permittee would certify to the NPDES permitting authority that it meets the particular waiver criteria or waiver requirements applicable in a particular State or watershed (see proposed § 122.26(b)(15)(i)(A)(1)–(3)). EPA invites comment on such a certification process and requests comment on any other similar process that could reduce the waiver processing burden for the NPDES permitting authority and the permittee while ensuring that waivers are granted only for those circumstances applicable under one of the three waiver options.

EPA also seeks comment from permitting authorities on how they envision the process of implementing waivers for construction activity based on TMDLs or TMDL-type assessments under watershed plans.

EPA invites comment on concerns that waivers might be improperly utilized in an effort to provide relief to regulated entities for reasons unrelated to water quality. In particular, concerns have been raised that an NPDES permitting authority might redirect resources from other environmental programs in order to develop a watershed approach that promotes the issuance of the greatest possible number of waivers.

In addition to waivers, the Agency is also considering possible approaches for providing incentives for local decisionmaking that would limit the adverse water quality impact associated with uncontrolled growth in a watershed. In situations where there are special controls or incentives (e.g. transferable development rights, traditional neighborhood development ordinances) in place directing development toward compact/mixed use development and away from wetlands, open space, or other protected lands, it may be possible to provide some relief to small construction sites in areas of less dense development, provided that the average development densities are very low (e.g., less than one unit per 25 acres). In addition, relief from requirements may also be appropriate where redevelopment construction replaces existing development and the new development results in a net water quality benefit. This type of incentive could be a consideration in development of TMDLs by State or local authorities. Based on a TMDL that recognizes that the discharges from areas of less development do not cause or have potential to cause water quality impacts, relief from small construction site permitting requirements could be granted. EPA solicits comment on this approach and any other recommendations for the use of such incentives.

c. Permit Process and Administration

As with any owner or operator of a point source discharge, the operator of the construction site would be responsible for applying for the NPDES permit as required by § 122.21(b). The operator of a construction activity would be the party or parties that either individually or collectively meet the following two criteria: (1) operational control over the site specifications, including the ability to make modifications in the specifications; and (2) day-to-day operational control of those activities at the site necessary to ensure compliance with permit conditions. If more than one party meets these criteria, then each party involved would need to be a co-permittee with any other operators. The operators could be the owner, the developer, the general contractor, or individual contractors.

As mentioned previously, the Agency has proposed extended application deadlines for small construction sites at § 122.26(e)(1)(iii). EPA also considered whether NOIs should be required of construction sites less than 5 acres. Requiring an NOI allows for greater accountability by, and tracking of, dischargers. It allows for better outreach to the regulated community, uses an existing and familiar mechanism, and is consistent with the existing requirements for construction activities. EPA recognizes, however, the paperwork burden for both the regulated community and regulators. The Agency is proposing not to specify the NOI requirements for NPDES general permits for storm water at § 122.28 to address the storm water discharges from construction activities proposed to be regulated at § 122.26(b)(15). EPA believes that this approach would provide the NPDES permitting authority with the discretion to decide whether or not to require NOIs for construction activity less than 5 acres. Thus, the proposal would increase flexibility for the permitting authority regarding program implementation. The Agency invites comment on whether NOI submission should be a requirement for general permits for construction activity less than 5 acres.

EPA expects that the vast majority of discharges of storm water associated with other activity identified in § 122.26(b)(15) would be regulated through general permits. In the event that an NPDES permitting authority decides to issue an individual construction permit, however, individual application requirements for these construction sites would be found at § 122.26(c)(1)(ii). Except for application deadlines and NOIs under general permits, the permit application requirements would be identical to those applicable to storm water discharges associated with industrial activity under the existing NPDES storm water program. EPA proposes to revise § 122.26 accordingly. For any discharges of storm water associated with other activity identified in § 122.26(b)(15) that are not authorized by a general permit, a permit application made pursuant to § 122.26(c) would need to be submitted to the Director by 3 years and 90 days after issuance of the final rule. All regulated sources would be required to seek coverage under an NPDES permit regardless of whether they discharge directly to waters of the United States or through a municipal separate storm sewer system to waters of the United States.

The Storm Water Phase II FACA Subcommittee also identified issues regarding linear construction projects (e.g., roads, highways, pipelines) that cross several jurisdictions. Some Subcommittee members were concerned about having to comply with multiple sets of requirements from various jurisdictions, including multiple local governments and States. Because EPA cannot issue NPDES permits in States authorized to implement the NPDES program and because EPA cannot preempt other more stringent local and State requirements, EPA is limited in its options to address these concerns. EPA believes that the option for incorporating by reference the local or State requirements (see discussion in Section II.I.2.d., Cross-Referencing State/Local Erosion and Sediment Control Programs) would limit the administrative burden on the operator responsible for discharges from linear construction projects. The operator could implement the most comprehensive of the various requirements for the whole project to avoid differing requirements for different sections of the project. In addition, EPA notes that discharges of dredged or fill material into waters of the United States that are regulated under section 404 of the CWA do not require NPDES permits (40 CFR 122.3(b)).

On a similar note, one comment or requested exemptions for ''routine maintenance'' activities such as repairing potholes, clearing out drainage ditches, and maintaining fire breaks, because these activities often involve rights-of-way extending across multiple regulatory jurisdictions. The commenter suggested that, at most, these activities by required to adhere to generic best

management practices. The Agency is interested in comments on how such an exemption would work, what the criteria for such an exemption would be, and the appropriate BMPs for such sites.

EPA also invites comment on recordkeeping requirements for today's proposed rule regarding construction. The NPDES program requires that the entity submitting the NOI keep its records on file for three years. Given that some smaller construction activities may last less than a year, some recommendations suggest that this file retention requirement be modified or deleted for such sites. EPA invites comment on appropriate and reasonable recordkeeping requirements.

d. Cross-Referencing State/Local Erosion and Sediment Control Programs

In developing the permit requirements for designated construction sites less than 5 acres, members of the Storm Water Phase II FACA Subcommittee asked EPA to try to minimize redundancy in the construction permit requirements. As previously discussed in the Construction Site Storm Water Runoff Control discussion (see Section II.H.3.a., Minimum Control Measures), the Agency is proposing to allow permitting authorities to incorporate by reference the requirements of qualifying State, Tribal, or local erosion and sediment control programs. The NPDES permitting authority would, of course, retain the authority to deny coverage under the general NPDES permit, disapprove inclusion of alternative requirements in the general permit, and could require that designated general permit applicants apply for an individual NPDES permit.

EPA envisions that this incorporation by reference approach would apply not only to the proposed newly regulated storm water discharges from construction sites between 1 and 5 acres, but also to discharges from larger construction sites already covered by the existing storm water regulations provided the program meets best available technology (BAT) requirements. Under existing regulations, storm water discharges ''associated with industrial activity'' are subject to the same technology-based standards as any other discharge under the CWA (except publicly owned treatment works and municipal separate storm sewer systems) (see CWA section 402(p)(3)(A)). The Agency invites comment on whether the imposition of controls designed to satisfy the proposed § 122.34(b) would assure compliance with CWA section 402(p)(3)(A) for discharges from construction sites over 5 acres. Note that the Agency does not intend that incorporation by reference of qualifying programs would relieve construction site discharges ''associated with industrial activity'' from the applicable requirements of CWA section 301.

EPA believes that this approach would best balance the need for consideration of specific local requirements and local implementation with the need for Federal and citizen oversight, and would extend supplemental NPDES requirements to construction sites. EPA solicits comment on this approach.

In a somewhat different context, municipal representatives recommended that construction activities undertaken by municipalities be covered by the municipal storm water permit rather than under a separate, distinct storm water permit for construction activity. The Agency agrees that this would be a reasonable approach. The Agency explored several possible ways to make such an approach possible during the development of today's proposal, and feels that there are some options that could achieve program objectives. One option would be to simply relieve municipalities that would be covered under today's proposal of requirements to submit an NOI for the general permit covering construction activity. Under this option, municipalities would still be subject to both types of permit, but would be relieved of the paperwork associated with filing NOIs. This option might require a revision to existing 122.28(b)(2)(v). Another option to address this concern would be to issue individual permits to municipalities seeking such a ''one-stop shopping'' approach that would include provisions covering the municipal storm water program and construction activity conducted by the municipality. Under such an option, municipalities might need to submit individual permit applications and the NPDES permitting authority might have to issue many more municipal permits. Under a third option, the general permit issued to small municipalities would include municipal storm water program requirements as well as construction site discharge components. This option would result in the issuance of a more complex general permit than EPA currently envisions for small municipalities. This complexity could be minimized, however, by organizing the general permit into distinct modules, one dealing with the six minimum measures, one with municipal construction, and possibly one with municipal industrial facilities (see Section II.I.3, ''Other Sources'' below). Alternatively, municipal general permits could potentially reference provisions included in construction general permits. As a practical matter, the controls for municipally-owned or operated construction would presumably dovetail with the requirements of the municipal minimum control measure for construction, at least for sites between 1 and 5 acres (construction less than 5 acres would have to meet BAT). The Agency seeks further input on these possible approaches and others that could be considered. Specifically, how would such an approach work, what would the permit look like, who would be covered, and what would be the responsibilities of covered municipalities.

In a similar vein, industrial representatives recommended that construction activities undertaken by permitted industrial storm water facilities be covered by the industrial storm water permit. Again, the Agency agrees with the concept. One option contemplated by the Agency would be to include in industrial storm water permits requirements for construction undertaken by permitted industrial facilities. Another option would be to cross-reference construction general permit provisions in industrial general permits. The Agency seeks comment on these possible approaches and others that could be considered.

e. Alternative Approaches

As previously discussed, EPA also examined size thresholds other than one acre for regulation. Although a range of size thresholds was mentioned in stakeholder comments, no data were offered to support such alternatives. The Agency solicits comments that would assist the Agency in making an informed decision as to an appropriate threshold related to environmental effect. Alternatively, the Agency also solicits comment on an approach by which only those construction sites located within urbanized areas would be automatically subject to permitting requirements. Under such an alternative, small construction sites outside urbanized areas would not be required to be covered by an NPDES permit unless specifically designated by the permitting authority on a case-by-case basis.

Some stakeholders asked EPA to consider allowing storm water discharges associated with construction activities between 1 and 5 acres to be regulated solely under municipal storm water programs where discharges to a municipal separate storm sewer system

are subject to a permit, rather than requiring construction site discharges to be subject to both NPDES permit requirements and municipal program requirements. Under such an approach, construction sites would only be subject to the requirements and oversight of a qualifying local program. The Agency has described the ''incorporation by reference'' approach of today's proposal and the rationale for the proposed approach elsewhere in this preamble. If EPA adopted this ''qualifying local program'' alternative, construction site operators in qualifying municipalities would not be subject to the requirements of an NPDES permit. The Agency solicits comment on this particular alternative and seeks input specifically on the effectiveness of local erosion and sediment control programs in the absence of NPDES permits incorporating such local programs. The Agency also solicits comment on the appropriate qualifications to establish for municipalities to qualify under such an alternative.

EPA considered several other alternatives for controlling construction storm water discharges on sites less than 5 acres, including state/local implementation only, Federal requirements/guidelines for local erosion and sediment control programs, and State-developed requirements. Small entity representatives recommended that EPA only establish a voluntary program based on EPA guidance, and perhaps including incentives for small site operators. This would effectively translate into a program which would not require such sites to be covered by an NPDES permit unless they were specifically designated by the permitting authority on a case-by-case basis. One commenter raised concerns that small site operators may lack the resources to put together a good site plan, which would likely be required under the proposed approach. EPA seeks comment on these alternatives, as well, including comment on how such programs have worked where they have been in effect.

In evaluating options to administer the storm water control program for discharges from construction sites, EPA considered an owner or operator certification program that would have allowed the owner or operator, or authorized representative, of a construction firm to apply for coverage once for all the firm's activities in one jurisdiction for the term of the NPDES permit. Focusing on operators in the ''construction industry'' (regardless of the size of the construction site) would have more closely paralleled the existing storm water program for discharges ''associated with industrial activity.'' This option would have allowed for the coverage of each site by submittal of one NOI, thereby reducing the paperwork burden substantially without sacrificing accountability. This option would have applied to all regulated construction site discharges, regardless of size. Homeowners who performed construction activities on their own property would have been exempt from the requirements for a permit under this option. This option would have focused instead on the construction ''industry.'' This option also would have resulted in a different proposal for municipal programs to control construction site discharges. Concerns with this option included issues regarding: identification of the responsible parties onsite (e.g., whether all parties could reasonably be held responsible for all permit conditions) and site-by-site identification of construction discharges for tracking compliance with permit conditions. Such a change also would have affected operators discharging storm water from existing, larger regulated construction sites by restructuring the entire regulatory scheme to focus on the ''industry'' of construction site operators, thus creating significant confusion among regulated entities and disruption in regulatory processes. Nonetheless, EPA invites comment on the option to establish what would amount to an NPDES-based ''licensing'' program for construction site operators within an NPDES jurisdiction (usually within State or Tribal boundaries).

Industrial stakeholders recommended that the regulation of construction site discharges under section 402(p)(6) should distinguish between ''low intensity'' small construction and ''high intensity'' small construction. While EPA proposes case-by-case waiver opportunities for small construction discharges (i.e., the second waiver opportunity for predicted soil loss of less than 2 tons/acre/year), the industrial commenters recommended that the designation of small construction site discharges categorically distinguish and exempt ''low intensity'' construction activity from the provisions of the proposed rule. The commenters recommended that construction activities include intense levels of clearing, grading and excavating associated with projects which meet the following criteria: clearing, grading and excavation activities with a duration in excess of six months; and construction of single or multiple story office or industrial buildings with a grade slab in excess of 15,000 square feet; or road building (does not include construction of wooden roads for access to remote locations); or construction of a residential home that is part of a larger common plan of development or sale. Under the industrial proposal, such ''high intensity'' small construction would be subject to Federal storm water regulations. The default, ''low intensity'' construction activity would not.

Today's proposal does not incorporate these suggestions because the Agency believes that regulation of storm water to protect water quality relates more to the disturbance of land surfaces (i.e., on a two dimensional, roughly horizontal plane) rather than to the activity or reason for the land disturbance. EPA proposes to regulate storm water discharges associated with construction activity from smaller sites, not the construction activity itself. EPA would consider this option in the final rule, however, if public comments demonstrate that a ''low intensity'' exclusion would relate to the intensity of the surface disturbance. The second waiver opportunity EPA proposes today does relate to the intensity of surface disturbance, and necessarily accounts for regional variation. The Agency, therefore, invites comment on how to define applicability provision to exclude ''low intensity'' surface disturbances associated with construction activity and still provide a simple, workable regulation that accounts for regional variability.

EPA believes the approach proposed in this proposal would provide EPA and the States with a more manageable program than the other alternatives discussed. The proposed approach should offer flexibility to State and local governments in managing their storm water programs with little or no interruption in the consistency of current environmental management and would assure appropriate tracking and enforcement mechanisms. EPA requests comment on the appropriateness of the scope and requirements of this part of today's proposed storm water program.

