

**ENVIRONMENTAL PROTECTION
AGENCY**

40 CFR Parts 122 and 124

[FRL-5182-9]

RIN 2040-AC60

**Amendment to Requirements for
National Pollutant Discharge
Elimination System (NPDES) Permits
for Storm Water Discharges Under
Section 402(p)(6) of the Clean Water
Act**

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: Today, EPA is proposing changes to its National Pollutant Discharge Elimination System (NPDES) storm water permit application regulations under the Clean Water Act (CWA) to establish a sequential application process for all phase II storm water discharges. EPA is also proposing to establish application requirements for these discharges, as well as making other conforming changes to other portions of its NPDES regulations. In the final rules section of this **Federal Register**, the Agency is promulgating these changes as a "direct" final rule because the Agency does not expect significant adverse or critical comments and wants to provide prompt implementation of the rule as soon as possible to provide for certainty for phase II storm water dischargers; the

Agency also believes it is contrary to the public interest to further delay the establishment of permit application requirements for phase II storm water discharges at this time. This proposal invites comment on the substance of the direct final rule in the "final rules" section of today's **Federal Register**.

DATES: Comments on this proposed rule must be received in writing by June 6, 1995.

ADDRESSES: Written comments on this proposed rule may be submitted using one of two different methods.

First, comments may be sent to the Comment Clerk, Water Docket (Storm Water Phase II Proposed Rule), MC-4101, Environmental Protection Agency, 401 M Street, SW, Washington DC 20460. It is requested that an original and one copy of the comments be provided to this address. Comments will be considered to be timely if they are postmarked by June 6, 1995. Commenters who would like acknowledgement of receipt of their comments should include a self-addressed, stamped envelope. No facsimiles (faxes) will be accepted.

In the alternative, EPA will accept comments electronically; EPA is experimenting with electronic commenting. Comments should be addressed to the following Internet address: SWPH2-DFR@epamail.epa.gov. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Electronic comments will be

transferred into a paper version for the official record. EPA will attempt to clarify electronic comments if there is an apparent error in transmission. Comments provided electronically will be considered timely if they are submitted electronically by 11:59 p.m. (Eastern time) June 6, 1995. Since this is still experimental, commenters may want to submit both electronic comments and duplicate paper comments. This document has also been placed on the Internet for public review and downloading at the following location: gopher.epa.gov.

A copy of the supporting information for this rule is available for review at EPA's Water Docket, Room L-102, 401 M Street, SW, Washington, DC 20460. For access to the docket materials, call (202) 260-3027 between 9 a.m. and 3:30 p.m. (Eastern time) for an appointment.

FOR FURTHER INFORMATION CONTACT: Nancy Cunningham, Office of Wastewater Management, Permits Division (4203), Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, (202) 260-9535.

SUPPLEMENTARY INFORMATION: See the information provided in the direct final action which is located in the rules section of this **Federal Register**.

Dated: March 29, 1995.

Carol M. Browner,
Administrator.

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