

exemptee of the Salmon Creek Hydroelectric Project, FERC No. 3730.

Dated: April 25, 2013.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. 2013-10262 Filed 4-30-13; 8:45 am]

BILLING CODE 6717-01-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9807-2]

### Draft National Pollutant Discharge Elimination System (NPDES) General Permit for Municipal Separate Storm Sewer Systems in the Middle Rio Grande Watershed in New Mexico (NMR04A000)

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

**ACTION:** Notice of proposed permit issuance and notice of public meetings, and public hearing.

**SUMMARY:** EPA Region 6 Water Quality Protection Division, today is proposing for public comment the issuance of a National Pollutant Discharge Elimination System (NPDES) general permit for storm water discharges from municipal separate storm sewer systems (MS4s) located in the Middle Rio Grande Watershed in the State of New Mexico. This proposed permit offers discharge authorization to regulated MS4s within the boundaries of the Bureau of the Census-designated 2000 and 2010 Albuquerque Urbanized Areas and any other MS4s in the watershed designated by the Director as needing a MS4 permit. This permit is intended to replace both the individual NPDES Permit NMS000101 issued on January 31, 2012, and the expired general permits NMR040000 and NMR040001 for dischargers in this watershed area. The Director is also providing notice of public meetings and a public hearing to be held regarding today's proposed general permit.

**DATES:** Comments must be submitted in writing to EPA on or before July 1, 2013.

*Proposed Documents:* The proposed general permit and fact sheet which sets forth principal facts and the significant factual, legal, and policy questions considered in the development of the proposed general permit, may be obtained via the Internet at <http://epa.gov/region6/water/npdes/sw/ms4/index.htm>.

To obtain hard copies of these documents or any other information in the administrative record, please contact Ms. Diane Smith using the contact information provided below.

### How do I comment on this proposal?

*Comment Submittals:* Submit your comments, by one of the following methods:

- *Email:* [smith.diane@epa.gov](mailto:smith.diane@epa.gov).
- *Mail:* Ms. Diane Smith, U.S.

Environmental Protection Agency, Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733.

*Administrative Record:* The proposed general permit and other related documents in the administrative record are on file and may be inspected any time between 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding legal holidays, at the addresses listed for submission of comments. It is recommended that you write or call to the contact above for an appointment, so the record(s) will be available at your convenience.

*Public Meetings and Public Hearing:* EPA will be holding two informal public meetings and one public hearing in the Albuquerque metropolitan area. The public meetings will include a presentation on the proposed general permit and a question and answer session. Written, but not oral, comments for the official permit record will be accepted at the public meetings. Written and oral comments for the official permit record will be accepted at the public hearing. Public notice of these meetings and the public hearing was provided in the Albuquerque Journal on Saturday, April 13, 2013.

*Meeting and Hearing:* EXPO New Mexico, African American Performing Art Center (AAPAC) Auditorium, 300 San Pedro Dr. NE., Albuquerque, NM 87108.

Time: Public Meeting from 6:00 p.m.; Public Hearing from 7:30 p.m.

Date: May 14, 2013.

*Meeting Only:* USDA Building, First Floor Conference Room, 6200 Jefferson St. NE., Albuquerque, NM 87109.

Time: Public Meeting at 1:00 p.m.

Date: May 15, 2013.

**FOR FURTHER INFORMATION CONTACT:** Ms. Diane Smith, U.S. Environmental Protection Agency, Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733. Telephone: (214) 655-2145. Email address: [smith.diane@epa.gov](mailto:smith.diane@epa.gov).

**SUPPLEMENTARY INFORMATION:** *A. General Information*—This permit authorizes stormwater discharges to waters of the United States from MS4s within the Middle Rio Grande Watershed provided the MS4 is located fully or partially within the corporate boundary of the City of Albuquerque; is located fully or partially within an urbanized area as determined by the 2000 and 2010 Decennial Census; is designated as a regulated MS4 pursuant to 40 CFR

122.32; or this permit may also authorize an operator of a MS4 covered by this permit for discharges from areas of a regulated small MS4 located outside an Urbanized Areas or areas designated by the Director provided the permittee complies with all permit conditions in all areas covered under the permit. Maps of 2010 Census urbanized areas are available online at: <http://cfpub.epa.gov/npdes/stormwater/urbanmaps.cfm>.

### *B. Statutory and Regulatory History*—

The overall intent of the permit conditions is to support the statutory goals of Section 101 of the Clean Water Act (CWA) to restore and maintain the chemical, physical and biological integrity for the Nation's waters. The 1987 Water Quality Act (WQA) amended the CWA by adding section 402(p) which requires that NPDES permits be issued for various categories of storm water discharges. Section 402(p)(2) requires permits for five categories of storm water discharges, commonly referred to as Phase I of the NPDES Storm Water Program. Included in Phase I are discharges from large municipal separate storm sewer systems (MS4s) (systems serving a population of 250,000 or more). Phase I regulations published November 16, 1990 (55 FR 47990) addressed discharges from large MS4s including city of Albuquerque MS4, which includes all MS4s located within the corporate boundary of the city of Albuquerque.

Section 402(p)(6) of the CWA requires permitting for certain additional storm water discharges (Phase II of the storm water program) to protect water quality. EPA promulgated final Phase II storm water regulations on December 8, 1999 (64 FR 68722). These regulations set forth the additional categories of discharges to be permitted and the requirements of the program. The additional discharges to be permitted included small MS4s located in Urbanized Areas designated by the Bureau of the Census and those designated by the Director on a case-by-case basis to protect water quality. This proposed permit would combine coverage for both Phase I and Phase II regulated MS4s in the Albuquerque area into a single general permit.

