



April 28, 2020

Mr. Andrew R. Wheeler  
United States Environmental Protection Agency  
Docket Center, Office of Enforcement and Compliance Assurance Docket  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Attention: Docket No. EPA-HQ-OECA-2019-0408

Re: National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Rule - Phase 2 Extension (February 28, 2020).

Dear Administrator Wheeler:

Thank you for the opportunity to comment on the U.S. Environmental Protection Agency's (EPA's) proposed rule published on February 28, 2020 at 85 FR 11909 to extend the deadlines for states to comply with Phase 2 of the National Pollution Discharge Elimination System (NPDES) Electronic Reporting Rule.

The Pennsylvania Department of Environmental Protection (DEP) appreciates the additional time provided by EPA to achieve compliance with Phase 2 of the NPDES Electronic Reporting Rule. In order to fulfill all the requirements of the NPDES Electronic Reporting Rule, DEP anticipates needing substantially longer than three years. While acknowledging that a three-year extension could be applied for, DEP recommends that the initial extension and further extensions be provided in five-year increments, such that the compliance deadline is initially extended to December 2025, with the possibility of an additional five-year extension. Given the magnitude of development work necessary to implement the provisions of the NPDES Electronic Reporting Rule, many states – including Pennsylvania – would benefit immensely if the initial extension and further extensions to implement the full scope of the rulemaking be provided in five-year increments. Additionally, if EPA expects earlier compliance with the NPDES Electronic Reporting Rule, DEP requests EPA provide increased technical and financial assistance to support states in the development and deployment of the information technologies required for compliance with the rule.

Thank you for your consideration of DEP's comments on this important proposed rulemaking. Should you have any questions or need additional information on this matter, please contact Jay Patel, Acting Director of DEP's Bureau of Clean Water, at 717.783.2283 or [jaypatel@pa.gov](mailto:jaypatel@pa.gov).

Sincerely,

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

Patrick McDonnell  
Secretary

**Secretary**