to review the data in the form they will be posted? Will EPA conduct any data review before posting? How quickly and easily will data submitters be able to make corrections to their data? What basic data quality control measures will be included in the electronic system?

We encourage EPA to ensure that the electronic reporting system includes robust security and thorough automated data validation and data quality screening when data are entered, so as to ensure the highest possible quality of publicly available data. In addition, there must be a robust data review process that allows submitting organizations the opportunity to review their data before they are publicly posted and to correct them at any time.

3. Any public presentation of data should include clear and simple explanations and interpretations that aid in public understanding of wastewater treatment and biosolids management and help reduce the risk of inappropriate interpretations and uses of the data. This is especially important because of the importance of some of these data in meeting regulatory requirements.
4. EPA's electronic reporting system should be compatible with the variety of state electronic reporting systems and those used by private companies to the extent possible, so that data uploaded to one of those more local systems should be easily transferable into the national database system.
5. EPA should carefully phase in any new electronic reporting system, piloting it with a few facilities in each of several states, to ensure it works well before going live to the thousands of facilities nationwide. Plenty of time should be provided for this pilot phase.
6. EPA needs to have structures and personnel trained and in place to support the new system and its use and to address the questions and concerns that will inevitably arise. The reality is that EPA has been disinvesting from the biosolids program and continues to see dramatic budget cuts across the board. If those continue, then rolling out a new program like that proposed may be a mistake.
7. EPA should not assume that all wastewater treatment facilities – notably small ones – have the technology and capability to easily navigate online systems. EPA should assess the potential need to provide training and support to some wastewater treatment facility operators.

Comments specific to the proposed inclusion of biosolids data required under 40 CFR Part 503

8. For now, require reporting of only those biosolids data that are required by current 40 CFR Part 503 regulations; do not consider adding more data reporting requirements until the basic system is working.
9. Do not increase the scope of the data collection effort to include facilities with design flow less than 1 MGD (which are now exempt from reporting), which the proposed rule raises as a possibility.
10. Once the electronic reporting system is working well, there can be consideration of the expansion of the scope of data collected and of the facilities involved.

In summary...

NEBRA feels that the proposed rule merits further consideration, but that the details of the proposed electronic reporting system are critically important and will determine whether or not the system is a success. We urge EPA not to underestimate the resources – both money and staff or contractor time and Agency focus – needed to roll out this program successfully.

We recommend that, if it chooses to continue consideration of the proposed electronic reporting rule, that EPA develop a more comprehensive proposal that addresses, in detail, all of the issues raised by our and

others' comments; this more detailed presentation of the proposed electronic reporting system should be presented for public review and comment in a second stage of formal rulemaking.

Thank you for the opportunity to comment. If you have any questions or would like additional input in the development of the rule, please don't hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Ned Beecher", written in a cursive style.

Ned Beecher, Executive Director

The North East Biosolids and Residuals Association (NEBRA) is a 501(c)(3) non-profit professional association advancing the recycling of biosolids and other organic residuals in New England and eastern Canada. NEBRA membership includes the environmental professionals and organizations that produce, treat, test, consult on, and manage most of the region's biosolids and other large volume recyclable organic residuals. NEBRA is funded by membership fees, donations, and project grants. Its Board of Directors are from MA, ME, NH, NY, and Nova Scotia. NEBRA's financial statements and other information are open for public inspection during normal business hours. For more information: <http://www.nebiosolids.org>.