

Delores Darden, EPA Science Advisory Board Staff at telephone/voice mail: (202) 564-2282; or via e-mail at [darden.delores@epa.gov](mailto:darden.delores@epa.gov). Any member of the public wishing further information regarding the Council Special Panel may contact Dr. Angela Nugent, Designated Federal Officer (DFO), U.S. EPA Science Advisory Board (1400A), 1200 Pennsylvania Avenue, NW., Washington, DC 20460; by telephone/voice mail at (202) 564-4562; or via e-mail at [nugent.angela@epa.gov](mailto:nugent.angela@epa.gov). General information about the SAB can be found in the SAB Web site at <http://www.epa.gov/sab>.

#### SUPPLEMENTARY INFORMATION:

##### Background

Pursuant to the Federal Advisory Committee Act, Public Law 92-463, Notice is given that the Council Special Panel will hold two public teleconference meetings, as described above, to advise the Agency on its plan to develop the third in a series of statutorily mandated comprehensive analyses of the total costs and benefits of programs implemented pursuant to the Clean Air Act.

Background on the Council Special Panel and this advisory project was provided in a **Federal Register** notice published on February 14, 2003 (68 FR 7531-7534).

The Council Special Panel will be providing advice on the review document, "Benefits and Costs of the Clean Air Act 1990-2020: Revised Analytical Plan for EPA's Second Prospective Analysis" currently found at the following website, maintained by EPA's Office of Air and Radiation at: <http://www.epa.gov/oar/sect812/> under the link "Study Blueprint and Charge Questions Electronic Copy." This link provides electronic access to the Revised Analytical Plan, the "change pages" given to the Council in July 2003, and the detailed review charge questions.

*Procedures for Providing Public Comment.* It is the policy of the EPA Science Advisory Board (SAB) Staff Office to accept written public comments of any length, and to accommodate oral public comments whenever possible. The EPA SAB Staff Office expects that public statements presented at its meetings will not be repetitive of previously submitted oral or written statements.

*Oral Comments:* In general, each individual or group requesting an oral presentation at a face-to-face meeting will be limited to a total time of ten minutes (unless otherwise indicated). For conference call meetings,

opportunities for oral comment will usually be limited to no more than three minutes per speaker and no more than fifteen minutes total. Interested parties should contact the Designated Federal Official (DFO) at least one week prior to the meeting in order to be placed on the public speaker list for the meeting. Speakers should bring at least 35 copies of their comments and presentation slides for distribution to the participants and public at the meeting.

*Written Comments:* Although written comments are accepted until the date of the meeting (unless otherwise stated), written comments should be received in the SAB Staff Office at least one week prior to the meeting date so that the comments may be made available to the committee for their consideration. Comments should be supplied to the DFO at the address/contact information noted above in the following formats: one hard copy with original signature, and one electronic copy via e-mail (acceptable file format: Adobe Acrobat, WordPerfect, Word, or Rich Text files (in IBM-PC/Windows 95/98 format)). Those providing written comments and who attend the meeting are also asked to bring 35 copies of their comments for public distribution.

*Meeting Accommodations:* Individuals requiring special accommodation to access these meetings, should contact Dr. Nugent at least five business days prior to the meeting so that appropriate arrangements can be made.

Dated: September 5, 2003.

##### A. Robert Flaak,

*Acting Deputy Director for Management, EPA Science Advisory Board Staff Office.*

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## ENVIRONMENTAL PROTECTION AGENCY

[Docket No. OW-2003-0071; FRL-7555-6]

### Availability of Decision on Petition for Rulemaking To Repeal Regulation Related to Ballast Water

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

**ACTION:** Notice of availability of EPA decision document.

**SUMMARY:** This notice announces the availability of EPA's Decision Document on a petition for rulemaking seeking repeal of a regulation that excludes vessel ballast water discharges from Clean Water Act permit requirements. Today's notice makes that Decision Document publicly

available and announces EPA's denial of the petition.

**DATES:** EPA's Acting Administrator signed the Decision Document on September 2, 2003. For judicial review purposes, this action is final as of 1 p.m. (eastern time) on Tuesday, September 9, 2003, as provided at 40 CFR 23.2.

**ADDRESSES:** The administrative record is available for inspection and copying at the Water Docket, located at the EPA Docket Center in the basement of the EPA West Building, Room B-102, at 1301 Constitution Avenue., NW., Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Ruby Cooper, U.S. EPA, Office Of Water, by phone at 202-564-0757 or by e-mail at [cooper.ruby@epa.gov](mailto:cooper.ruby@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### A. How Can I Get Copies of the Document and other Related Information?

1. Electronic Copies : EPA's decision on the petition for rulemaking can be downloaded at <http://www.epa.gov/npdes>; once at this location, click on "Recent Additions".

2. Docket: EPA has established an official public docket for this action under Docket ID No. OW-00-16. The official public docket consists of the documents specifically referenced in this action, any public comments received and other information related to this action. The official public docket is the collection of materials that is available for public viewing at the Water Docket in the EPA Docket Center, (EPA/DC) EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center Public Reading Room is open 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 Water Docket is (202) 566-2426.

3. Electronic Access: You may access this **Federal Register** document electronically through the EPA Internet under the **Federal Register** listings at <http://www.epa.gov/fedrgstr/>. An electronic version of the public docket is available through EPA's electronic public docket and comment system EPA Dockets. You may use EPA Dockets at <http://www.epa.gov.edocket/> to view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Once in the system, select "search", then key in the appropriate docket identification number, which for this record is OW-2003-0071.