The discharge control conditions established by this permit are based on Section 402(p)(3)(B) of the Act which mandates that a permit for discharges from both Phase I and II MS4s must effectively prohibit the discharge of non-stormwater to the MS4 and require controls to reduce pollutants in discharges from the MS4 to the maximum extent practicable (MEP) including management practices,

control techniques and system design and engineering methods, and such other provisions as the Administrator deems appropriate for the control of pollutants. MS4 permits requiring implementation of Best Management Practices (BMPs) addressing the Six Minimum Control Measures at 40 CFR 122.34(b) are generally deemed to be an appropriate means of meeting the MEP standard. Protection of water quality and compliance with Total Maximum Daily Loads (TMDLs) are addressed through the CWA 402(p)(3)(B)(iii) authority for "other such provisions as the Administrator deems appropriate for the control of pollutants."

*Paperwork Reduction Act:* The information collection required by this permit will reduce paperwork significantly by implementation of electronic reporting requirements. EPA is working on an electronic notice of intent (eNOI) system so applicants will file their NOIs online. EPA estimates that it takes 10 to 15 minutes to fill up all information required by eNOI for each lease block. And it takes much less time to add, delete, or modify eNOI. EPA will also incorporate an electronic discharge monitoring report (NetDMR) requirement in the permit. The time for NetDMR preparation will be much less than that for paper DMR. The electronic filing systems will also significantly reduce the mailing cost.

*Regulatory Flexibility Act:* The Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, requires that EPA prepare a regulatory flexibility analysis for regulations that have a significant impact on a substantial number of small entities. As indicated below, the permit reissuance proposed today is not a "rule" subject to the Regulatory Flexibility Act.

Dated: April 18, 2013.

**Stacey Dwyer,**

*Acting Director, Water Quality Protection Division, EPA Region 6.*

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2013-0001; FRL-9382-7]

### SFIREG Environmental Quality Issues Committee; Notice of Public Meeting

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

**ACTION:** Notice.

**SUMMARY:** The Association of American Pesticide Control Officials (AAPCO)/ State FIFRA Issues Research and

Evaluation Group (SFIREG), Environmental Quality Issues (EQI) Committee will hold a 2-day meeting, beginning on May 20, 2013 and ending May 21, 2013. This notice announces the location and times for the meeting and sets forth the tentative agenda topics.

**DATES:** The meeting will be held on Monday, May 20, 2013 from 8:30 a.m. to 5 p.m. and 8:30 a.m. to 12 noon on Tuesday May 21, 2013.

To request accommodations of a disability, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**, preferably at least 10 days prior to the meeting, to give EPA as much time as possible to process your request.

**ADDRESSES:** The meeting will be held at EPA, One Potomac Yard (South Bldg.), 2777 Crystal Dr., Arlington VA, in the 4th Floor South Conference Room.

**FOR FURTHER INFORMATION CONTACT:** Ron Kendall, Field and External Affairs Division (7506P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001; telephone number: (703) 305-5561; fax number: (703) 305-5884; email address: [kendall.ron@epa.gov](mailto:kendall.ron@epa.gov), or Grier Stayton, SFIREG Executive Secretary, P.O. Box 466, Milford DE 19963; telephone number (302) 422-8152; fax (302) 422-2435; email address: [grierstayton@aapco-sfireg@comcast.net](mailto:grierstayton@aapco-sfireg@comcast.net).

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

###### A. Does this action apply to me?

You may be potentially affected by this action if you are interested in pesticide regulation issues affecting States and any discussion between EPA and SFIREG on FIFRA field implementation issues related to human health, environmental exposure to pesticides, and insight into EPA's decision-making process. You are invited and encouraged to attend the meetings and participate as appropriate. Potentially affected entities may include, but are not limited to:

Those persons who are or may be required to conduct testing of chemical substances under the Federal Food, Drug and Cosmetics Act (FFDCA), or the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and those who sell, distribute or use pesticides, as well as any Non Government Organization.

If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

###### B. How can I get copies of this document and other related information?

The docket for this action, Identified by docket ID number EPA-HQ-OPP-2013-0001, is available at <http://www.regulations.gov>, or at the Office of Pesticide Programs Regulatory Public Docket Center (EPA/DC), EPA West Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC 20460-0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPP Docket is (703) 305-5805. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

##### II. Tentative Agenda Topics

1. Discussion of the Neonicotinoid class of pesticides
2. The impact of herbicide residues in compost
3. Status of the Endangered Species Program
4. Status of OPP's Pollinator Protection workgroup
5. Status of the Agencies Aquatic Benchmarks
6. Pesticide Analytical Method Prioritization & Development

##### III. How can I request to participate in this meeting?

This meeting is open for the public to attend. You may attend the meeting without further notification.

##### List of Subjects

Environmental protection, Pesticides and pests.

Dated: April 17, 2013.

**R.C. Mc Nally,**

*Director, Field External Affairs Division, Office of Pesticide Programs.*

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2013-0106; FRL-9385-4]

### Pesticide Experimental Use Permits; Receipt of Applications; Comment Request

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

**ACTION:** Notice.

**SUMMARY:** This notice announces EPA's receipt of applications requesting experimental use permits (EUPs). The Agency has determined that the permits