3. Other Sources

In the National Water Quality Inventory, 1994 Report to Congress submitted by EPA pursuant to section 402(p)(5), EPA examined the remaining unregulated point sources of storm water for the potential to adversely affect water quality. Due to very limited national data on which to estimate pollutant loadings on the basis of discharge categories, the discussion of the extent of unregulated storm water discharges is limited to an analysis of the number and geographic distribution

of the unregulated storm water discharges. Therefore, EPA is not proposing to designate any additional unregulated point sources of storm water on a nationwide, categorical basis. Instead, EPA is designating a category of sources to be regulated based on case-by-case post-promulgation designations by the NPDES permitting authority.

EPA did, however, evaluate a variety of categories of discharges for potential designation in the report to Congress. EPA's efforts to identify sources and categories of unregulated storm water discharges for potential designation for regulation under today's proposal started with an examination of approximately 7.7 million commercial, retail, industrial, and institutional facilities identified as ''unregulated.'' In general, the distribution of these facilities follows the distribution of population, with a large percentage of facilities concentrated within urbanized areas (see page 4–35 of Storm Water Discharges Potentially Addressed by Phase II of the NPDES Storm Water Program, EPA 833–K–94–002). This examination resulted in identification of two general classes of facilities with the potential for discharging pollutants to waters of the United States through storm water point sources. The first group (Group A) included sources that are very similar, or identical, to regulated ''storm water discharges associated with industrial activity'' but that were not included in the existing storm water regulations because EPA used SIC codes in defining the universe of regulated industrial activities. By relying on SIC codes, which were not classified according to environmental impacts, some types of storm water discharges that might otherwise be considered ''industrial'' were not included in the existing NPDES storm water program. The second general class of facilities (Group B) was identified on the basis of potential activities and pollutants that could contribute to storm water contamination.

EPA estimates that Group A has approximately 100,000 facilities. Discharges from facilities in this group, which may be of high priority due to their similarity to regulated storm water discharges from industrial facilities, include, for example, auxiliary facilities or secondary activities (e.g., maintenance of construction equipment and vehicles, local trucking for an unregulated facility, such as a grocery store) and facilities intentionally omitted from existing storm water regulations (e.g., treatment works with a design flow of less than 1 million gallons per day, and landfills that have not received industrial waste).

Group B consists of nearly one million facilities. EPA organized Group B sources into 18 sectors for the purposes of the report to Congress. The automobile service sector (e.g., gas/service stations, general automobile repair, new and used car dealerships, car and truck rental) makes up more than one-third of the total number of facilities identified in all 18 sectors.

EPA conducted a geographical analysis of the industrial and commercial facilities in Groups A and B. The geographical analysis shows that the majority are located in urbanized areas (see Section 4.2.2, Geographic Extent of Facilities, in the Report to Congress). In general, about 61 percent of Group A facilities and 56 percent of Group B facilities are located in urbanized areas. The analysis also showed that nearly twice as many industrial facilities are found in all urbanized areas as are found in large and medium municipalities alone. Notable exceptions to this generalization included lawn/garden establishments, small unregulated animal feedlots, wholesale livestock, farm and garden machinery repair, bulk petroleum wholesale, farm supplies, lumber and building materials, agricultural chemical dealers, and petroleum pipelines, which can frequently be located in smaller municipalities or rural areas.

In identifying potential categories of sources for designation in today's notice, EPA considered designation of discharges from Group A and Group B facilities. Based on input from the Storm Water Phase II FACA Subcommittee, EPA applied three criteria to each potential category in both groups to determine the need for designation: (1) The likelihood for exposure of pollutant sources included in that category, (2) whether such sources were adequately addressed by other environmental programs, and (3) whether sufficient data were available at this time on which to make a determination of adverse water quality impacts for the category of sources. As discussed previously, EPA searched for applicable nationwide data on the water quality impacts of such categories of facilities.

By application of the first criterion, the likelihood for exposure, EPA considered the nature of potential pollutant sources in exposed portions of such sites. As precipitation contacts industrial materials or activities, the resultant runoff is likely to be contaminated with pollutants. As the size of these exposed areas increases, EPA expects a proportional increase in the pollutant loadings leaving the site. If EPA concluded that a category of sources has a high potential for exposure of raw materials, intermediate products, final products, waste materials, byproducts, industrial machinery, or industrial activity to rainfall, the Agency rated that category of sources as having ''high'' potential for adverse water quality impact. EPA's application of the first criterion showed that a number of Group A and B sources have a high likelihood of exposure of pollutants.

Through application of the second criterion, EPA assessed the likelihood that pollutant sources are regulated in a comprehensive fashion under other environmental protection programs, such as programs under the Resource Conservation and Recovery Act (RCRA) or the Occupational Health and Safety Act (OSHA). If EPA concluded that the category of sources was sufficiently addressed under another program, the Agency rated that source category as having ''low'' potential for adverse water quality impact. Application of the second criterion showed that some categories were likely to be adequately addressed by other programs.

After application of the third criterion, availability of nationwide data on the various storm water discharge categories, EPA concluded that available data would not support any such nationwide designations. While such data could exist on a regional or local basis, EPA believes that permitting authorities should have flexibility to regulate only those categories of sources contributing to localized water quality impairments.

Therefore, today's proposal does not propose to designate any additional industrial or commercial category of sources. Rather, today's proposal would encourage control of storm water discharges from Groups A and B through self-initiated, voluntary BMPs, unless the discharge (or category of discharges) is individually or locally designated as described in the following section. The necessary data to support designation could be available on a local, regional, or watershed basis and would allow the NPDES permitting authority to designate a category of sources or individual sources on a case-by-case basis. If sufficient nationwide data become available in the future, EPA could at that time designate additional categories of industrial or commercial sources on a national basis.

EPA requests comment on the three-pronged analysis used to assess the need to designate additional industrial or commercial sources and invites suggestions regarding watershed-based designation. EPA also requests information regarding any available

national or local data on the potential water quality impacts of other currently unregulated point sources of storm water.

Finally, storm water discharges from facilities exempted by the Intermodal Surface Transportation and Efficiency Act of 1991 (discharges from industrial activities other than power plants, airports, and uncontrolled sanitary landfills that are owned or operated by municipalities of less than 100,000 people) were also identified as potential sources for designation under today's proposal. These facilities discharge storm water in the same manner (and are expected to use identical processes and materials) as the industrial facilities regulated under the existing regulations. As such, these facilities would pose similar water quality threats. The extended moratorium for these facilities was necessary to allow municipalities additional time to comply with NPDES requirements. EPA proposes to maintain August 7, 2001, as the NPDES permit application deadline for such municipally owned or operated facilities discharging industrial storm water. General permits are available in States where EPA issues permits and should already be available for such sources in most NPDES-authorized States. Based on advice and recommendations of small entity representatives, EPA also invites comment on whether permit authorization for these discharges could be combined with permit authorization for other discharges from the municipal separate storm sewer system.

Municipal representatives recommended to EPA that permit requirements for municipally-owned or operated industrial facilities be included in municipal storm water permits (this recommendation could be extended to cover municipally-owned construction activities, as well). As such, municipalities would be covered by a single permit, rather than by two or more separate permits. The Agency agrees with the recommendation and is considering options to implement it. One option would be to include relevant industrial storm water controls in the municipal storm water permits for the types of industrial facilities typically owned or operated by municipalities. Another option would be to cross-reference industrial storm water permit requirements in municipal storm water permits. A third option would be to design an additional minimum control measure for municipal storm water programs that would address municipally-owned or operated industrial facilities. The Agency seeks input on these options and suggestions as to any additional options. The Agency also seeks comment on any implementation issues associated with this recommended approach.

4. Residual Designation Authority

The NPDES permitting authority's existing designation authority, as well as the petition provisions would be retained. The proposed rule contains two provisions related to designation authority at §§ 122.26(a)(9)(i)(C) and (D). Subsection (C) would add designation authority where storm water controls are needed for the discharge based upon wasteload allocations that are part of TMDLs that address the pollutants of concern or upon a comprehensive watershed plan implemented for the waterbody that includes the equivalents of TMDLs and addresses the pollutants of concern. EPA intends that the NPDES permitting authority would have discretion in the matter of designations based on existing TMDLs under subsection (C) and would invite comment on the implementation of existing TMDLs as the basis for designation under today's proposed storm water program. Subsection (D) would carry forward residual designation authority under § 122.26(g) of the existing regulations. Under today's proposal, EPA and authorized States would continue to exercise the authority to designate remaining unregulated discharges composed entirely of storm water for regulation on a case-by-case basis (see proposed §§ 122.26(b)(15) and 123.35). The standard for designation would be the same as under the existing NPDES regulations for storm water. Individual sources would be subject to regulation if EPA or the State, as the case may be, determines that the storm water discharge contributes to a violation of a water quality standard or is a significant contributor of pollutants to waters of the United States. This standard is based on the text of section 402(p). In today's proposed rule, EPA believes, as Congress did in drafting section 402(p)(2)(E), that individual instances of storm water discharge might warrant special regulatory attention, but do not fall neatly into a discrete, predetermined category. EPA does envision, however, that preservation of such regulatory authority would be necessary to subsequently address a source (or sources) of storm water discharges of concern on a localized or regional basis. As States and EPA implement TMDLs, for example, permitting authorities might need to designate some of the point sources of storm water not subject to regulation on categorical basis nationwide in order to assure progress toward compliance with water quality standards in the watershed. EPA intends that the TMDL-based waiver would be available prospectively, applying to future construction sites. This raises an issue of how this waiver provision could be applied to such sites.

One of the industrial stakeholders on the Storm Water Phase II FACA Subcommittee questioned the Agency's legal authority to provide for such residual designation authority. The stakeholder argued that the lapse of the October 1, 1994, permitting moratorium under section 402(p)(1) eliminated the significance of the section 402(p)(2) exceptions to the moratorium, including the exception for discharges of storm water determined to be contributing to a violation of a water quality standard or a significant contributor of pollutants under section 402(p)(2)(E). The stakeholder further argued that EPA's authority to designate sources for regulation under section 402(p)(6) is limited to storm water discharges other than those described under section 402(p)(2). Because section 402(p)(2)(E) describes individually designated discharges, the stakeholder concluded that regulations under section 402(p)(6) cannot provide for post-promulgation designation of individual sources. EPA disagrees.

First, as explained previously, EPA anticipates that NPDES permitting authorities may yet determine that individual unregulated point sources of storm water discharges may require regulation on a case-by-case basis. This conclusion is consistent with the Congress' recognition of the potential need for such designation under the first phase of storm water regulation as described in section 402(p)(2)(E). Under section 402(p)(2)(E), Congress recognized the need for both EPA and the State to retain authority to regulate unregulated point sources of storm water under the NPDES permit program. Second, to the extent that section 402(p)(6) requires designation of a ''category'' of sources, EPA would designate such (as yet unidentified) sources as a category that should be regulated to protect water quality. Though such sources may exist and discharge today, if neither EPA nor the NPDES permitting authority has designated the source for regulation under section 402(p)(2)(E) to date, then section 402(p)(6) provides EPA with authority to designate such sources.

The Agency would make this designation of a category of ''not yet identified'' sources in order to ensure that sources that should be regulated based on local concerns could be

regulated even if data does not exist to support nationwide regulation of such sources. EPA does not believe that the language in section 402(p) should be interpreted to preclude States from exercising designation authority under this category after promulgation of a final rule because any such designation (and subsequent regulation of designated sources) would be within the ''scope'' of the NPDES program.

EPA also believes that sources regulated pursuant to a State designation would be part of (and regulated under) a Federally approved State NPDES program, and thus subject to enforcement under CWA sections 309 and 505. Under existing NPDES State program regulations, State programs that are ''greater in scope of coverage'' are not part of the Federally-approved program. By contrast, any such State regulation of sources in this ''reserved category'' would be within the scope of the Federal program because today's proposal would recognize the need for such post promulgation designations of unregulated point sources of storm water. Such regulation would be ''more stringent'' than the Federal program rather than ''greater in scope of coverage'' (40 CFR 123.1(h)).

In addition, EPA does not interpret the congressional direction in section 402(p)(6) to preclude regulation of point sources of storm water that should be regulated to protect water quality. Under CWA section 510, Congress expressly recognized and preserved the authority of States to adopt and enforce more stringent regulation of point sources, as well as any requirement respecting the control or abatement of pollution. Section 510 applies, ''except as expressly provided'' in the CWA. The CWA does expressly provide affirmative limitations on the regulation of certain pollutant sources through the point source control program in section 502(14), which excludes agricultural storm water and return flows from irrigated agriculture from the definition of point source, and section 402(l), which again limits applicability of the section 402 permit program for return flows from irrigated agriculture, as well as for storm water runoff from certain oil, gas, and mining operations. EPA does not interpret section 402(p)(6) as an express provision limiting the authority to designate point sources of storm water for regulation on a case-by-case basis after the promulgation of final regulations. Any source of storm water is encouraged to assess its potential for storm water contamination and take preventive measures against contamination. Such proactive actions could result in the avoidance of future requirements.

Finally, EPA evaluated the proposal under which owners or operators of regulated small, medium, and large municipal separate storm sewer systems would be responsible for controlling discharges from industrial and other facilities into their systems in lieu of requiring NPDES permit coverage for the individual facilities. EPA does not propose this framework due to concerns with administrative and technical burden on the municipalities, as well as concerns about such an intergovernmental mandate. EPA does, however, request comments on this approach.

J. Conditional Exemption for ''No Exposure'' of Industrial Activities and Materials to Storm Water

1. Background

As noted previously, the 9th Circuit remanded to EPA for further rulemaking a portion of the definition of ''storm water discharge associated with industrial activity'' that exempted the category of industrial activity identified as ''light industry'' (NRDC v. EPA, 966 F.2d 1292, 1305 [9th Cir. 1992]). In addition to the rulemaking conducted under section 402(p)(6) on August 7, 1995, today's proposal also responds to that remand. In the 1990 storm water regulations, EPA exempted facilities in the category from the requirement for an NPDES permit if the industrial materials or activities were not ''exposed'' to storm water (see 40 CFR 122.26(b)(14) [introductory text]). The Agency has reasoned that most of the activity at these types of facilities takes place indoors and that emissions from stacks, use of unhoused manufacturing equipment, outside material storage or disposal, and generation of large amounts of dust or particles would be atypical (55 FR 48008, November 16, 1990).

The Ninth Circuit determined that the exemption was arbitrary and capricious for two reasons (966 F.2d at 1305). First, the court found that EPA had not established a record to support its assumption that light industry that was not exposed to storm water was not ''associated with industrial activity,'' particularly when other types of industrial activity not exposed to storm water remained ''associated with industrial activity.'' The court specifically found that ''[t]o exempt these industries from the normal permitting process based on an unsubstantiated assumption about this group of facilities is arbitrary and capricious'' (966 F.2d at 1305). Second, the court concluded that the exemption impermissibly ''altered the statutory scheme'' for permitting because the exemption relied on the unverified judgement of the light industrial facility operator to determine non-applicability of the permit application requirements. In other words, the court was critical that the operator would determine for itself that there was no exposure and then simply not apply for a permit without any further action. Without a basis for ensuring the effective operation of the permitting scheme—either that facilities would self-report actual exposure or that EPA would be required to inspect and monitor such facilities—the court vacated and remanded the rule to EPA for further rulemaking (966 F.2d at 1305).

