

EPA reviewed TNDEC's request to revise its EPA-authorized program and, based on this review, EPA determined the application 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 Tennessee's request for revision to its 40 CFR Part 123-NPDES State Program Requirements authorized program to allow electronic reporting under 40 CFR parts 122 and 123 is being published in the **Federal Register**.

TNDEC was notified of EPA's determination to approve its application with respect to the authorized program listed above in a letter dated April 23, 2009.

Dated: July 9, 2009.

**Lisa Schlosser**,

*Director, Office of Information Collection.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8931-5]

### Cross-Media Electronic Reporting Rule State Authorized Program Revision Approval: State of North Carolina

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

**ACTION:** Notice.

**SUMMARY:** This action announces EPA's approval, under regulations for Cross-Media Electronic Reporting, of the State of North Carolina's request to revise its EPA-authorized program to allow electronic reporting; and also provides notice of an opportunity to request a public hearing on this action.

**DATES:** EPA's approval is effective on August 24, 2009 if no timely request for a public hearing is received and accepted by the Agency.

**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](mailto: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](mailto: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. 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 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 its authorized programs covered by the application and will use electronic document receiving systems that meet the applicable subpart D requirements.

On October 14, 2008, the State of North Carolina Department of Environment and Natural Resources (NCDENR) submitted an application for its Safe Drinking Water Information System (SDWIS)/Lab to State electronic document receiving system for revision of North Carolina's 40 CFR Part 142—National Primary Drinking Water Regulations Implementation EPA-authorized program for electronic reporting of drinking water data submitted under 40 CFR part 141. EPA reviewed NCDENR's request to revise its EPA-authorized program and, based on this review, EPA determined the application met the standards for approval of authorized program revisions set out in 40 CFR part 3, subpart D, for electronic reporting of drinking water data that does not require signature or include an electronic signature. In accordance with 40 CFR 3.1000(d), this notice of EPA's decision to approve North Carolina's request for revision to its 40 CFR Part 142—National Primary Drinking Water

Regulations Implementation authorized program, to allow electronic reporting of drinking water data that does not require signature or include an electronic signature, is being published in the **Federal Register**.

NCDENR was notified of EPA's determination to approve its application with respect to the authorized program listed above in a letter dated July 9, 2009.

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 North Carolina's request to revise their 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 a 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, this action will become effective 30 days after today's notice is published, pursuant to CROMERR section 3.1000(f)(4).

Dated: July 9, 2009.

**Lisa Schlosser**,

*Director, Office of Information Collection.*

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