

Thursday, September 18, 2003, from 9 a.m. until 5 p.m., including a closed session from 4 p.m. until 5 p.m.; and Friday, September 19, 2003, from 9 a.m. until noon.

**ADDRESSES:** The meeting will be held at Miccosukee Resort and Convention Center, 500 SW., 177th Ave., Miami, FL 33194.

**FOR FURTHER INFORMATION CONTACT:** Georgia McDuffie, Field and External Affairs Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 605-0195; fax number: (703) 308-1850; e-mail address:

*Mcduffie.Georgia@epa.gov*; or Lillian Wilmore, TPPC Facilitator, P.O. Box 470829, Brookline Village, MA 02447-0829; telephone number: (617) 232-5742; fax: (617) 277-1656; e-mail address: *naecology@aol.com*.

**SUPPLEMENTARY INFORMATION:**

**I. General Information**

*A. Does this Action Apply to Me?*

This action is directed to the public in general, and may be of particular interest to those persons interested in TPPC's information exchange relationship with EPA regarding important issues related to human health, environmental exposure to pesticides, and insight into EPA's decision-making process. Since other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. 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?*

1. *Docket.* EPA has established an official public docket for this action under docket ID number OPP-2003-0280. The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although, a part of the official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing at the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA. This docket facility is

open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The docket telephone number is (703) 305-5805.

2. *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. Although, not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket facility identified in Unit I.B.1. Once in the system, select "search," then key in the appropriate docket ID number.

**II. Tentative Agenda**

This unit provides tentative agenda topics for the 2-day meeting.

1. TPPC state of the Council Report.
2. Presentation and questions and answers by EPA's Office of Pesticide Programs and Field and External Affairs Division.
3. Reports from working groups and TPPC participation in other meetings: Tribal Strategy and FOSTTA, Pesticide Program Dialogue Committee, Western Region. Pesticide Meeting, Certification and Training Assessment Group, and Worker Protection.
4. *Tribal caucus* (2).
5. Reports from other organizations: State FIFRA Issues Research and Evaluation Group, American Indian Environmental Office, Tribal Operations Committee, Regional Tribal Operations Committee, Intertribal Agricultural Council, and National Tribal Environmental Council, Intertribal Agricultural Council, and Tribal Air Group.
6. Tribal west Nile virus concerns.
7. The new interim guidance on pesticides applied to waterways.
8. Spray drift regulation labeling and minimization.
9. EPA's Office of Prevention, Pesticides and Toxic Substances (OPPTS) tribal strategy update.
10. OECA enforcement priorities.
11. Pesticide-related homeland security concerns.
12. Updates from the subregional lead officer.
13. Worker protection, e-commerce, and tribal enforcement issues.
14. Background checks on inspections.

**List of Subject**

Environmental protection.

Dated: August 12, 2003.

**Kennan Garvey,**

*Acting Associate Director, Field and External Affairs Division, Office of Pesticide Programs.*  
[FR Doc. 03-21663 Filed 8-22-03; 8:45 a.m.]

**BILLING CODE 6560-50-S**

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7548-8]

**Notice of Availability: Draft Watershed-Based National Pollutant Discharge Elimination System (NPDES) Permitting Implementation Guidance**

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

**ACTION:** Notice.

**SUMMARY:** This notice announces that the U.S. Environmental Protection Agency is publishing Draft Guidance On Watershed-Based National Pollutant Discharge Elimination System (NPDES) Permitting Implementation. EPA is making the draft guidance available to the public for a period of thirty days during which EPA seeks comments on the document. The purpose of this guidance is to describe the concept of and the process for watershed-based permitting under the NPDES permit program. Watershed-based NPDES permitting is an approach to developing NPDES permits for multiple point sources located within a defined geographic area (*i.e.*, watershed boundaries). This approach, aimed at achieving new efficiencies and environmental results, provides a process for considering all stressors within a hydrologically defined drainage basin or other geographic area, rather than addressing individual pollutant sources on a discharge-by-discharge basis. As outlined in the guidance, EPA will continue to implement the NPDES program through its existing statutory and regulatory authorities. The guidance cannot impose legally binding requirements on EPA, States, Tribes, or the regulated community. It cannot substitute for Clean Water Act (CWA) requirements, EPA's regulations, or the obligations imposed by consent decrees or enforcement orders.

**DATES:** All public comments on the draft guidance must be received on or before September 24, 2003.

**ADDRESSES:** Comments should be addressed to Patrick Bradley, U.S. Environmental Protection Agency, EPA East Building (MC 4203M), 1200

Pennsylvania Avenue, NW., Washington, DC 20460. Commenters are also requested to submit an original and 3 copies of their written comments as well as an original and 3 copies of any attachments, enclosures, or other documents referenced in the comments. EPA will also accept comments electronically. Comments should be addressed to the following e-mail address: [bradley.patrick@epa.gov](mailto:bradley.patrick@epa.gov). Electronic comments must be submitted as an ASCII, WordPerfect format file and avoid the use of special characters or any form of encryption.

Interested persons may obtain a copy of the guidance from the Water Permits Division's Web site (<http://cfpub.epa.gov/npdes/wqbasedpermitting/wsp permitting.cfm>).