Under today's proposal, the Agency responds to both of the bases for the court's remand. First, the exemption from permitting based on ''no exposure'' applies to all industrial categories listed in the existing storm water regulations, regardless of the type of industry. The court's opinion rejected EPA's distinction between light industry and other industry, but it did not preclude an interpretation that treats ''non-exposed'' industrial facilities in the same fashion. Presuming that an industrial facility adequately precludes exposure of industrial materials and activities to storm water, EPA proposes to treat discharges from ''non-exposed'' industrial facilities in a manner similar to the way Congress intended for discharges from administrative buildings and parking lots; specifically, permits would not be required on a categorical basis. To assure that discharges from industrial facilities really are similar to discharges from administrative buildings and parking lots, and to respond to the second basis for the court's remand, EPA proposes that the permitting exemption be conditional. The person responsible for a point source discharge from a ''no exposure'' industrial source must meet the conditions of the exemption and provide a certification pursuant to 40 CFR 122.22 for tracking and accountability purposes. EPA believes today's proposal, therefore, is fully consistent with the direction provided by the court.

A major objective of the FACA Committee at the outset (August 1995), was to streamline and reinvent certain troublesome or problematic aspects of the existing storm water permitting program. One area identified was the mandatory applicability of the permitting program to all industrial facilities, even those ''light'' industrial activities that are of very low risk or of

no risk to storm water contamination. Such dischargers could have no industrial sources of storm water contamination on the industrial plant site, yet they are still required to acquire an NPDES storm water permit and meet all permitting requirements. Examples of such facilities would be a soap manufacturing plant (SIC Code 28) or hazardous waste treatment and disposal facility, where all industrial activities, even loading docks, are inside a building or under a roof.

Committee members advised EPA that the existing storm water program needed to be revised to allow such facilities to seek an exemption from the NPDES storm water permitting requirements. Committee members agreed that such an exemption should also provide a strong incentive for other industrial facilities that might conduct some industrial activities outdoors exposed to rainfall and runoff to move the activities under cover or into buildings to prevent contamination of rainfall and storm water runoff. The committee believed that such a no-exposure permit exemption provision could be a valuable incentive for storm water pollution prevention.

Over approximately 2 years, the Phase I Improvement Work Group of the FACA Committee developed and recommended to EPA the concept of a no-exposure incentive provision, which EPA is proposing by making a change to the existing storm water rules and adding a new storm water rule provision, including a no-exposure certification process as discussed below.

EPA relied upon the no-exposure concept developed by the FACA Committee in developing today's proposal regarding ''no exposure.'' EPA proposes to incorporate the recommendations of the committee by deleting the sentence regarding ''no exposure'' for the facilities in § 122.26(b)(14)(xi) and adding a new section—§ 122.26(g) Conditional Exemption for No Exposure of Industrial Activities to Storm Water. In accordance with the committee's recommendations, the proposed no-exposure provision refers to all classes of industrial and other facilities discharging storm water that would be defined under existing § 122.26(b)(14), except construction defined under existing § 122.26(b)(14)(x) and proposed § 122.26(b)(15)(i) and sources individually designated under §§ 122.26(a)(1)(v), 122.26(a)(9)(i)(B),(C), & (D) and 122.26(g)(3). Thus, proposed § 122.26(g) would make all classes of industrial facilities eligible for exemption from the identification as ''associated with industrial activity'' under the existing regulations.

Today's proposal represents a significant expansion in the scope of the no-exposure provision originally promulgated in the 1990 rule for only light industry. The intent of this proposal is to provide industrial facilities that are entirely indoors a simplified method of complying with the CWA. This could include facilities that are located within a larger office building, or at which the only items permanently exposed to precipitation are roofs, parking lots, vegetated areas, and other non-industrial areas or activities.

Although the FACA Committee agreed in principle to the basic concept of this exemption, committee members could not resolve two significant issues related to the actual implementation of the concept. The first issue relates to how to account for storm water runoff from parking lots, roof tops, lawns, and other non-industrial areas of an industrial facility. These types of storm water discharges, which may contain pollutants or which may result in excess storm water flows, are not directly regulated under the existing storm water permitting program because they are not ''storm water discharges associated with industrial activity.''

The second issue involves an industrial facility that achieves no exposure by constructing large amounts of impervious surfaces, such as roofs (where previously there were pervious or porous surfaces into which storm water could infiltrate), which results in a significant increase in storm water volume flowing off the industrial facility and thus causes adverse receiving water impacts simply due to the increased quantity of storm water flow. Although discussed extensively, the FACA Committee was not able to reach a consensus recommendation on how to fully address these two remaining issues.

From the perspective of the environmental groups on the committee, excessive storm water flows from an industrial site and pollutants from non-industrial areas of the site are potentially a significant cause of receiving water impairment and, as such, should not be allowed to occur as a result of achieving no exposure and gaining an exemption from an NPDES storm water permit. Environmental groups believe that storm water discharges from impervious areas at an industrial facility are generally more frequent, and many of them larger, than discharges from the preexisting natural surfaces. These discharges will contain pollutants typical of commercial areas, streets, and roads and are an equal threat to direct human uses of the water and can cause equal damage to aquatic life and its habitat. The environmental groups believe that these storm water discharges should be permitted in the same way that residential and commercial storm water discharges are permitted and that, otherwise, these discharges—their volume alone often destructive of aquatic life and habitat, and containing conventional pollutants as well—would escape the control required under the CWA.

The industry representatives support streamlining the existing storm water permitting program by exempting no-exposure facilities. They believe that creating this exemption, however, does not create in EPA the authority to regulate other activities not subject to the existing storm water program. Industry representatives point out that since 1990, the NPDES storm water permitting program has excluded administrative buildings, parking lots, and other non-industrial areas from permitting or other regulatory requirements. The industry representatives also reserved the right to address the legal authority provided by Congress to EPA to regulate the amount of storm water discharged from these areas. Industry representatives believe that if Congress or EPA addresses the issue of flow, it should be addressed on a broader scale than merely through the no-exposure exemption.

Municipal representatives believe that EPA has no authority under any existing legal framework to regulate flow. Developing federal parameters for the control of flow would result in federal intrusion into land use planning, an authority that they claim is solely within the purview of State government and their political subdivisions. Local governments are aware of the impact that flows have on receiving waters and, as has been well documented, take the appropriate steps to ameliorate negative results within the context of locally developed and agreed upon long-term land use plans. Under no circumstances will local governments agree to share or cede this authority with or to federal agencies or departments.

Given the lack of consensus by the FACA Committee on these two remaining key issues, EPA is soliciting public comment on potential ways to address these issues, if possible, in the context of the proposed no-exposure exemption.

In an effort to address the second issue the FACA Committee recommended that the no-exposure 5-year certification form (discussed below) should be modified to add an additional question that asks the facility operator to provide information

indicating if large amounts of impervious surfaces were created to qualify for the no-exposure exemption. To respond to the question, a series of four boxes would be checked by the facility operator indicating approximately how much impervious area was created, if any, to achieve no exposure. These boxes would be (1) none, (2) less than 1 acre, (3) 1 to 5 acres, and (4) more than 5 acres. This question would provide additional information that would help the NPDES permitting authority determine whether or not an NPDES storm water permit should be required for the facility.

In order to be covered under the no-exposure provision, EPA proposes that an owner or operator of an otherwise regulated facility would need to submit to the NPDES permitting authority the no exposure form certifying that the facility meets the no-exposure requirements (see Appendix 4 for the Draft No Exposure Certification Form). This requirement would apply across all categories of industrial activity covered by the existing program, except discharges associated with construction activity, and would include those facilities currently in § 122.26(b)(14)(xi) (''light industry'') that are not permitted based upon a claim of ''no exposure.'' The category (xi) ''light'' industrial facilities that claim to have no exposure of materials to storm water are not required under the existing regulations to submit any type of form to the permitting authority, but would need to submit a certification under today's proposal. The facility would need to allow the NPDES permitting authority or operator of a municipal separate storm sewer system (where there is a storm water discharge to the municipal system) to inspect the facility and to make such inspection reports publicly available, upon request. In addition, based on committee recommendations, EPA proposes that the certification would require only minimal amounts of information from the facility claiming the no-exposure exemption. The NPDES permitting authority would maintain a simple registration list that should impose minimal administrative burden, but that would allow for tracking of industrial facilities claiming the exemption.

EPA envisions the NPDES storm water program to be implemented primarily through general permits and the no exposure certification to be submitted at the ''beginning'' of each permit term. However, EPA invites comment on situations that may affect the timing of submission of the no exposure certification, for example, in cases where a facility's process water and storm water are covered under an individual permit.

2. Definition of ''No Exposure''

For purposes of this section, ''no exposure'' would mean that all industrial materials or activities are protected by storm resistant sheltering so that they are not exposed to rain, snow, snowmelt, or runoff. Industrial materials or activities would refer to those activities or materials described under § 122.26(b)(14) (e.g., material handling equipment, industrial machinery, raw materials, intermediate products, byproducts, or industrial waste products, however packaged). Barrels, drums, dumpsters, and other packaging containing industrial wastes are inherently prone to leak and therefore could be a source of exposure, thereby precluding the facility from qualifying for the exemption.

The FACA Committee held lengthy discussions on the definition of no exposure pertaining to barrels, drums, dumpsters, and other packaging containers. The committee could not agree on whether barrels, drums, dumpsters, and other packaging containers that are outdoors should trigger the disqualification of an industrial facility from the no-exposure exemption. One perspective expressed was that any such containers that are stored outdoors should constitute exposure and the need for a permit, whether or not they are leaking. The opposing perspective was that containers should be allowed to be stored outdoors and not be considered exposure as long as they were not actually leaking. The committee also discussed the concept of ''potential to leak'' as a trigger for exposure, but could not agree on this approach. Therefore, EPA is soliciting public comment on this issue and the approach proposed in today's rule.

The term ''storm resistant shelter'' is intended to include completely roofed and walled buildings or structures, as well as structures with only a top cover but no side coverings, provided material under the structure is not otherwise subject to any run-on and subsequent runoff of storm water. For purposes of this provision, emissions from roof stacks/vents that are regulated and in compliance under other environmental protection programs and that do not cause storm water contamination would be considered not exposed. EPA requests comment on the scope of roof stacks/vents that would be covered by this provision. EPA welcomes, in particular, any suggestions as to ways in which this provision might be narrowed so as to focus on significant stack emissions that could result in identifiable levels of storm water contamination. Visible ''track out'' (i.e., pollutants carried on the tires of vehicles) or windblown raw materials would be deemed ''exposed.'' Leaking pipes containing contaminants exposed to storm water would be deemed ''exposed,'' as would past sources of storm water contamination that remain onsite. General refuse and trash, not of an industrial nature, would not be considered exposed industrial materials.

While the intent of this provision is to promote permanent no exposure, EPA understands that certain machinery, such as trucks, could pass between buildings and, during passage, would be exposed to rain and snow. Adequately maintained mobile equipment (e.g., trucks, automobiles, trailers, or other such general purpose vehicles found at the industrial site that are not industrial machinery or material handling equipment and that are not leaking contaminants or are not otherwise a source of industrial pollutants) could be exposed to precipitation or runoff. Such activities alone would not prevent a facility from being able to certify no exposure under this provision. Similarly, trucks or other vehicles located at vehicle maintenance facilities awaiting maintenance, as defined at 40 CFR 122.26(b)(14)(viii), that are not leaking contaminants or are not otherwise a source of industrial pollutants, would not be considered exposed.

In addition, EPA recognizes that other instances could occur where permanent no exposure of industrial activities or materials is not possible and, therefore, is proposing that under such conditions, materials and activities be covered with temporary covers, such as tarps, between periods of permanent enclosure. This proposal would not specify every such situation, instead EPA intends that permitting authorities would address this issue on a case-by-case basis. Permitting authorities could determine the circumstances under which temporary structures would or would not meet the requirements of this section. Until permitting authorities determined otherwise, temporary coverage of industrial materials or activities would be allowable under this section during facility renovation or construction, provided the temporary cover achieved the intent of this section. Moreover, exposure that results from a leak in protective covering would only be considered exposure if not corrected prior to the next storm water discharge event.

While the intent of this proposal would be to reduce the regulatory

burdens on industrial facilities and government agencies, the FACA Committee suggested that the NPDES permitting authority should consider a compliance assessment program to ensure that facilities that have availed themselves of this no-exposure option meet the applicable requirements. Inspections would be conducted at the discretion of the NPDES permitting authority and would likely be coordinated with other facility inspections. EPA expects, however, that the permitting authority would conduct inspections when it became aware of potential water quality impacts possibly caused by the facility's storm water discharges or when requested to do so by affected members of the public. The intent of this provision would be that the 5-year no-exposure certification be fully available to, and enforceable by, appropriate federal and State authorities under the CWA. Private citizens could enforce against facilities for discharges of storm water that are inconsistent with a no-exposure certification if storm water discharges from such facilities are not otherwise permitted.

The FACA Committee recommended that the certifying party not allow any actions taken to qualify for this provision to result in a net environmental detriment. The phrase ''no net environmental detriment,'' however, seemed too imprecise a phrase to use within this context. Therefore, EPA is proposing to implement this recommendation by requiring that actions taken to qualify for this provision shall not interfere with the attainment or maintenance of water quality standards, including designated uses. Permitting authorities would be able, where necessary, to make a determination by evaluating the activities changed at the industrial site to achieve no exposure and assess whether these changes adversely impact, or have the potential to impact, water quality standards, including designated uses. EPA anticipates that most efforts to achieve no exposure would employ simple good housekeeping and contaminant cleanup activities. Other efforts could involve moving materials and industrial activities indoors into existing buildings or structures.

In very limited cases, industrial operators could make major changes at a site to achieve no exposure. These efforts could include constructing a new building or cover to eliminate exposure or constructing structures to prevent run-on and storm water contact with industrial materials or activities. Where major changes were undertaken to achieve no exposure that increase the impervious area of the site, the facility operator would need to provide information on this in the certification form discussed above. Using this information, and other available data and information, permitting authorities should be able to assess whether any major change has resulted in increased pollutant concentrations or loadings, toxicity of the storm water runoff, or a change in natural hydrological patterns that would interfere with the attainment and maintenance of water quality standards, including designated uses or appropriate narrative, chemical, biological, or habitat criteria where such State water quality standards exist. In these instances, the facility operator and their NPDES permitting authority should take appropriate actions to ensure that attainment or maintenance of water quality standards can be achieved. The NPDES permitting authority could determine the need for the facility to obtain coverage under an individual permit or a general permit to ensure that appropriate actions are taken to address water quality impacts.

