

ENVIRONMENTAL PROTECTION AGENCY

[FRL-8897-9]

Notice of Availability of Draft NPDES General Permits MAG640000 and NHG640000 for Discharges From Potable Water Treatment Facilities in the Commonwealth of Massachusetts (Including Both Commonwealth and Indian Country Lands) and the State of New Hampshire: the Potable Water Treatment Facility General Permit (PWTF GP)**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice of Availability of Draft NPDES General Permits MAG640000 and NHG640000.

SUMMARY: The Director of the Office of Ecosystem Protection, EPA—New England, is issuing a notice of availability of the draft National Pollutant Discharge Elimination System (NPDES) general permits for potable water treatment facility (PWTF) discharges to certain waters of the Commonwealth of Massachusetts (included both Commonwealth and Indian country lands) and the State of New Hampshire. These General Permits replace the previous PWTF GP, which expired on November 15, 2005.

The draft PWTF GP establishes Notice of Intent (NOI) requirements, effluent limitations, standards, prohibitions, and management practices for facilities with discharges from potable water treatment facilities. Owners and/or operators of these facilities, including those currently authorized to discharge under the expired General Permit, will be required to submit an NOI to be covered by the PWTF GP to both EPA—New England and the appropriate state agency. After EPA and the State have reviewed the NOI, the facility will receive a written notification from EPA of permit coverage and authorization to discharge under the General Permit. The purpose of this document is to solicit public comments on the proposed General Permits.

Public Comment Period: Interested persons may submit written comments on the draft General Permits to the EPA—Region I at the address listed below. Within the comment period, interested persons may also request, in writing, that EPA hold a public hearing pursuant to 40 CFR Section 124.12, concerning the draft General Permits. Such requests shall state the nature of the issues proposed to be raised at the hearing. A public hearing may be held at least thirty days after public notice whenever the Regional Administrator

finds that response to this notice indicates significant public interest. In reaching a final decision on this draft permit, the Regional Administrator will respond to all significant comments and make responses available to the public at EPA's Boston office. All comments and requests for public hearings must be postmarked or delivered before midnight May 27, 2009, the close of the public comment period. All public comments or requests for a public hearing must be submitted to the address below.

ADDRESSES: Written comments on the draft General Permit may be hand delivered or mailed to Ms. Sara Green, EPA—Region 1, Office of Ecosystem Protection, CIP, 1 Congress Street, Suite 1100, Boston, Massachusetts 02114–2023, or sent via e-mail to green.sara@epa.gov. No facsimiles (faxes) will be accepted.

FOR FURTHER INFORMATION CONTACT: For further information contact Ms. Green at 617/918–1574, between the hours of 9 a.m. and 5 p.m., Monday through Friday, excluding holidays. The draft General Permits are based on an administrative record available for public review at EPA—Region 1, Office of Ecosystem Protection, 1 Congress Street, Suite 1100, Boston, Massachusetts 02114–2023, Monday–Friday from 9 a.m.–5 p.m. The draft General Permits and a Fact Sheet may also be viewed over the Internet via the EPA—Region 1 Web site. The Fact Sheet and General Permit for dischargers in Massachusetts are at <http://www.epa.gov/ne/npdes/mass.html>. The Fact Sheet and General Permit for dischargers in New Hampshire are at <http://www.epa.gov/ne/npdes/newhampshire.html>. To obtain a paper copy of the documents, please contact Ms. Green using the contact information provided above. A reasonable fee may be charged for copying requests.

Dated: April 17, 2009.

Ira Leighton,*Acting Regional Administrator, Region 1.*

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[FRL-8896-9]

Cross-Media Electronic Reporting Rule State Approved Program Revision/ Modification Approval: State of Louisiana**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice.

SUMMARY: This notice announces EPA's approval, under regulations for Cross-Media Electronic Reporting, of the State of Louisiana's request to revise/modify their EPA-authorized National Pollutant Discharge Elimination System (NPDES) State Program Requirements and General Pretreatment Regulations for Existing and New Sources of Pollution programs to allow electronic reporting for those programs.

DATES: EPA's approval is effective April 27, 2009.