Dated: September 2, 2003.

**James A. Hanlon,**

*Director, Office of Wastewater Management.*

[FR Doc. 03-22935 Filed 9-8-03; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7555-7]

### Proposed National Pollutant Discharge Elimination System (NPDES) Storm Water General Permits for Small Municipal Separate Storm Sewer Systems (MS4s) in New Mexico, Indian Country Lands in New Mexico and Indian Country Lands in Oklahoma and Preliminary Designation Decisions for Small MS4s Outside Urbanized Areas in New Mexico; Notice

**AGENCY:** Environmental Protection Agency (EPA), Region 6.

**ACTION:** Notice of availability for comment.

**SUMMARY:** The Director of the EPA Region 6 Water Quality Protection Division is proposing to issue National Pollutant Discharge Elimination System (NPDES) general permits for storm water discharges from small municipal separate storm sewer systems (MS4s) located in the State of New Mexico, Indian Country Lands in New Mexico, and Indian Country Lands in Oklahoma. The proposed general permits would authorize the discharge of storm water and certain non-storm water discharges from municipal separate storm sewers. NPDES permit coverage for these discharges is required in accordance with section 402(p) of the 1987 Amendments to the Clean Water Act (CWA) (33 U.S.C. 1342(p)) and EPA regulations. To obtain discharge authorization, operators of MS4s would be required to submit a Notice of Intent (NOI) to be covered by the proposed general permit. The NOI would need to include storm water management program information describing the best management practices (BMPs) which the permittee will implement to control pollutants in the discharges in accordance with the requirements of the CWA and measurable goals for their implementation. In accordance with 40 CFR 122.34(a), the operator would have up to five years to develop and fully implement the storm water management program. The initial storm water management program submittal would likely consist of a combination of ongoing activities and schedules for developing and implementing additional activities to comply with the permit. Annual reporting would also be

required to provide information on the status of the implementation of the storm water management program. This Notice announces the availability of the proposed general permits and fact sheet for public comment. Note that while the proposed general permits are structured as a single permit, and may be collectively referred to in the singular as the permit, they are actually three legally distinct permits each covering a different geographical area.

Each of the legally separate and distinctly numbered proposed permits covers one of the areas listed in the table below. Parts 1-7 of the proposed general permit and the Appendices are common to all of the permits, while Part 8 of the permit contains the State, Indian Country Land or other area-specific conditions that make each of the permits unique. The proposed general permits will cover areas within Region 6 where a State or Tribal permitting program has not been authorized under section 402(b) of the CWA. Indian Country includes all lands within Indian reservations, all dependent Indian communities, and Indian allotments. In Oklahoma it also includes lands held in trust for the benefit of Tribes. At this time, no regulated MS4s under EPA jurisdiction are located in Arkansas, Louisiana, or Texas, so permits for these areas are not being proposed by Region 6. Most MS4s in Arkansas, Louisiana, Oklahoma, and Texas are regulated by NPDES-authorized State programs.

#### PERMIT AREAS

Permit No.	Areas of coverage
OKS040001 .....	Indian Country Lands within the State of Oklahoma.
NMS040001 .....	Indian Country lands within the State of New Mexico, except Navajo Reservation lands and Ute Mountain Ute Reservation lands (permitted by EPA Regions 9 and 8, respectively).
NMS040000 .....	The State of New Mexico, except Indian Country Lands.

This notice also announces the availability for public comment of the preliminary results of the Region's review of those New Mexico small MS4s with a population of between 10,000 and 50,000 and a population density of 1,000 or more per square mile that are located outside a Urbanized Area for possible designation as a regulated small MS4 (see 40 CFR 123.35(b)). Although EPA is not required to do so,

EPA is inviting and will consider comments it receives regarding the small MS4 designation review.

**DATES:** The public comment period for the proposed general permits is 45 days starting from the date of today's notice. Interested parties may submit comments on the proposed general permits to EPA Region 6 at the address below, no later than October 24, 2003. Any comments received by EPA Region 6 and EPA's response to these comments will become part of the administrative record for these general permits. The general permits will be effective on the date specified in the final general permit notice that will be published in the **Federal Register** and will expire five years from the effective date of the final permit.

Comments on the small MS4 designation review process or preliminary decisions must be submitted by October 24, 2003, to the same address.

**ADDRESSES:** Comments on the proposed general permits should be sent to Docket No. 6WQ-03-SW01, Attn: Ms. Diane Smith, EPA Region 6, Water Quality Protection Division (6WQ-CA), 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202-2733. Comments may also be submitted in electronic format (Wordperfect 9, MS Word 2000, or ASCII Text formats only, avoiding use of special characters) to the above address or via e-mail to [smith.diane@epa.gov](mailto:smith.diane@epa.gov). No facsimiles (faxes) will be accepted. Comments on the designation review process or preliminary decisions must reference "MS4 Designation Review."

#### Public Meeting Information

EPA Region 6 will be holding two informal public meetings which will include a presentation on the proposed general permits and a question and answer session. Advance notice of the times and dates for these meetings was provided in the Albuquerque Journal and the Daily Oklahoman newspapers on August 9, 2003, and via EPA's Web site at <http://www.epa.gov/region6/6wq/npdes/sw/hot/index.htm>. Because informal public meetings accommodate group discussion and question and answer sessions, public meetings have been used for many storm water general permits and appear to be more valuable than formalized public hearings in helping the public understand a proposed storm water general permit and in identifying the issues of concern. Written, but not oral, comments for the administrative record will be accepted at the public meetings. Written comments generated from what was learned at a public meeting (or from