Another issue that the FACA Committee discussed but was unable to reach consensus on was whether or not the facility operator should bear the burden of determining whether the activities undertaken to achieve no exposure impact, or have the potential to impact, water quality standards, or whether the NPDES permitting authority should be responsible for making that determination. Some members of the FACA Committee indicated that facility operators are not sufficiently trained to conduct water quality impact assessments, nor privy to the necessary information, and, therefore, would not be able to make these determinations. Similarly, these members highlighted that under the existing NPDES permitting program, the NPDES permitting authority appears to have this responsibility (see 40 CFR 122.44(d)). Other committee members explained that only the facility operator would know exactly what changes were made at the industrial site to achieve no exposure and, therefore, should make the determination. Other committee members were concerned that these determinations would place an extensive burden on permitting authorities. In today's proposed rule, the NPDES permitting authority would have the primary responsibility for determining potential or actual water quality impacts; however, this determination would be based upon specific information that the operator would be required to provide. Given the differing opinions expressed by committee members regarding this provision, EPA is also inviting public comment on this aspect of the no exposure incentive.

EPA envisions that general permits would be used to implement the program and that the owner or operator would submit a written certification to the permitting authority once every 5 years at the ''beginning'' of the permit term or prior to commencing discharges during a permit term. Upon request, the owner or operator would also need to submit a copy of the certification to the municipality in which the facility is located. EPA invites comment on situations that may affect the timing of submission of the certification. For example, some States are transitioning toward ''specific'' general permits (industry or watershed-based), and to the extent possible, to individual permits—making it likely that more than one general permit may be applicable to a given facility and raising an issue as to when to submit a ''no exposure'' certification.

Once a facility operator has established that the facility meets the definition of no exposure, it would be imperative that the operator of the facility maintains the no-exposure condition. Failure to do so would result in the unauthorized discharge of pollutants to waters of the United States, which could result in penalties under the CWA. Where a facility operator determines that exposure would occur in the future due to some anticipated change at the facility, the operator would need to submit an application and acquire storm water permit coverage prior to such discharge to avoid such penalties.

3. Options Considered

In the course of the ''no-exposure dialogue,'' the FACA Committee considered a number of options for implementing the no-exposure provision, including regulating qualifying industrial facilities by (1) an NPDES general permit for no-exposure facilities, (2) a no-exposure permit by rule, (3) a modification of the definition of ''storm water associated with industrial activity'' such that industrial facilities without exposure could instead be covered under the requirements of a new or different storm water program, and (4) a watershed approach to no exposure. The FACA Committee did not fully support any of these options.

Some committee members thought that options 1 and 2 provided little incentive to achieve no exposure. However, Option 1 was considered the most enforceable, and Option 2 was

considered to have the advantage of enforceability and potential for reduced administrative burden.

Under Option 3, the definition of ''discharge associated with industrial activity'' at § 122.26(b)(14) would be modified such that facilities with no exposure could lose their status as ''storm water discharges associated with industrial activity'' under the existing regulations. Rather, these facilities would become storm water dischargers under today's proposed rule and would be required to do whatever the final section 402(p)(6) regulation required. This option would not track, however, the proposed requirements of today's rule because the rule would not impose any requirements on undesignated sources. EPA anticipates that permitted sources would be expected to comply with requirements similar to those for industrial facilities permitted under the existing storm water program. Option 4 had virtually no support.

K. Public Involvement/Public Role

The Phase II Subcommittee discussed the appropriate role of the public in successful implementation of a municipal storm water program. The Subcommittee generally agreed that a successful municipal storm water program requires an educated and actively involved public. Although efforts to educate and involve the public consume limited staff and financial resources, the benefits are numerous. An educated public increases program compliance from residents and businesses as they realize their individual and collective responsibility for protecting water resources. For instance, an educated and motivated public could reduce pollutant loadings by limiting the use of garden chemicals. Moreover, an educated public is more likely to understand the environmental benefits of a municipal storm water program and, therefore, may be more willing to fund such a program. The program is also more likely to receive public support and participation when the public is actively involved from the program's inception and allowed to participate in the decisionmaking process. In a time of limited staff and financial resources, public volunteers offer diverse backgrounds and expertise that may be used to plan, develop, and implement a program that is tailored to local needs. The public's participation is also useful in the areas of information dissemination/education and reporting of violators, where large numbers of community members can be more effective than a few regulators. The public may undertake several roles in the municipal storm water program to help ensure a beneficial and workable program for all involved. The public is encouraged to contact the NPDES permitting authority or local municipal separate storm sewer operator for information on the municipal storm water program and ways to participate. Such information may also be available from local environmental or other public advocacy groups.

EPA is inviting comment regarding the appropriate role of the public in a municipal storm water program, and the best approach that EPA can take in the final regulation to provide appropriate recognition of this role and involvement. The advantages of active public involvement include reduced pollutant loadings, increased program support, and vigilant protection of waterbodies. Some examples of such involvement follow. First of all, the public may be subject to local storm water program requirements, guidelines, and financial costs. For example, the public could be subject to a local ordinance that prohibits dumping used oil down storm sewers. In addition, members of the public might choose to participate as actively involved partners in program planning, development, and implementation (e.g., participate in public meetings and other opportunities for input, perform lawful volunteer monitoring, assist in program coordination with other preexisting and related programs, report suspected violators to the municipal, State, or Tribal authorities), aid in the development and distribution of educational materials, and provide public training activities. In addition, the public could protect waterbodies by taking civil action under section 505 of the CWA against any person who is alleged to be in violation of an effluent standard or permit condition. In such situations, members of the public would be strongly encouraged, however, to resolve any disagreements or concerns directly with the parties involved, either informally or through any available alternative dispute resolution process.

The public could also petition the NPDES permitting authority to require an NPDES permit for a discharge composed entirely of storm water that contributes to a violation of a water quality standard or is a significant contributor of pollutants to waters of the United States. In evaluating such a petition, the NPDES permitting authority would be encouraged to consider the set of designation criteria developed for the evaluation of the small municipal separate storm sewer systems located outside of an urbanized area in places with a population of at least 10,000 and a population density of 1,000 or more. The NPDES permitting authority must make a final determination within 180 days of receiving a petition.

Public involvement and participation pose challenges, however. It requires a substantial initial investment of staff and financial resources, which could be very limited. Even with this investment, the public might not be interested in participating. In addition, public participation could slow down the decisionmaking process. Nevertheless, EPA believes the public is vital to the long-term success of the municipal storm water program and strongly encourages public involvement and participation.

In response to comments from the Storm Water Phase II FACA Subcommittee, EPA believes it is important for the public to seek administrative remedies before filing civil suit under section 505 of the CWA. EPA also received comments stressing the need to suggest to the public that they have a responsibility to fund the municipal storm water program. While EPA believes it is important that the program be adequately funded, as a federal agency it cannot take a position on the appropriate mechanism or level for such funding.

L. Water Quality Issues

The CWA combines a technology-based approach with a water quality-based approach to ''restore and maintain the chemical, physical, and biological integrity of the Nation's waters . . . .'' EPA and most States issue NPDES permits to point source discharges of pollutants to meet the technology-based and water quality-based requirements of the act. Technology-based requirements are the minimum level of control and are generally applicable nationwide. When the technology-based controls are not sufficient for the waterbody to support the water quality standards that States or Tribes adopted for their waters, the CWA requires development of more stringent permit limits and control programs to ensure compliance with water quality standards.

1. Water Quality Standards

Water quality standards are the cornerstone of a State's or Tribe's water quality management program. States and Tribes adopt water quality standards for waters within their jurisdictions. Water quality standards define a use for a waterbody and describe the specific water quality criteria to achieve that use. Examples of designated uses are recreation and protection of aquatic life. Water quality criteria can include chemical, physical,

or biological parameters, expressed as either numeric limits or narrative statements. The water quality standards also contain antidegradation policies to protect existing uses and high quality water. The antidegradation policy ensures that water quality improvements are conserved, maintained, and protected. States and Tribes review their water quality standards every 3 years and, if appropriate, revise them. Water quality standards provide the goals for the waterbody, serve as the regulatory basis of water quality management programs, and are benchmarks by which success is ultimately gauged for a given waterbody or watershed.

EPA recognizes that urban runoff is not the only contributor of pollutants and other stressors to urban waterways. Controls on urban runoff, however, represent an opportunity to prevent or capture a significant portion of the pollutants that are causing or contributing to violations of water quality standards, including impairment of designated uses. Storm Water Phase II FACA Subcommittee municipal representatives expressed concern that municipalities not be liable for loadings attributable to other sources. Today's proposal contains provisions that establish a BMP-based program with measurable goals that must meet the standard of MEP and protect water quality. In the first two to three rounds of storm water permits, EPA envisions that this would be the extent of the municipal requirements for a large majority of regulated entities. If additional specific measures to protect water quality were imposed, they would likely be the result of an assessment based on TMDLs, or the equivalent of TMDLs, where the proper allocations would be made to all contributing sources. EPA believes that the municipality's additional requirements, if any, should be guided by its equitable share based on a variety of considerations, such as cost effectiveness, proportionate contribution of pollutants, and ability to reasonably assume wasteload reductions.

a. Permitting Policy

As a result of today's proposed regulation, NPDES general permits that would be issued to owners or operators of regulated small municipal separate storm sewer systems, as well as storm water discharges associated with other activity, will be the primary mechanism used to implement these requirements. As is the case in the issuance of any NPDES permit, the permitting authority would use its NPDES program requirements, including 40 CFR 122.44 in establishing appropriate permit terms. EPA intends to issue NPDES permits consistent with the August 1, 1996, Interim Permitting Approach guidance (61 FR 43761, November 6, 1996.) This guidance describes the interim permitting approach as follows:

> In response to recent questions regarding the type of water quality-based effluent limitations that are most appropriate for National Pollutant Discharge Elimination System (NPDES) storm water permits, the Environmental Protection Agency (EPA) is adopting an interim permitting approach for regulating wet weather storm water discharges. Due to the nature of storm water discharges, and the typical lack of information on which to base numeric water quality-based effluent limitations (expressed as concentration and mass), EPA will use an interim permitting approach for NPDES storm water permits.
>
> The interim permitting approach uses best management practices (BMPs) in first-round storm water permits, and expanded or better-tailored BMPs in subsequent permits, where necessary, to provide for the attainment of water quality standards. In cases where adequate information exists to develop more specific conditions or limitations to meet water quality standards, these conditions or limitations are to be incorporated into storm water permits, as necessary and appropriate. This interim permitting approach is not intended to affect those storm water permits that already include appropriately derived numeric water quality-based effluent limitations. Since the interim permitting approach only addresses water quality-based effluent limitations, it also does not affect technology-based effluent limitations, such as those based on effluent limitations guidelines or developed using best professional judgment, that are incorporated into storm water permits.
>
> Each storm water permit should include a coordinated and cost-effective monitoring program to gather necessary information to determine the extent to which the permit provides for attainment of applicable water quality standards and to determine the appropriate conditions or limitations of subsequent permits. Such a monitoring program may include ambient monitoring, receiving water assessment, discharge monitoring (as needed), or a combination of monitoring procedures designed to gather necessary information.
>
> This interim permitting approach applies only to EPA; however, EPA also encourages authorized States and Tribes to adopt similar policies for storm water permits. This interim permitting approach provides time, where necessary, to more fully assess the range of issues and possible options for the control of storm water discharges for the protection of water quality. This interim permitting approach may be modified as a result of the ongoing Urban Wet Weather Flows Federal Advisory Committee policy dialogue on this subject.

EPA would encourage authorized States and Tribes to adopt policies similar to the Interim Permitting Approach when developing its storm water program. For a discussion of appropriate monitoring activities, see Section II.L.4. below.

2. Total Maximum Daily Loads

A TMDL analysis includes the determination of the relative contributions of pollutants from point, nonpoint, and natural background sources, including a margin of safety of pollutants that can be discharged to a water quality-limited waterbody to meet water quality standards. More specifically, an allowable TMDL is defined as the sum of the individual wasteload allocations for existing and future point sources (including storm water) and load allocations for existing and future nonpoint sources (including diffuse runoff and agricultural storm water) and natural background materials with a margin of safety incorporated to account for uncertainty in the analysis. TMDLs are required in the CWA section 303(d)(1) for waters that will not achieve water quality standards after implementation of technology-based controls. These provisions have been codified in 40 CFR 130.7.

The Part 130 regulations were designed to implement CWA sections 106, 205(g), 205(j), 208, 303, and 305, which address ambient water quality monitoring and planning for implementation, including funding and periodic reporting of ambient water quality for the development of a national inventory. Section 130.5 describes a continuing water quality planning process designed to implement CWA section 303(e). Of particular significance for an alternative State storm water management program described above are the provisions of § 130.6, which describes water quality management planning under sections 208 and 303. The water quality management regulations specify some of the elements of water quality management, including provisions for point and nonpoint source management and control. The nonpoint source management elements include, for example, regulatory and nonregulatory programs, activities, and BMPs for a variety of sources, including urban storm water (see 40 CFR 130.6(c)(4)(iii)(G)). State representatives have suggested that requirements for State storm water management under section 402(p)(6) could derive from, and be developed through, these water quality management provisions of Part 130. EPA is not proposing any amendments to the Part 130 regulations at this time, but is inviting comment on how the existing Part 130 regulations could be used to support the proposed

State alternative program described in this proposal.

TMDL analyses include estimates of loadings from storm water discharges. Load reductions obtained through the implementation of BMPs required in the NPDES program for storm water should be reflected in the TMDL analysis. Through the TMDL analysis, the relative contribution of storm water discharges within a watershed will be determined.

EPA has formed a Federal Advisory Committee to provide advice to EPA on identifying water quality-limited waterbodies, establishing TMDLs for them as appropriate, and developing appropriate watershed protection programs for these impaired waters in accordance with section 303(d). The committee operates under the auspices of the National Advisory Council for Environmental Policy and Technology (NACEPT).

3. Anti-Backsliding

In general, the term ''anti-backsliding'' refers to statutory and regulatory provisions at CWA sections 303(d)(4) and 402(o) and 40 CFR 122.44(l) that prohibit the renewal, reissuance, or modification of an existing NPDES permit to contain effluent limits, permit terms, limitations and conditions, or standards that are less stringent than those established in the previous permit. There are, however, exceptions to this prohibition (known as ''antibacksliding exceptions''), which are also presented in sections 303(d)(4), 402(o) and 40 CFR 122.44(l).

The issue of backsliding from prior permit limits, standards, or conditions is not expected to initially apply to most storm water dischargers designated under today's proposal because they generally have not been previously authorized by an NPDES permit. However, the backsliding prohibition would apply if a storm water discharge was previously covered under another NPDES permit. Also, the antibacksliding prohibition could apply when an NPDES storm water permit is reissued, renewed, or modified. In most cases, however, EPA does not believe that these provisions would restrict revisions to storm water NPDES permits.

4. Monitoring

EPA encourages States to provide a multiyear monitoring strategy in their CWA section 106 grant application to provide the framework for State/EPA agreement on the States' annual work plans. The strategy should include both ambient and program-specific monitoring activities for nonpoint sources, lakes, estuaries, wetlands, and wet weather surveys. States should also include monitoring for NPDES, TMDL, and section 305(b) activities. Finally, the State should describe how these activities were integrated to provide all information necessary to support the State water quality management programs. Specific elements recommended for State monitoring program work plans include identification of indicators to be used to measure progress toward goals and reference conditions for baselines; identification of methods used; identification of water quality problems; sampling and laboratory analytical support with a field manual and quality assurance/quality control (QA/QC) plans; provisions for data storage, management, and sharing; training and support for all involved persons, including volunteer reporting through the section 305(b) process; and annual program evaluation.