FOR FURTHER INFORMATION CONTACT: Evi Huffer, U.S. Environmental Protection Agency, Office of Environmental Information, Mail Stop 2823T, 1200 Pennsylvania Avenue, NW., Washington, DC 20460, (202) 566–1697, huffer.evi@epa.gov, or David Schwarz, U.S. Environmental Protection Agency, Office of Environmental Information, Mail Stop 2823T, 1200 Pennsylvania Avenue, NW., Washington, DC 20460, (202) 566–1704, schwarz.david@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. Under Subpart D of CROMERR, 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 get EPA approval. Subpart D also provides standards for such approvals based on consideration of the electronic document receiving systems that the State, tribal, or local government will use to implement the electronic reporting. Additionally, in § 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, tribal 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, tribal 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 17, 2008, the State of Louisiana Department of Environmental Quality (LDEQ) submitted an application for their Net Discharge Monitoring Report (NetDMR) electronic document receiving system addressing revisions/modifications to their EPA-authorized 40 CFR Part 123—NPDES State Program Requirements and Part 403—General Pretreatment Regulations for Existing and New Sources of Pollution approved programs.

EPA has reviewed LDEQ's request to revise their EPA-authorized programs and, based on this review, EPA has determined that the application for the programs and specific reports identified in this Notice meet the standards for approval of authorized program revisions/modifications 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 LDEQ's request for revision/modification to their authorized programs is being published in the **Federal Register**. Specifically, EPA has approved LDEQ's request for revision/modification to the following authorized programs to allow electronic reporting for the specified reports: 40 CFR Part 123—NPDES State Program Requirements and Part 403—General Pretreatment Regulations for Existing and New Sources of Pollution programs for electronic reporting of discharge monitoring report information submitted under 40 CFR Parts 122 and 403.

LDEQ was notified of EPA's determination to approve its application with respect to the authorized programs and reports listed above in a letter dated 04/16/2009.

Dated: April 16, 2009.

Lisa Schlosser,

Director, Office of Information Collection.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-8897-1]

Cross-Media Electronic Reporting Rule State Authorized/Approved Program Modification/Revision Approval: State of Texas

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces EPA's approval, under regulations for Cross-Media Electronic Reporting, of the State

of Texas' request to modify/revise their program to allow electronic reporting for certain of their EPA-authorized programs. This notice also announces an opportunity to request a public hearing on EPA's approval of the State of Texas' request to revise their EPA-authorized National Primary Drinking Water Regulations Implementation program to allow electronic reporting.

DATES: EPA's approval is effective May 27, 2009 for the State of Texas' National Primary Drinking Water Regulations Implementation program if no timely request for a public hearing is received and accepted by the Agency; and on April 27, 2009 for the State of Texas' other authorized programs.

FOR FURTHER INFORMATION CONTACT: Evi Huffer, U.S. Environmental Protection Agency, Office of Environmental Information, Mail Stop 2823T, 1200 Pennsylvania Avenue, NW., Washington, DC 20460, (202) 566-1697, huffer.evi@epa.gov, or David Schwarz, U.S. Environmental Protection Agency, Office of Environmental Information, Mail Stop 2823T, 1200 Pennsylvania Avenue, NW., Washington, DC 20460, (202) 566-1704, schwarz.david@epa.gov. All requests for a hearing should be submitted to both of the above contacts.

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. Under Subpart D of CROMERR, 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 get 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, in § 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 October 14, 2008, the Texas State Commission on Environmental Quality (TCEQ) submitted two applications, for their Net Discharge Monitoring Report (NetDMR) and the State of Texas Environmental Electronic Reporting System (STEERS) electronic document receiving systems for revision or modification of multiple authorized programs under 40 CFR parts 51, 60, 63, 70, 123, 142, 233-404, 271, 281, and 403.

EPA reviewed TCEQ's requests to revise/modify multiple authorized programs and, based on this review, EPA determined the two applications met the standards for approval of authorized program revisions/modifications 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 TCEQ's requests for modifications/revisions to certain of their authorized programs under title 40 to allow electronic reporting for specific reports under those programs is being published in the **Federal Register**.

Specifically, EPA has approved TCEQ's request for modifications/revisions to the following of their authorized programs to allow electronic reporting under 40 CFR parts 51, 60-63, 70, 122-124, 141, 239, 262, 264-266, 268, 270, 280, and 403:

- Part 51—Requirements for Preparation, Adoption, and Submittal of Implementation Plans;
- Part 60—Standards of Performance for New Stationary Sources;
- Part 63—National Emission Standards for Hazardous Air Pollutants for Source Categories;
- Part 70—State Operating Permit Programs;
- Part 123—State Program Requirements;
- Part 142—National Primary Drinking Water Regulations Implementation;
- Part 233-404—State Program Regulations;
- Part 271—Requirements for Authorization of State Hazardous Waste Programs;
- Part 281—Approval of State Underground Storage Tank Programs; and
- Part 403—General Pretreatment Regulations for Existing and New Sources of Pollution.

TCEQ was notified of EPA's determination to approve its two