



6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

**[FRL-10010-75-OMS]**

**Cross-Media Electronic Reporting: Authorized Program Revision Approval, State of Tennessee**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** This notice announces the Environmental Protection Agency's (EPA) approval of the State of Tennessee's request to revise its EPA-authorized program under the National Primary Drinking Water Regulations Implementation to allow electronic reporting.

**DATES:** EPA's approval is effective [**Insert date 30 days after publication in the Federal Register**] for the State of Tennessee's National Primary Drinking Water Regulations Implementation program, if no timely request for a public hearing is received and accepted by the Agency.

**FOR FURTHER INFORMATION CONTACT:** Shirley Miller, U.S. Environmental Protection Agency, Office of Information Management, Mail Stop 2824T, 1200 Pennsylvania Avenue, NW, Washington, D.C. 20460, (202) 566-2908, [miller.shirley@epa.gov](mailto:miller.shirley@epa.gov), or Erin McGown, U.S. Environmental Protection Agency, Office of Information Management, Mail Stop 2824T, 1200 Pennsylvania Avenue, NW, Washington, D.C. 20460, (202) 564-6381,

mcgown.erin@epa.gov.

**SUPPLEMENTARY INFORMATION:** On October 13, 2005, the final Cross-Media Electronic Reporting Rule (CROMERR) was published in the *Federal Register* (70 FR 59848) and codified as part 3 of title 40 of the CFR. CROMERR establishes electronic reporting as an acceptable regulatory alternative to paper reporting and establishes requirements to assure that electronic documents are as legally dependable as their paper counterparts. Subpart D of CROMERR requires that state, tribal or local government agencies that receive, or wish to begin receiving, electronic reports under their EPA-authorized programs must apply to EPA for a revision or modification of those programs and obtain EPA approval. Subpart D provides standards for such approvals based on consideration of the electronic document receiving systems that the state, tribe, or local government will use to implement the electronic reporting. Additionally, §3.1000(b) through (e) of 40 CFR part 3, subpart D provides special procedures for program revisions and modifications to allow electronic reporting, to be used at the option of the state, tribe or local government in place of procedures available under existing program-specific authorization regulations. An application submitted under the subpart D procedures must show that the state, tribe or local government has sufficient legal authority to implement the electronic reporting components of the programs covered by the application and will use electronic document receiving systems that meet the applicable subpart D requirements.

On December 6, 2019, the State of Tennessee Department of Environment and Conservation (TN DEC) submitted an application titled “Compliance Monitoring Data Portal (CMDP)” for revision of its EPA-authorized Part 142 program under title 40 CFR. EPA reviewed TN DEC’s

request to revise its EPA-authorized program and, based on this review, EPA determined that the application met the standards for approval of authorized program revision set out in 40 CFR part 3, subpart D. In accordance with 40 CFR 3.1000(d), this notice of EPA's decision to approve Tennessee's request to revise its Part 142 — National Primary Drinking Water Regulations Implementation program to allow electronic reporting under 40 CFR part 141 is being published in the *Federal Register*.

TN DEC was notified of EPA's determination to approve its application with respect to the authorized program listed above. Also, in today's notice, EPA is informing interested persons that they may request a public hearing on EPA's action to approve the State of Tennessee's request to revise its authorized public water system program under 40 CFR part 142, in accordance with 40 CFR 3.1000(f). Requests for a hearing must be submitted to EPA within 30 days of publication of today's Federal Register notice. Such requests should include the following information:

- (1) The name, address, and telephone number of the individual, organization or other entity requesting a hearing;
- (2) A brief statement of the requesting person's interest in EPA's determination, a brief explanation as to why EPA should hold a hearing, and any other information that the requesting person wants EPA to consider when determining whether to grant the request;
- (3) The signature of the individual making the request, or, if the request is made on behalf of an organization or other entity, the signature of a responsible official of the organization or other

entity.

In the event a hearing is requested and granted, EPA will provide notice of the hearing in the Federal Register not less than 15 days prior to the scheduled hearing date. Frivolous or insubstantial requests for hearing may be denied by EPA. Following such a public hearing, EPA will review the record of the hearing and issue an order either affirming today's determination or rescinding such determination. If no timely request for a hearing is received and granted, EPA's approval of the State of Tennessee's request to revise its part 142—National Primary Drinking Water Regulations Implementation program to allow electronic reporting will become effective 30 days after today's notice is published, pursuant to CROMERR section 3.1000(f)(4).

**Dated:** June 19, 2020.

Jennifer Campbell,

Acting Director, Office of Information Management.

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