As part of EPA's efforts to further implementation of urban wet weather programs using a watershed approach, the Agency is working to develop a practical approach to monitoring that would provide meaningful results. Under today's approach, assessment, evaluation, and recordkeeping requirements beyond those required by the NPDES regulations would be left to the discretion of the NPDES permitting authority. The NPDES permitting authority (EPA or the authorized State or Tribe) would determine monitoring requirements in accordance with State or Tribe monitoring plans appropriate to the watershed. For purposes of today's proposal, EPA recommends that, in general, small municipalities not be required to conduct in the first permit term any additional monitoring beyond any they may be already performing. In the second and subsequent permit terms, EPA expects that some limited ambient monitoring might be appropriately required for perhaps half of the regulated small municipal separate storm sewer systems. However, EPA encourages participation in monitoring programs appropriate to watershed protection. The permitting authority may wish to consult the recommendations made in the report prepared by the Intergovernmental Task Force on Monitoring Water Quality (ITFM). For further discussion regarding monitoring activities and the ITFM report, see Section II.H.3.c, Evaluation and Assessment.

EPA and the FACA Committee have developed a paper entitled *''Watershed Assessment: A Critical Tool for Stakeholders''* (November 7, 1997) which is intended to supplement a draft watershed-based policy statement entitled *''A Watershed Alternative.''* The policy approach described in the *Watershed Alternative* would promote a watershed-based assessment as an essential element of watershed-based programs for protecting water quality. The *Watershed Assessment* paper amplifies this element, describing varying levels of resources and stakeholder needs for developing watershed assessment plans. It also acknowledges the importance of designing each assessment plan to address specific stakeholder interests. The paper states that each plan should include unique assessment goals and objectives, selected baseline, sampling methods, procedures for analysis, record keeping and reporting, and schedules for periodic evaluation. Additionally, the paper sets out the various roles and responsibilities of stakeholders. Also, it contains an expansive bibliography that gives resource managers suggested references to aid them in carrying out each stage of the watershed assessment plan.

III. Paperwork Reduction Act

The information collection requirements in this proposed rule have been submitted for approval to the Office of Management and Budget (OMB) under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.* EPA prepared an Information Collection Request (ICR) document (ICR No.1820.01), a copy of which may be obtained from Sandy Farmer, OPPE Regulatory Information Division; U.S. Environmental Protection Agency (2137); 401 M Street, S.W.; Washington, D.C. 20460, or by calling (202) 260–2740.

Information collection requirements under this proposed rule would include requirements to submit an NPDES permit application or notice for coverage under an NPDES general permit, as well as to comply with applicable recordkeeping and reporting requirements. Under the proposed rule, certain construction sites under 5 acres and small regulated municipal separate storm sewer systems would be required to retain records of data used to complete their NPDES permit applications or NOIs. In addition, small regulated municipal separate storm sewer systems would be required to submit annual reports in the first permit term and reports in years 2 and 4 in subsequent permit terms.

Under the proposed rule, the owners or operators of regulated small municipal separate storm sewer systems would be required to submit reports containing information which the permitting authority could use to assess

the effectiveness of individual storm water programs. This information could be further used at the time of permit renewal to ensure that appropriate measures would be taken by the owner or operator to revise its storm water program as needed. Information that might be contained in the reports includes monitoring data, and a self-assessment of progress toward pollutant reduction or programmatic goals which were established as permit conditions. Compliance with the applicable information collection requirements imposed under this proposed rule would be mandatory, pursuant to section 402.

Exhibit 3 presents annual and average total burden and cost estimates for Phase II respondents (for 3 years under the Paperwork Reduction Act). Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust existing ways for complying with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

EXHIBIT 3.—ANNUAL AND AVERAGE ANNUAL TOTAL BURDEN ESTIMATES FOR PHASE II RESPONDENTS

[For 3 years under the Paperwork Reduction Act]

Activity	Projected respondents per year	Estimated burden hours per respondent	Projected annual burden (Hrs)[1]	Projected annual cost ($)[1]
I. Construction Sources:				
Notice of Intent	95,889	1.0	95,889	$2,876,670
Development of SWPPPs	95,889	14.6	1,399,979	47,361,303
Individual Application	0	9.1	0	0
Recordkeeping	95,889	0.1	9,589	211,243
Notice of Termination	95,889	0.5	47,945	765,674
Annual Subtotal	.....	.....	1,554,361	51,214,890
II. Small Regulated Municipalities:				
Notice of Intent	4,154	40	166,160	4,341,761
Individual Application	0	88.2	0	0
Co-Applicant Application	0	146	0	0
Retention of Records	4,154	1	4,154	108,544
Annual Report Preparation and Submittal	4,154	21	87,234	2,279,424
Year 1 Subtotal	.....	.....	257,548	6,729,729
Years 2 and 3 Annual Subtotal (i.e., not including applications)[2]	.....	.....	91,388	2,387,968
Average Annual Burden and Cost[3]	.....	.....	146,775	3,835,222
Average Annual Program Total[4]	.....	.....	1,701,135	55,050,112

[1] Totals may not add because of rounding.

[2] Retention of Records (4,154) + Annual Report Preparation and Submittal (87,234) = Years 2 and 3 Annual Subtotal (91,388).

[3] Average annual cost for the municipal component of the program is calculated by taking the year 1 subtotal (i.e., applications plus retention of records and annual report preparation and submittal; $6,729,729) plus the average total for each of the years 2 and 3 (recordkeeping plus annual report preparation and submittal, i.e., 2 x $2,387,968), which equals $11,505,665. This is divided by 3 (the number of years the ICR is valid) to equal $3,835,222.

[4] Burden total calculated as the sum of the construction source annual subtotal plus the municipal average annual burden. Cost total calculated as the sum of the construction source annual subtotal and the municipal average annual cost.

Given the requirements of today's proposed regulation, there would be no capital and no operations and maintenance costs associated with information collection requirements of the rule. Similarly, there would be no capital/startup or operating and maintenance costs associated with the information collection requirements of the rule.

The government burden associated with the proposed extension of the existing storm water program would impact State, Tribal, and Territorial governments (NPDES-authorized governmental entities) that have storm water program authority, as well as the Federal government (i.e., EPA), where it is acting as the NPDES permitting authority in States, Tribes, and Territories that are not authorized to administer the NPDES program. As of May 1997, 42 States and the Virgin Islands had NPDES authority. EPA estimates that 96,962 construction starts and 3,749 small municipal separate storm sewer systems would be regulated within authorized governmental entities. EPA estimates that 18,815 construction starts and 405 small municipal separate storm sewer systems would be regulated in non-authorized States, Tribes, and Territories.

The estimated burden that would be imposed upon authorized governmental entities and the Federal government is estimated to be 241,282 hours for authorized States and 38,933 for the Federal government, for a total of 280,215. This estimate is based on the average time that governments would expend to carry out the following activities: review, respond to, and enter a construction NOI into a data base (1 hour); review and enter a Notice of Termination (NOT) into a data base (0.5 hours); process permit applications from owners or operators of regulated small municipal separate storm sewer systems using the NOI (4 hours); issue permits to regulated small municipal separate storm sewer systems (160 hours); and review annual reports submitted by

regulated small municipal separate storm sewer systems (30 hours).

Today's proposed rule also would include a conditional exemption from the existing storm water permit application requirements for industrial facilities that can certify that their industrial materials or activities have no exposure to storm water. This exemption would be conditioned upon the owner or operator certifying that their facility meets the no exposure requirements. Because the information collection burden associated with this certification, as well as the reduced information collection requirements associated with becoming exempt from the existing storm water permit regulations, are being developed at this time but are most appropriately considered as part of the existing storm water regulations, the incremental change in information collection burden associated with the no exposure requirements has been estimated in a separate section of the economic analysis accompanying today's proposed storm water rule.

The proposed no exposure provision would expand the applicability of the ''no exposure'' exemption to more industrial entities than currently contemplated. Under the existing rule, permit application requirements are reserved for storm water discharges associated with light industrial materials and activities identified under § 122.26(b)(14)(xi) if those materials and activities have no exposure to storm water. Today's proposed rule would expand the applicability of the ''no exposure'' exemption to include all industrial activity regulated under § 122.26(b)(14) (except category (x), construction). The proposed no exposure provision would be applied through the use of a written certification process, thus representing a slight burden increase for ''light'' industries with no exposure. There would be both new costs and cost savings. The new costs would relate to the certification requirement and State and Federal implementation costs. The new cost savings would be based on relief from all existing compliance requirements for those industrial facilities that qualify. The net impact of the proposed no exposure provision for regulated industrial facilities would be an annual net savings ranging from $89 million to $2,499 million. The total cost to Federal and State governments would range from $0.6 to $1.1 million annually.

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15.

Comments are requested on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques. Comments are specifically requested on the potential to shorten the recordkeeping period for construction activity less than 5 acres to less than the proposed 3 years. Send comments on the ICR to ''ATTN: Storm Water Proposed Rule ICR Comment Clerk—W–97–15, Water Docket, Mail Code 4101, EPA; 401 M Street, SW, Washington, D.C. 20460'' and to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, D.C. 20503, marked ''Attention: Desk Officer for EPA.'' Include the ICR number in any correspondence. Because OMB is required to make a decision concerning the ICR between 30 and 60 days after January 9, 1998, a comment to OMB is best assured of having its full effect if OMB receives it by February 9, 1998. The final rule will respond to any OMB or public comments on the information collection requirements contained in this proposal.

IV. Executive Order 12866

Under *Executive Order 12866 of September 30, 1993: Regulatory Planning and Review,* (58 FR 51735, October 4, 1993) the Agency must determine whether the regulatory action is ''significant'' and therefore subject to OMB review and the requirements of the executive order. The order defines ''significant regulatory action'' as one that is likely to result in a rule that may:

(1) Have an annual effect on the economy of $100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;

(2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

Pursuant to the terms of Executive Order 12866, it has been determined that this rule is a ''significant regulatory action'' because it could have an annual effect on the economy of $100 million or more. As such, this action was submitted to OMB for review. Changes made in response to OMB suggestions or recommendations will be documented in the public record.

EPA developed detailed cost estimates for the incremental requirements imposed under today's proposed regulation and the regulatory options considered and applied these estimates to the potentially regulated universe of storm water sources designated under today's proposal. These estimates, including descriptions of the methodology and assumptions used, are described in detail in the *Economic Analysis of the Storm Water Phase II Proposed Rule,* which is included in the record of this rulemaking. Exhibit 4 summarizes the low-high cost range associated with the basic elements of the proposed rule.

EXHIBIT 4.—COMPARISON OF ANNUAL COMPLIANCE COST ESTIMATES

[Millions of 1997 Dollars]

	No regulation of phase II sources	August 7, 1995, final rule	Plan B	September 30, 1996 draft proposed rule	February 13, 1997 draft proposed rule	Proposed phase II rule
Construction	$0	$278–$976	$261–$914	$177–$683	$115–$476	$115–$476
Municipal	0	701–3,085	388–2,236	23–393	23–393	23–393
Industrial	0	1,218–74,824	0	46–2,632	46–2,632	0
Total Cost	0	2,197–78,885	649–3,150	246–3,708	184–3,501	138–869

In interpreting these costs, a number of caveats should be born in mind. The primary component of the municipal costs is the implementation of the six minimum measures. These were estimated from a sample of 21 permit applications for Phase I municipalities. Cost categories from these applications corresponding to the six required Phase II minimum measures were identified and used to calculate, for each measure, the percent of municipalities that would incur costs for that measure, and for those that would, a range of per capita costs. Municipalities that did not show costs for a particular measure on their permit application were assumed to already have programs in place to comply with that measure, and thus incur no additional costs. Also, per capita costs that were more than two standard deviations above or one standard deviation below the mean were dropped because they were not representative of most cities. This evaluation was done separately for the first permit cycle and the second and third permit cycles. In estimating the costs for the second and third permit cycles, cost elements were dropped that would be expected to occur only once, such as development of municipal ordinances, or assessment of appropriate O&M requirements for municipal operations. The first, second, and third permit cycle costs were then combined to get an average annual cost over the first 15 years of the program.

The estimated percentages of affected municipalities and the range of per capita costs for each of the six minimum measures are presented in Exhibit 5.

EXHIBIT 5.—PERCENTAGE OF MUNICIPALITIES AFFECTED AND RANGE OF PER CAPITA COSTS FOR SIX MINIMUM MEASURES

Measure	Percent of municipalities expected to incur costs (percent)	Low end of range of per capita costs	High end of range of per capita costs
First Permit Cycle:			
Public Education	39	$0.02	$0.34
Public Involvement	100	0.19	0.20
Illicit Discharge D&E	90	0.04	2.61
Const Site SW Runoff Control	83	0.04	1.59
Post Construction SW Mgt	4	1.09	1.09
PP/GH of Municipal Ops	71	0.01	2.00
2nd and 3rd Permit Cycles:			
Public Education	39	0.01	0.34
Public Involvement	100	0.12	0.12
Illicit Discharge D&E	73	0.04	2.17
Const Site SW Runoff Control	80	0.01	0.83
Post Construction SW Mgt	4	1.09	1.09
PP/GH of Municipal Ops	67	0.01	1.08

Concerns have been raised that using data from Phase I permit applications to calculate Phase II costs may lead to either an understatement or overstatement of these costs. Since Phase II communities are smaller and less densely populated, they will probably have fewer structures to maintain, systems to map, and connections to inspect for illicit discharges than Phase I municipalities, although whether this is also true on a per capita basis is not clear. They may also be able to coordinate with nearby Phase I programs for some measures, such as public education. However, to the extent that there are significant fixed costs and economies of scale associated with implementation of the measures, the per capita costs for Phase II municipalities may be higher than those for Phase I municipalities. Also, it is not clear whether the costs listed on permit applications represent the entire compliance costs for the Phase I municipalities sampled. EPA requests comment on its methodology of using estimated costs from Phase I permit applications to project per capita costs for Phase II municipalities. EPA especially requests any data that might provide a better indication of actual compliance costs for these types of measures for smaller municipalities.

EPA also requests comment on its projection that compliance costs will be lower in the 2nd and 3rd permit cycles. This projection is based on the fact that some program elements, such as development of municipal ordinances and identification of illicit connections, will only have to be done once, in the first permit cycle. However, concern has been raised that there may be counteracting tendencies for subsequent permit cycle costs to be higher, such as population growth and more areas being classified as urbanized areas.

Concern has also been expressed that it may not be appropriate to apply the percentages of Phase I municipalities that apparently incurred costs for implementation of each measure to the estimation of Phase II costs. Because Phase II municipalities are smaller, they may be less likely than Phase I municipalities to already have adequate storm water programs in place and thus be more likely to incur additional costs as a result of this rule. As a sensitivity analysis, EPA has estimated the municipal costs under the assumption that 100 percent of covered Phase II municipalities would incur costs for each measure. Under this assumption the municipal costs for the first permit cycle would range from $110 million to $690 million with a mean of $238 million; second and third permit cycles would range from $98 million to $494 million with a mean of $209 million. EPA requests comment on its projections of the percentage of Phase II municipalities expected to incur costs for each measure, and any data that might help refine these estimates for the final rule.