**FOR FURTHER INFORMATION CONTACT:** Patrick Bradley, Telephone: (202) 564-0729. Facsimile Number: (202) 564-6392. E-mail: [bradley.patrick@epa.gov](mailto:bradley.patrick@epa.gov). Also visit the Water Permits Division's Web page at <http://www.epa.gov/npdes>.

**SUPPLEMENTARY INFORMATION:** For nearly a decade, the U.S. Environmental Protection Agency (EPA) has supported and encouraged a watershed approach to addressing water quality problems. Awareness and understanding of this approach has grown over time, but with demonstrated gaps in implementation. In fall 2002 the EPA Office of Water Assistant Administrator issued a policy memo entitled "Committing EPA's Water Program to Advancing the Watershed Approach." This policy memo not only reaffirms EPA's commitment to the watershed approach but also reenergizes efforts to ensure that EPA as a whole fully integrates the approach into program implementation. The memo calls for the creation of a Watershed Management Council (WMC) that will, among other activities, accelerate efforts to develop and issue NPDES permits on a watershed basis.

Following the watershed approach policy memo, EPA's Assistant Administrator for Water released the "Watershed-Based NPDES Permitting Policy Statement." This statement communicates EPA's policy on implementing NPDES permitting activities on a watershed basis, discusses the benefits of watershed-based permitting, presents an explanation of the process and several mechanisms to implement watershed-based permitting, and outlines how EPA will encourage watershed-based permitting. It serves as both a formal commitment and a strategy for fully integrating the watershed approach into the NPDES permitting program and accelerating these efforts, as called for in

the watershed approach policy memo. Both the policy memo on advancing the watershed approach and the watershed-based permitting policy statement are available on EPA's Web page at <http://cfpub.epa.gov/npdes/wqbasedpermitting/wsp permitting.cfm>.

Dated: August 14, 2003.

**James Hanlon,**

*Director, Office of Wastewater Management.*

[FR Doc. 03-21660 Filed 8-22-03; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7547-6]

### Preliminary Listing of Additional Waters to Ohio's 2002 List of Waters Under Section 303(d) of the Clean Water Act

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

**ACTION:** Notice and request for comments.

**SUMMARY:** This notice announces the EPA decision identifying water quality limited segments and associated pollutants in Ohio to be listed pursuant to the Clean Water Act section 303(d)(2), and requests public comment. Section 303(d)(1) requires that states submit lists of waters for which existing technology-based pollution controls are not stringent enough to attain or maintain state water quality standards and for which total maximum daily loads (TMDLs) must be prepared. Section 303(d)(2) requires EPA to review and approve or disapprove the lists submitted by the states. If EPA disapproves a state list of waters pursuant to section 303(d)(2), EPA must then identify the impaired waters.

On July 17, 2003, EPA partially approved and partially disapproved Ohio's 2002 section 303(d) list of waters still requiring TMDLs. Specifically, EPA approved Ohio's section 303(d) list of impaired waters at Table 6 of the Ohio 2002 Integrated Water Quality Monitoring and Assessment Report, including associated pollutants and associated priority rankings. EPA disapproved Ohio's decision not to identify 17 additional waters on the 2002 section 303(d) list based upon sport fish consumption advisories. In a July 17, 2003 decision document, EPA identified these additional water bodies and associated pollutants for inclusion on the Ohio 2002 section 303(d) list.

EPA is providing the public the opportunity to review its decision to add the 17 additional water bodies and

pollutants to Ohio's 2002 section 303(d) list, as required by EPA's Public Participation regulations. EPA will consider public comments in reaching its final decisions on the additional water bodies and pollutants identified for inclusion on Ohio's final list.

**DATES:** Comments on this document must be received in writing by September 24, 2003.

**ADDRESSES:** Written comments on today's notice may be submitted to Jo Lynn Traub, Director, Water Division, Attn: Ohio 303 (d) list, U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604. As an alternative, EPA will accept comments electronically. Comments should be sent to the following Internet e-mail address: [keclik.donna@epa.gov](mailto:keclik.donna@epa.gov).

**FOR FURTHER INFORMATION CONTACT:** Donna Keclik, Watersheds and Wetlands Branch, at the EPA address noted above or by telephone at (312) 886-6766.

**SUPPLEMENTARY INFORMATION:** Section 303(d) of the Clean Water Act (CWA) requires that each state identify those waters for which existing technology-based pollution controls are not stringent enough to attain or maintain state water quality standards. For those waters, states are required to establish TMDLs according to a priority ranking.

EPA's Water Quality Planning and Management regulations include requirements related to the implementation of section 303(d) of the CWA (40 CFR 130.7). The regulations require states to identify water quality limited waters still requiring TMDLs every two years. The lists of waters still needing TMDLs must also include priority rankings and must identify the waters targeted for TMDL development during the next two years (40 CFR 130.7). On March 31, 2000, EPA promulgated a revision to this regulation that waived the requirement for states to submit section 303(d) lists in 2000, except in cases where a court order, consent decree, or settlement agreement required EPA to take action on a list in 2000 (65 FR17170).

Consistent with EPA's regulations, Ohio submitted to EPA its listing decision under section 303(d)(2) on October 3, 2002. On July 17, 2003, EPA approved Ohio's 2002 section 303(d) list of impaired waters and associated priority rankings. EPA disapproved Ohio's decision not to list 17 additional waters and associated pollutants on the 2002 section 303(d) list based upon sport fish consumption advisories. EPA solicits public comment on its identification of 17 additional waters