To estimate costs to owner/operators of small construction sites, EPA first gathered national data on building permits issued over 15 years. Over the period from 1980 to 1994, there was a 1.3 percent average annual increase in the number of building permits issued. This growth rate was used to project total building starts through the year 2015. To estimate what percentage of these starts would be between 1 and 5 acres, EPA used more detailed data from

Prince George's County, Maryland to determine for each category of building permit (residential, commercial, etc.) what percentage was between 1 and 5 acres and applied these percentages to the national totals. Of the projected 645,709 building sites for the year 2000, EPA estimated that 22 percent, or 140,485 would be between 1 and 5 acres, based on the Prince George's County (PGC) data. EPA recognizes that PGC may not be representative of the entire country and requests any data that commenters may have that might be used to develop a better estimate of the number of construction sites between 1 and 5 acres.

EPA next estimated the number of sites located in States that already require permits for sites between 1 and 5 acres, and removed these from its cost calculations because sites in these States would not be expected to incur additional costs, beyond those already involved in State permitting. This removed 19 percent of the estimated sites between 1 and 5 acres, leaving a projected 111,357 sites in the year 2000 that would be expected to incur incremental costs as a result of this rule. Finally, EPA estimated the percentage of these sites that are already subject to local sediment and erosion control (SEC) requirements. Based on a survey of 113 localities, EPA estimated that 37 percent of sites between 1 and 5 acres, or 41,202 in the year 2000, would already be subject to local controls and would thus not incur incremental costs to implement SEC measures. EPA estimates that these sites would incur costs for the preparation of Notices of Intent, Notices of Termination, and Storm Water Pollution Prevention Plans only, while the remaining 70,155 sites would incur costs for implementation of SEC controls as well. EPA notes that sites in coastal areas subject to the Coastal Zone Act Reauthorization Amendments of 1990 (CZARA) would be required to implement sediment and erosion controls even without the proposed rule. SEC costs for sites in those areas should thus not be considered incremental costs of this rule. However, because EPA is not sure how much overlap exists between coastal zone areas, States that already have permitting programs for small construction sites, and localities that already have SEC requirements, EPA did not remove additional sites from the rule costs specifically because they were located in areas subject to CZARA (note, for example, that most State permitting programs are in such areas). EPA requests comment on its procedure for adjusting the number of sites subject to incremental costs to account for programs and requirements already in place.

The proposed rule would allow the NPDES permitting authority to waive applicability of requirements to storm water discharges from small construction sites based on three different criteria. In the economic analysis the Agency has projected that 15 percent of the construction sites that would be covered by today's proposal would be eligible to receive such waivers. Based on an informal survey of individuals familiar with the construction industry, EPA believes the percentage of sites eligible for waivers would probably fall between 5 and 25 percent. If the number of sites eligible for waivers were 25 percent, rather than the 15 percent used in the EA, projected compliance costs for small construction sites would be correspondingly lower. Similarly, if only 5 percent of sites turned out to be eligible for waivers, compliance costs would be correspondingly higher. The construction cost analysis does not include any costs for the preparation and submission of waiver applications, but the agency believes these costs will be negligible. EPA solicits comments and data on its assumptions regarding construction waivers.

Because today's proposed rule provides a significant degree of flexibility to the NPDES permitting authority and designated sources proposed for regulation, the actual costs of implementing today's proposed storm water rule depend greatly on how the NPDES permitting authority and regulated sources implement the program. To some extent, this flexibility is reflected in the broad ranges of costs. EPA believes that because of the significant flexibility provided by the proposed rule, the low to middle ranges of costs are most representative of the actual costs likely to be incurred.

Estimates of monetized benefits associated with today's proposed regulation were derived using an aggregate, ''top-down'' approach. Under this approach, the underlying data and assumptions were geared to a national scale (e.g., national value of the commercial fishery and nationwide beach visit data). EPA chose this approach because research indicated that, given the variability of local situations and the scarcity of data on both local conditions and on extrapolation methods, a bottom-up approach was not deemed to be feasible at this time. Nevertheless, information from more geographically confined studies provided important data that support such a monetized benefit analysis. In addition, local and regional experiences also verified some of the impacts and benefits that EPA had estimated at a national level.

The basic methodology for the top-down approach was as follows. For each of the various categories of financial, recreational, and health benefits, EPA first estimated the total value if all surface waters of the United States were cleaned up to a level that supported their designated uses. Next, using information on the degree and causes of water quality impairment from EPA's 1994 and 1996 Section 305(b) National Water Quality Inventory Report to Congress, EPA estimated the portion of total impairment (and thus total benefits) attributable to storm water runoff. Although it varied by benefit category, generally between 5 and 10 percent of total water quality impairment was found to be attributable to either urban or construction storm water runoff. Finally, EPA determined the share of storm water benefits that should be attributed to the Phase II rule specifically.

One consequence of the approach used to estimate monetized benefits is that, unlike the cost analysis, the benefits analysis only provides monetized estimates of the benefits associated with today's proposed regulatory alternative. To account for the fact that any storm water control may not be 100-percent effective, EPA estimated the effectiveness of the storm water BMPs proposed in today's rule and applied these estimates to the total monetized benefits of the proposal. Due to the uncertainty regarding effectiveness of different BMPs, as well as that regarding the appropriate share of storm water benefits to allocate to each of EPA's wet weather programs, EPA developed three scenarios to estimate proposal benefits. In Scenario 1 (high benefits scenario), it was assumed that Phase II BMPs would be 90 percent effective in controlling pollution from storm water runoff, that 5/7 of health benefits should be allocated to storm water programs (Phases I and II) and 2/7 should be allocated to EPA's sanitary sewer overflow (SSO) program, and that most municipal storm water benefits should be allocated 50 percent to Phase I and 50 percent to Phase II. The exceptions were benefits for avoided costs of building or replacing water storage capacity, 75 percent of which were to be allocated to Phase II, and benefits for avoided costs of freshwater navigational dredging, 25 percent of which were allocated to Phase II. In Scenario 2 (medium benefits scenario), it was assumed that Phase II BMPs would be 80 percent effective, that all

health benefits should be allocated to storm water programs, and again, that most municipal storm water benefits should be allocated evenly between Phases I and II, with the same two exceptions. In Scenario 3 (low benefits scenario), it was assumed that Phase II BMPs would be only 60 percent effective, that all health benefits should be allocated to storm water programs, and that all municipal storm water benefits, including those for avoided costs of building or replacing water storage capacity and freshwater navigational dredging, should be allocated evenly between Phases I and II. In Scenario 1, all water storage replacement and navigational dredging costs were allocated to storm water programs (Phases I and II), while in Scenarios 2 and 3, 96 percent of these benefits were allocated to storm water programs and 4 percent to other wet weather programs. In all three scenarios, 40 percent of storm water construction benefits were allocated to Phase II. The Economic Analysis document accompanying today's action provides a detailed description of the basis rationale for each of these scenarios.

Exhibit 6 summarizes annual benefits attributed to the proposed Phase II rule.

EXHIBIT 6.—SUMMARY OF TOTAL ANNUAL MONETIZED BENEFITS FROM IMPLEMENTATION OF THE PROPOSED STORM WATER RULE

[Millions of 1997 Dollars]

Benefits category	Scenario 1 annual value	Scenario 2 annual value	Scenario 3 annual value
Municipal Benefits	$114–$379	$100–$333	$66–$222
Construction Benefits	61–195	53–169	40–127
Total	175–574	153–502	106–349

EPA was able to develop a partial monetary estimate of expected benefits for today's storm water proposed rule for municipal and construction benefits. Summing the monetized benefits for each of the scenarios across these categories results in total benefits ranging from approximately $106 million to $574 million (1997 $) annually for the proposed rule.

EPA is requesting comment on several aspects of its benefits estimation methodology. The largest single category of estimated benefits is avoided costs of building or replacing water storage capacity (reservoirs) lost to sediment deposition. EPA estimates that an average of 820,000 acre feet of storage capacity is lost to pollution sources each year. EPA further estimates that ⅓ of this capacity will be replaced by building new reservoirs, at a cost of $420 to $1500 per acre foot, and ⅔ of this capacity will be restored by dredging, at a cost of roughly $3,500 to $11,000 per acre foot. This yields annual water storage replacement costs of $2 to $6 billion annually. EPA estimates that roughly 8 percent of these costs (or $170 to $510 million) are attributable to storm water runoff. EPA allocated 75 percent of the benefits from avoiding these costs in Scenarios 1 and 2 to Phase II, because it believes that most reservoirs are likely to be outside of densely populated Phase I areas. In Scenario 3, these benefits are allocated evenly between Phases I and II. Concern has been expressed that these benefits estimates may be too high, especially given that the total amount actually spent on navigational dredging attributable to pollution sources annually is only $180 million (to remove 83 million cubic yards), compared to the $2 to $6 billion that EPA estimates would be required to replace the estimated 1.3 billion cubic yards of water storage capacity lost to pollution sources annually. On the other hand, the temporary nature and intermittent frequency of reservoir dredging and the frequent need to deploy and remove heavy equipment and dispose of spoil often in confined areas, may elevate costs on a per cubic yard basis for reservoirs versus navigational dredging. EPA has no data on the actual amount spent on water storage capacity replacement. EPA thus requests comment on its methodology for estimating these avoided costs, on its allocation of these avoided costs between Phases I and II, and any data that would allow it to refine these estimates for the final rule. EPA also requests comment on whether it would be appropriate to discount these benefits, and by how much, given that much of the actual replacement of lost storage capacity may not occur for several decades. EPA further notes that many other categories of benefits may also entail significant lags and requests comment on the appropriateness of discounting benefits to account for these lags generally.

EPA is also requesting comment on its methodology for estimating marine recreational and commercial benefits for fishing and swimming. Specifically, the current estimates are based on the degree of estuarine impairment attributable to storm water, although EPA recognizes that a significant share of marine fishing and swimming occurs in open coastal waters rather than estuaries. EPA has assumed that full restoration of these resources would result in a 20 percent increase in their value, based roughly on the degree of estuarine impairment. A concern has been raised that the degree of impairment in open coastal waters may be significantly different than that of estuaries, and the value of full restoration of open coastal resources correspondingly changed. Concern has also been raised that the current estimates do not account for the substitutability of resources, but rather assume that the total amount of current marine fishing and swimming is limited by the availability of unimpaired estuarine and coastal areas. EPA requests comment on its methodology for estimating these benefits, and any data, especially on the degree of impairment of open coastal waters or the fraction of marine fishing and swimming that occurs in such waters, that would allow it to refine these estimates for the final rule.

As a sensitivity analysis, EPA also performed an alternative benefits estimate using a different ''bottoms-up'' approach based on its Clean Water Act Effects Model. The modeling approach examined impacts of all wet weather events together: SSOs, CSOs (Combined Sewer Overflows) and storm water Phase I and II. This would provide an upper bound estimates for storm water control. (For this analysis, it was possible to break out CSOs as separate data exists for these events.)

Changes in water quality relate to changes in how humans use the resource. This analysis estimated

changes to water quality based on assumptions about the level of control EPA would expect from the CWA's wet weather programs. Next, the Agency estimated the changes in human use and enjoyment of the resource. The Agency applied ''willingness-to-pay (WTP)'' values from Mitchell/Carson (1993) contingent valuation survey results, which estimates the amount of money people are willing to pay for water quality improvement. (Mitchell/Carson estimates include values for recreation use as well as nonuse values.)

The model examined three different wet-weather programs under three loadings reduction scenarios based on differences in such factors as average annual rainfall in different hydrologic regions and changes in removals. For each of these scenarios EPA further estimated low, medium and high values to account for wide ranges in variability. The following discussion of results is based on medium values in these three scenarios.

The results of this analysis show a range of monetized benefit of $1 to $7 billion for all urban wet weather programs. The results of the modeling did not split out storm water impacts from SSO impacts. Applying the percentages used in the top down approach (5/7 storm water, 2/7 SSO), EPA derived an estimate for storm water Phase II. Using the medium results, averaged between the low and the high estimates, benefit estimates for the proposed rule fall within a range of $526 million to $3.56 billion. The wide range of these estimates is due to the very flexible nature of the proposal, which would provide communities with a wide range of options to consider for control of storm water.

There are additional benefits to storm water control that cannot be quantified or monetized. The estimate of monetized benefits presented here may thus understate the true value of storm water controls because it may omit additional numerous mechanisms by which society is likely to benefit from reduced storm water pollution, such as improved aesthetic quality of waters, benefits to wildlife and to threatened and endangered species, option existence values, cultural values, and biodiversity benefits. The estimates of freshwater recreational benefits included in the monetized benefits analysis are based on the Mitchell/Carson ''willingness-to-pay'' study. Mitchell/Carson estimates the value people are willing to pay to restore all of the nation's waters to fishable/swimmable quality, and thus presumably already includes associated ''non-use'' values. However, EPA believes there are non-use values that are not captured in the Mitchell/Carson estimates and thus not included in the monetized benefits estimates.

These environmental and health benefits are also important. Another benefit that EPA did not specifically monetize is the benefits of flood control to the extent that Phase II storm water controls reduce downstream flooding. In addition, the Agency relied on a geographically-limited data set (Santa Monica Bay, California) to measure the benefits of illness avoided due to storm water controls.

A significant category of benefits that the Agency could not specifically monetize is ecological benefits. Urbanization can adversely affect water quality by increasing the amount of sediment, nutrients, metals and other pollutants associated with land disturbance and development. Not only is there a dramatic increase in the volume of water runoff but there may also be a substantial decrease in that water's quality due to stream scour, runoff and dispersion of toxic pollutants, and oversiltation. The higher flow volumes in the tributary streams and channels create a ''domino'' effect of ecological impacts. Erosion of stream banks and incision of the stream floor result in sediment movement and eventually buildup in downstream environments. Sediment covers the stream bed, smothers fish eggs and spawning grounds, interferes with hatching, and can clog the gills and filter systems of fish and aquatic invertebrates. This latter effect can result in retarded growth, systemic disfunction, or asphyxiation. Subsequent loss of aquatic life has a ripple effect up the food chain.

High nutrient levels often lead to eutrophication of the aquatic system. This entails the blue/green surface algae bloom, water discoloration, and depressed levels of dissolved oxygen. Heavy metals can have toxic effects on aquatic life. Heavy metals in the water column and sediments have been connected with respiratory problems in fish and often destroy or infect the insect populations which serve as the primary food source for many fish species. High bacteria levels from animal excrement and carcasses, septic runoff or illegal dumping by motor homes and others affect critical estuarine habitats which are the nation's most productive finfish, oyster, clam and shrimp fisheries. EPA requests comment on the extent to which additional consideration of these ecological benefits is needed and appropriate methodologies for quantifying and monetizing them.

Exhibit 7 compares the estimated national annual monetized total benefits associated with the proposed storm water regulations with the monetized costs associated with the proposed regulation. Because EPA is uncertain of the exact monetized benefit, the benefits for each scenario have been compared to costs. The net total benefits (social benefits less social costs) for the three benefits scenarios range from positive $34 million in Scenario 1 to negative $531 million in Scenario 3.

EXHIBIT 7.—COMPARISON OF TOTAL ANNUAL MONETIZED BENEFITS TO TOTAL ANNUAL COSTS FOR THE PROPOSED PHASE II STORM WATER RULE

[Millions of 1997 Dollars]

Benefit categories	Scenario 1 value	Scenario 2 value	Scenario 3 value
Financial Benefits	$93–$267	$80–$228	$51–$144
Recreational Benefits	$81–$304	$72–$271	$54–$203
Health Benefits	$1–$3	$1–$3	$1–$2
	$175–$574	$153–$502	$106–$349
Cost categories	Value	(Low-High)	
Compliance Costs	.....	$138–$869	.....
Administration Costs	.....	$3–$11	.....
Total Monetized Costs	.....	$141–$880	.....
Net Monetized Benefits	$34–$(306)	$12–$(378)	$35–$(531)

The proposed storm water rule includes a provision that would allow owners or operators of facilities with existing discharges associated with industrial activity to certify that if significant materials or industrial activities are not exposed to storm water the owners or operators could apply for an exemption from the requirements of the NPDES permitting program. This provision is included in today's proposed storm water rule but would only apply to sources regulated under existing rules. Therefore, EPA has decided not to factor the costs savings associated with this exemption into the costs analysis for today's proposed rule. Rather, the cost savings associated with this exemption is addressed separately in the Economic Analysis.

V. Unfunded Mandates Reform Act/ Executive Order 12875

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), Pub. L. 104–4, establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, Tribal, and local governments and the private sector. Under UMRA section 202, EPA generally must prepare a written statement, including a cost-benefit analysis, for proposed and final rules with ''Federal mandates'' that may result in expenditures to State, Tribal, and local governments, in the aggregate, or to the private sector, of $100 million or more in any one year. Before promulgating an EPA rule for which a written statement is needed, UMRA section 205 generally requires EPA to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, most cost-effective, or least burdensome alternative that achieves the objectives of the rule. The provisions of section 205 do not apply when they are inconsistent with applicable law. Moreover, section 205 allows EPA to adopt an alternative other than the least costly, most cost-effective, or least burdensome alternative if the Administrator publishes with the final rule an explanation why that alternative was not adopted. Before EPA establishes any regulatory requirements that may significantly or uniquely affect small governments, including Tribal governments, it must have developed under UMRA section 203 a small government agency plan. The plan must provide for notifying potentially affected small governments, enabling officials of affected small governments to have meaningful and timely input in the development of EPA regulatory proposals with significant Federal intergovernmental mandates, and informing, educating, and advising small governments on compliance with the regulatory requirements.

EPA has determined that this proposed rule contains a Federal mandate that may result in expenditures of $100 million or more for State, Tribal, and local governments, in the aggregate, or the private sector in any 1 year. Accordingly, under UMRA section 202, EPA has prepared a written statement, which is summarized below.

A. UMRA Section 202 Written Statement

EPA proposes today's storm water regulation pursuant to the specific mandate of Clean Water Act § 402(p)(6), as well as sections 301, 308, 402, and 501. (33 U.S.C. §§ 1342(p)(6), 1311, 1318, 1342, 1361.) Section 402(p)(6) of the CWA requires that EPA designate sources to be regulated to protect water quality and establish a comprehensive program to regulate those sources. In a separate document in the administrative record, EPA describes the qualitative and monetized benefits associated with the proposed storm water rule and then compares the monetized benefits with the estimated costs for the proposed rule. The Agency also developed a partial monetary estimate of expected benefits for the proposed rule for financial benefits, recreational benefits, and health benefits. Summing the monetized benefits, for each of the scenarios, across these categories results in total benefits ranging from approximately $106 million to $574 million (1997 $) annually for the proposed rule. Because EPA is uncertain of the exact monetized benefit, three benefit scenarios were created and compared to costs for the proposed regulation.

In that document, EPA reviewed the potential for this proposed rule to have a significant effect on the economy or upon unemployment and determined that the unemployment impacts will be minimal, if any at all.

First, the proposed rule does not address industries involved in production, but rather small municipal separate storm sewer systems and construction sites under 5 acres. Second, flexibility within the proposed rule would allow municipalities to tailor proposed individual municipal storm water program requirements to their needs and financial position. Finally, discussions with representatives within the construction industry indicate that construction costs would likely be passed on to consumers. EPA believes that these same reasons would result in the proposed rule having minimal or no unemployment impacts. EPA also assessed the social costs of the proposed regulation and estimates the total social costs of the proposed rule to range from approximately $141 million to $878 million annually (1997 $). The proposed rule would not have the potential to increase costs for industrial manufacturers and producers because the proposed rule does address storm water discharges from other types of industrial facilities.

B. Description of Intergovernmental Consultation

Consistent with the intergovernmental consultation provisions of section 204 of the UMRA and Executive Order 12875, Enhancing the Intergovernmental Partnership, EPA consulted with elected representatives of various levels of government in a variety of ways. First, EPA provided States, local, and tribal governments and the private sector with the opportunity to comment on alternative approaches to the proposed regulations through publishing a notice requesting information and public comment on the approach for the CWA section 402(p)(6) regulations in the **Federal Register** on September 9, 1992 (57 FR 41344). This notice presented a full range of regulatory alternatives under each issue in an attempt to illustrate, and obtain input on, the regulation of unregulated sources to protect water quality. Approximately 43 percent of the more than 130 comments received came from municipalities and 24 percent from State or Federal agencies. These comments provided the genesis for many of the provisions in the proposed storm water rule, including reliance on the NPDES program framework (including general permits), providing State and local governments flexibility in selecting additional sources requiring regulation on a localized basis, focusing on high priority polluters and providing certain exemptions for facilities that do not pollute, focusing on pollution prevention and best management practices, and incorporating watershed-based concerns in targeting.

Second, in early 1993, EPA, in conjunction with the Rensselaerville Institute held public and expert meetings to assist in developing and analyzing options for identifying unregulated storm water sources and possible controls. These meetings again allowed participants an opportunity to provide input into the CWA section 402(p)(6) program development process. The proposed rule reflects several of the key concerns identified in these groups, including provisions that provide flexibility to the States and to other

permitting authorities to select sources to be controlled in a manner consistent with criteria developed by EPA.

Finally, EPA established the Urban Wet Weather Flows Advisory Committee (FACA), including a Storm Water Phase II Subcommittee. Consistent with the Federal Advisory Committee Act, the membership of the Storm Water Phase II Subcommittee was balanced among EPA's various outside stakeholder interests, including representatives from State governments, municipal governments (both elected officials and appointed officials) and tribal governments, as well as industrial and commercial sectors, agriculture, environmental and public interest groups. The Storm Water Phase II Subcommittee met approximately every other month between September 1995 and June 1997. In addition to meetings, conference calls, and correspondence, Subcommittee members were provided three opportunities to comment in writing on preliminary draft approaches and actual drafts of the proposed rule and preamble. Ultimately, the 32 Subcommittee members recommended many of the portions making up the regulatory framework in the proposed rule.

C. Selection of the Least Costly, Most Cost-Effective or Least Burdensome Alternative That Achieves the Objectives of the Statute

The proposed regulation is based on a ''flexible'' NPDES program alternative. This alternative evolved over time and incorporates aspects of each of the other alternatives in order to respond to concerns presented by the various interests represented in the Storm Water Phase II Subcommittee. A primary characteristic of the proposed rule is the flexibility it offers both the permitting authority and the sources proposed for regulation (small MS4s and small construction sites), such as general permits, best management practices suited to specific locations, and allowing MS4s to develop their own program goals. EPA developed detailed cost estimates for the incremental requirements imposed under the proposed regulation, and for each of the alternatives, and applied these estimates to the potentially regulated universe of remaining unregulated point sources of storm water. The Agency compared the estimated annual range of costs imposed under the proposed regulation and other major options considered. The range of values for each option included the costs for compliance including paperwork requirements for the owners and operators of small construction sites, industrial facilities, and MS4s and administrative costs for State and Federal NPDES permitting authorities.

Because the proposed rule provides a significant degree of flexibility to the permitting authority and sources proposed for regulation, the actual costs of implementing the proposed storm water rule are highly dependent on how the program is implemented by the permitting authority and the sources proposed for regulations. To some extent, this flexibility is reflected in the broad ranges of costs. EPA believes that because of the significant flexibility provided by the proposed rule, the low to middle ranges of costs are most representative of the actual costs likely to be incurred. In the administrative record supporting today's proposal, EPA estimated ranges of costs associated with six different options for today's proposal. For each option, EPA estimate a cost range. From the highest of the high estimates to the lowest of the low, the cost range varied between no cost and $79 billion dollars. The least costly, most cost-effective or least burdensome option is the ''no regulation'' option. This option, however, would not achieve the objectives of CWA section 402(p)(6) because remaining unregulated point sources of storm water need to be regulated to protect water quality. The remaining option that is both the least costly, most cost-effective or least burdensome and accomplishes the objectives of the rule is the proposed rule in its current form. Today's proposal represents the lowest cost range option (between $106 million to $574 million dollars).

Although Congress did not establish a fund to fully finance implementation of the proposed extension of the existing NPDES storm water program under section 402(p)(6), numerous Federal financing programs (administered by EPA and other Federal agencies) could provide some financial assistance. These programs include CWA section 106 grant program CWA section 104(b)(3) grant program, State surface and ground water management programs under the Safe Drinking Water Act, the environmental quality incentives program, the conservation reserve program, the wetlands reserve program, and the estuary management and Federal monitoring programs. Also, the Natural Resources Conservation Service (NRCS) has some grants available to assist in projects related to erosion and sediment controls.

D. Small Government Agency Plan

In developing the proposed rule, EPA consulted with small governments pursuant to its interim plan established under UMRA section 203 to address impacts of regulatory requirements in the rule that might significantly or uniquely affect small governments. Though today's proposal would expand the NPDES program (with modifications) to certain municipal separate storm sewer systems serving populations below 100,000 people and though many systems are owned by small governments, EPA does not think the proposed rule might significantly or uniquely affect small governments. As explained in the Regulatory Flexibility Act section of the preamble, EPA today certifies that the proposed rule will not have a significant impact on small governmental jurisdictions. In addition, the proposed requirements would not have a unique impact on small governments because larger governments would also be affected. Notwithstanding this finding, the Agency sought to provide elected officials of small governments (and their representatives) with an opportunity for early and meaningful participation through FACA process. In addition, EPA is committed to providing guidance for the operators of the municipal separate storm sewer systems (which would likely include small governments) developed in conjunction with the Storm Water Phase II FACA Subcommittee.

As mentioned previously, 43 percent of the comments received on the September 9, 1992, notice were from municipal governments. In addition, the following groups participated as members of the Storm Water Phase II FACA Subcommittee: the Conference of Mayors, the National League of Cities, the National Association of Towns and Townships, the National Association of Counties, the CSO Partnership, the Water Environment Federation, and the Association of Metropolitan Sewerage Agencies. Through such participation and exchange, EPA notified potentially affected small governments of requirements under consideration, allowed officials of affected small governments to have meaningful and timely input into the development of regulatory proposals, and will inform, educate, and advise small governments on compliance with the regulatory requirements. The Agency is also undertaking efforts to develop a ''tool box'' of aids (e.g., fact sheets, guidance, information clearinghouse, training, education, research, and pilot programs) to be made available to regulated entities and permitting authorities to facilitate implementation of today's proposed regulation.

VI. Executive Order 12898

Executive Order 12898 established a Federal policy for incorporating environmental justice into Federal agency missions by directing agencies to identify and address in their programs, policies, and activities, as appropriate, the disproportionately high and adverse human health or environmental effects on minority and low-income populations. EPA ensured proper consideration of environmental justice concerns during the section 402(p)(6) rulemaking by selecting a balanced FACA membership and specifically inviting a representative of the Environmental Justice Information Center to participate on the Storm Water Phase II FACA Subcommittee. EPA examined the potential impact of today's proposed storm water rule on minority and low-income populations and worked to develop a proposed rule that would address environmental justice concerns. Discussions with the Storm Water Phase II FACA Subcommittee contributed to these efforts.

Three aspects of today's proposed storm water regulation would support environmental justice objectives. First, the proposed rule would result in improvements in water quality in the areas around small municipalities and certain industries that impact water quality. These improvements would benefit all persons living in or using these areas, including minority populations and low-income populations. Second, the proposed rule would provide a high degree of flexibility to the NPDES permitting authority to address high priority contaminated storm water discharges based on community input and public participation. This ability to focus program requirements on priority needs or areas should serve as an additional tool to address environmental justice concerns. Third, the proposed rule specifies that public education and outreach programs required of small municipal separate storm sewer systems should be tailored to address the concerns of all communities, particularly minority and disadvantaged communities, as well as children. The proposed rule also specifies that compliance with required public involvement and participation requirements should include efforts to engage all economic and ethnic groups.

In addition, partly in consideration of the executive order, EPA proposes to exempt Tribes in urbanized areas with populations of less than 1,000 from the requirements of today's proposed rule.

VII. Regulatory Flexibility Act

Under the Regulatory Flexibility Act (RFA), 5 U.S.C. 601 et seq., as amended by the Small Business Regulatory Enforcement Fairness Act (SBREFA), whenever EPA is required to publish notice of general rulemaking, EPA must prepare an initial regulatory flexibility analysis (IRFA) describing the economic impact of the proposal on small entities, unless the Administrator certifies that a proposed rule will not have a ''significant economic impact on a substantial number of small entities.'' After consideration of the economic impacts of today's proposed rule on small entities, the Administrator certifies that the proposed rule will not have a significant economic impact on a substantial number of small entities. Notwithstanding today's certification, EPA has prepared an IRFA. In addition, prior to determining that today's proposal should be certified, EPA convened a Small Business Advocacy Review Panel under the RFA, as amended by the Small Business Regulatory Fairness Act (SBREFA), to evaluate and minimize the potential impacts of the proposed rule on small entities.

A. Economic Impact on Small Entities

EPA assessed the potential economic impact of today's proposed storm water regulation on small entities. As the first step in its evaluation, EPA identified those small entities potentially affected by the proposal. In identifying these small entities, EPA used the definitions of small businesses, small governmental jurisdictions (e.g., municipalities), and small organizations (e.g., nonprofit organizations) established by the RFA. Based on data from the 1990 U.S. Census, EPA estimated that a total of 3,614 small governmental jurisdictions (specifically, municipalities) would be affected by the proposed rule. In addition, 11 Indian Tribes, as small governmental jurisdictions who own/operate municipal separate storm sewer systems, would also be affected. Next, EPA estimated that 187,610 construction firms in Standard Industrial Classification (SIC) Code 15 would be subject to the proposal, if adopted. EPA recognizes, however, that this number may over-estimate the number of small businesses subject to the proposal. The data do not permit the Agency to distinguish between small construction firms whose activities include land clearing and site preparation—the proposal's requirements would apply to such operations—and those small construction firms that do not prepare sites. Finally, the proposed rule would not apply to any small not-for-profit organizations.

In the next step of the Agency's evaluation, EPA analyzed the potential economic impact of the proposed rule on the small entities it had identified as likely to be subject to the proposed rule. In the case of those small municipalities that would be affected if the proposal is adopted, EPA evaluated the potential impact using a ''revenue test.'' Under this test, EPA looked at the total annual cost of complying with the proposed requirements in relation to total annual municipal revenues. EPA calculated total annual compliance cost based on mean costs ($2.67 per capita and $555 per municipality) and the population reported in the 1990 Census. EPA estimated annual revenues based on data from the 1992 Census of Governments, using state-specific estimates of annual revenue per capita for municipalities in three population size categories (fewer than 10,000, 10,000–25,000, and 25,000–50,000).

Based on this evaluation, the Administrator certifies that today's proposed storm water rule will not have a significant economic impact on a substantial number of small municipalities. Estimated compliance costs represent more than 1 percent of estimated revenues for only 62 municipalities of the affected small municipalities—approximately 1.7 percent of small municipalities—and less than 3 percent of estimated revenues for all but 4 municipalities—approximately 0.1 percent of affected small municipalities. In both absolute and relative terms, the impact is not significant.

EPA also assessed the potential impact of the rule on Indian Tribes using the same revenue test applied to municipalities. However, revenue per capita for tribal governments was not available. Therefore, EPA used the State-specific municipal per capita revenue estimates by size category and adjusted these estimates downward based on the ratio of per capita income on the reservation to per capita income for the State. EPA then multiplied the adjusted estimates of per capita revenue by the reservation population and conducted the screening analysis in the same manner as for municipalities (assuming annual compliance costs of $2.67 per capita and $555 per reservation). EPA assumed that all Tribes with populations between 1,000 and 100,000 would have to comply with the rule and Tribes in Oklahoma would

not be regulated.[5] Estimated compliance costs represent more than 1 percent of total estimated revenues for only 2 Indian Tribes. The remaining 9 Indian Tribes have compliance costs less than 1 percent of estimated revenues. The Administrator therefore certifies that this rule will not have a significant economic impact on a substantial number of small governmental jurisdictions regardless of whether the municipal and tribal impacts are analyzed separately or combined.

For small businesses, in most instances, EPA evaluates the potential impact by using a ''sales test.'' Under a sales test, EPA compares the cost of complying with proposed requirements to a small business' total annual sales. In developing the inputs to this test, EPA calculated the compliance costs based on ''unit costs'' (i.e., compliance costs per single-family home) rather than costs per developer/contractor because of the uncertainties associated with estimating how many units an ''average'' developer/contractor might develop or build in a typical year. Therefore, EPA's analysis was not exactly a ''sales test,'' but was developed to derive the kind of results that are comparable to results from a sales test. EPA approximated the sales test by estimating compliance costs for single-family homes under various scenarios and comparing those costs with the median sales price of a single-family home. The results of this approximation show that the cost of complying with the proposed rule will not exceed 1 percent of the average sales price of a single family home for an array of the most likely economic and regulatory scenarios. EPA reached this conclusion after controlling for sites of different size and the changes in compliance costs per site (i.e., single family home) that depend upon the need to implement erosion and sediment controls as a result of the proposed rule.

Because of the absence of data to specifically assess compliance costs per developer/contractor as a percentage of total annual sales (i.e., a very direct estimate of the impact on potentially affected small businesses), EPA performed additional market analysis to examine the ability of potentially affected firms to pass along regulatory costs to buyers for single-family homes constructed using the storm water control program proposed today. Obviously, if the small construction companies that would be subject to the proposal are able to pass the costs of compliance, either completely or partially, on to their purchasers, then the proposed rule's impact is significantly reduced. EPA conducted this supplemental analysis using available data and published economic literature. The analysis evaluated the potential effects of complying with this proposed rule on the market for single-family houses for both the short and long term including potential changes in the price and sales of single-family homes. The Agency assessed the effect on average monthly mortgage rates for a range of potential interest rates. EPA has concluded that the costs to site developers and building contractors, and the potential changes in housing prices and monthly mortgage payments for single-family home buyers, are not expected to have a significant impact on the market for single-family houses including most potentially affected small firms that are actively participating in this market. EPA's analysis projects the impact of the rule on small site developers and building contractors will be minimal because these companies are expected to pass regulatory costs on to home buyers without a significant impact on sales. Based on this assessment, the Administrator also certifies that the proposal will not have a significant economic impact on a substantial number of small businesses.

B. SBREFA Panel Process

As previously explained earlier in the preamble, EPA has conducted an extensive outreach effort in developing today's storm water proposal. EPA held a number of public and expert meetings to assist in preparing the proposal, and the Agency established a FACA Committee specifically to provide a forum for addressing storm water issues.

EPA also convened a Small Business Advocacy Review Panel (''Panel''), as described in RFA section 609, in June 1997. Because EPA's economic assessment was incomplete, the Agency was not initially certain whether the proposed rule would have a significant economic impact on a substantial number of small entities. A number of small entity representatives were actively involved with EPA through the FACA process, and were, therefore, broadly knowledgeable about the proposal under development. Prior to convening the Panel, EPA consulted with the Small Business Administration to identify a group of small entity representatives to advise the Panel. The Agency distributed a briefing package describing its preliminary analysis under the RFA to this group (as well as to representatives from the Office of Management and Budget and the Small Business Administration) and also conducted two telephone conference calls and an all-day meeting at EPA Headquarters in May of 1997. With this preliminary work complete, in June 1997, EPA formally convened the interagency Panel, comprising representatives from the Office of Management and Budget, the Small Business Administration, EPA's Office of Water and EPA's Small Business Advocacy Chair. The Panel received written comments from representatives based on their involvement in the earlier meetings, and invited additional comments to be submitted during the term of the Panel itself.

Consistent with RFA requirements, the Panel evaluated the assembled materials and small-entity comments on issues related to: (1) a description and number of small entities to which the proposed rule would apply; (2) a description of the projected record keeping, reporting and other compliance requirements applicable to small entities; (3) identification of other Federal rules that may duplicate, overlap, or conflict with the proposed rule; and (4) regulatory alternatives that would minimize any significant economic impact of the proposed rule on small entities that would also accomplish the stated objectives of the CWA section 402(p)(6).

On August 7, 1997, the Panel provided a Final Report (hereinafter, ''Report'') to the EPA Administrator. The Report noted that, because of the extensive outreach conducted by the Agency, and due to the Agency's responsiveness in addressing stakeholder concerns, small entity representatives raised fewer concerns than might otherwise have been expected. A copy of the Report is included in the docket for this proposed rule. Notwithstanding today's certification that the proposed rule will not have a significant economic impact on a substantial number of small entities, the Agency has incorporated many of the Panel's recommendations into today's proposal.

The Panel acknowledged and commended EPA's efforts prior to its Report to work with stakeholders, including small entities, through the Storm Water Phase II FACA Subcommittee. As discussed in the Background section of this preamble (Section I.F. The FACA Committee

[5] The determination of applicability to Oklahoma Tribes would be done on a case-by-case basis. In authorization of the Oklahoma NPDES program, EPA retained jurisdiction to regulate discharges in Indian Country (61 FR 65049, 12/10/96). However, EPA believes it is unlikely that large populations of Oklahoma Tribes would fall within areas that would be determined to be a Federal Indian Reservation, and thus, subject to regulation (see preamble).

Effort) the subcommittee provided extensive input in the development of today's proposal. The Agency also provided FACA members with copies of the Economic Analysis of the proposal, which includes the initial regulatory flexibility analysis. EPA has sought to build upon the recommendations made by members of the federal advisory committee and has responded to numerous issues raised by them concerning the scope, method, and timing of the program outlined in today's proposal. The SBREFA Panel stated that, because of the extensive outreach conducted by the Agency and the Agency's responsiveness in addressing stakeholder concerns, commenters during the SBREFA process raised fewer concerns than might otherwise have been expected. Based on the advice and recommendations of the Storm Water Phase II FACA Subcommittee, as well as the Panel Report, the proposal includes a number of provisions designed to minimize any significant impact of the proposed rule on small entities as explained below and in Appendix 5 of today's notice.

Municipal representatives commented to the Panel that small municipal separate storm sewers systems in urbanized areas serving less than 1,000 people might lack the capacity to certify that their discharges do not have significant adverse water quality impacts. EPA responded that the technical basis for such certification would generally be produced by the permitting authority, in the form of a TMDL or watershed plan. The Panel was concerned, however, that in the absence of a TMDL or watershed plan developed by other parties (i.e., States or EPA), municipalities under 1,000 would have difficulty taking advantage of this waiver provision. The Panel recommended that EPA invite comment on this issue, and EPA has done so (Section II.G.3, NPDES Permitting Authority's Role—Provide Waivers).

Municipal representatives also suggested to the Panel that small municipal separate storm sewer systems serving less than 1,000 people in urbanized areas should be automatically exempt, just as EPA is proposing to exempt systems operated by Tribes of less than 1,000. As further explained in Section F., Tribal Role, EPA believes that the situations of very small Tribes are not comparable to those of small municipalities because Tribes cannot generally rely on administrative support from a State permitting authority in the way municipalities can. Based on the positions taken by OMB and SBA in the Report, however, EPA has agreed to request comment on this issue as well.

Other small business representatives also questioned the Panel about the proposed comprehensive program to regulate construction activities that result in the land disturbance of 1 acre up to 5 acres. The Panel recommended that EPA revise the preamble to the proposed rule to invite comment on alternatives to the proposed requirements, including a discussion of the concerns expressed by small entity representatives and their specific suggestions for addressing them. The Agency has included the suggested alternatives in its discussion of construction requirements in this preamble, in Section II. I. Other Designated Storm Water Discharges.

Both municipal and industrial representatives commented to the Panel that, to avoid redundance, requirements for construction activities undertaken by municipalities or industrial facilities should be incorporated within their respective permits (provided that the permits detail sediment and erosion controls). Similarly, municipal representatives commented that requirements for industrial facilities operated by municipalities should be covered under municipal storm water permits. The Panel recommended that EPA explore and request comment on these ideas in the preamble of the proposed rule. The Panel reported that these options may be appropriate for municipalities or industrial facilities with individually-issued NPDES permits, but may be difficult to administer under NPDES general permits. The Agency has discussed and solicited comment on the first two of these options—condensing construction requirements into a single municipal or industrial storm water permit—as part of the preamble discussion of construction requirements, in Section II.I. Other Designated Storm Water Discharges. The Agency has discussed and solicited comment on the third of these options—condensing industrial storm water requirements for municipally owned or operated industrial facilities into a single municipal storm water permit—in the preamble as part of the discussion of industrial requirements, in Section II.I.3. Other Sources.

The Panel also received comments on a preliminary draft of the revisions to the existing storm water rules providing relief to parties certifying ''no exposure'' to rainfall events that could produce storm water runoff. Commenters indicated that, as drafted, the provision would preclude such certification (and thus deny appropriate exemption from permitting requirements) to certain deserving facilities. Such facilities include those that undergo a ''temporary operational change'' or that maintain vehicles outdoors without generating pollution. The Panel recommended that the Agency discuss these comments with the Urban Wet Weather Flows FACA Committee and revise the proposal as far as possible to allow all facilities preventing the actual discharge of pollutants to make use of the ''no exposure'' EPA complied with that recommendation as well.

In addition to looking for ways to redesign today's proposal to limit its impacts on small entities, the Agency has been working with the Storm Water Phase II Subcommittee to develop considerable support for implementation through the ''tool box'' approach discussed in the Section II.A.5. of this preamble. The tool box would include fact sheets, guidances, an information clearinghouse, training and outreach efforts, technical research, and support for demonstration projects.

EPA's outreach to small entities covered by this proposal and its accommodation of their legitimate needs have been aggressive and highly responsive. The Agency actively invites comments on all aspects of the proposal and its impacts on small entities so that the final rule will reflect the most auspicious balance between necessary environmental protection and appropriate respect for the genuine limitations of small entities in understanding and complying with applicable requirements.

VIII. National Technology Transfer and Advancement Act

Under § 12(d) of the National Technology Transfer and Advancement Act, the Agency is required to use voluntary consensus standards in its regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. ''Voluntary consensus standards'' are ''technical standards'' (e.g., materials specifications, test methods, sampling procedures, business practices, management systems practices, etc.) that are developed or adopted by voluntary consensus standard bodies. Where available and potentially applicable voluntary consensus standards are not used by EPA, the Act requires the Agency to provide Congress, through the Office of Management and Budget, an explanation of the reasons for not using such standards.

Today's proposed rule would not even prescribe nationally applicable substantive control standards, either for construction site storm water or municipal storm sewers. Such control standards would be developed on a

State or local basis. Thus, as a threshold matter, the concept of ''technical standards'' would not apply to the regulatory activities proposed today.

EPA requests comment on these findings. If a commenter believes that today's rule relies on technical standards, the Agency also solicits information about the identification and possible use of any potentially applicable voluntary consensus standards for the final rule.

List of Subjects in 40 CFR Parts 122 and 123

Environmental protection, Administrative procedure, Water pollution control.

Dated: December 15, 1997.

Carol M. Browner,

Administrator.

Appendices to the Preamble

APPENDIX 1 TO PREAMBLE—FEDERALLY-RECOGNIZED AMERICAN INDIAN AREAS LOCATED IN BUREAU OF THE CENSUS URBANIZED AREAS

[Based on 1990 Census data]

State	American Indian area	Urbanized area
AZ	Pascua Yacqui Reservation (pt.), Pascua Yacqui Tribe of Arizona	Tuscon, AZ (Phase I).
AZ	Salt River Reservation (pt.), Salt River Pima-Maricopa Indian Community of the Salt River Reservation, California.	Phoenix, AZ (Phase I).
AZ	San Xavier Reservation (pt.), Tohono O'odham Nation of Arizona (formerly known as the Papago Tribe of the Sells, Gila Bend & San Xavier Reservation).	Tucson, AZ (Phase I).
CA	Augustine Reservation, Augustine Band of Cahuilla Mission of Indians of the Augustine Reservation, CA.	Indio-Coachella, CA (Phase I).
CA	Cabazon Reservation, Cabazon Band of Cahuilla Mission Indians of the Cabazon Reservation, CA.	Indio-Coachella, CA (Phase I).
CA	Fort Yuma (Quechan) (pt.), Quechan Tribe of the Fort Yuma Indian Reservation, California and Arizona.	Yuma, AZ–CA.
CA	Redding Rancheria, Redding Rancheria of California	Redding, CA.
FL	Hollywood Reservation, Seminole Tribe	Fort Lauderdale, FL (Phase I).
FL	Seminole Trust Lands, Seminole Tribe of Florida, Dania, Big Cypress and Brighton Reservations.	Fort Lauderdale, FL (Phase I).
ID	Fort Hall Reservation and Trust Lands, Shosone-Bannock Tribes of the Fort Hall Reservation of Idaho.	Pocatello, ID.
ME	Penobscot Reservation and Trust Lands (pt.), Penobscot Tribe of Maine	Bangor, ME.
MN	Shakopee Community, Shakopee Mdewakanton Sioux Community of Minnesota (Prior Lake)	Minneapolis-St. Paul, MN (Phase I).
NM	Sandia Pueblo (pt.), Pueblo of Sandia, New Mexico	Albuquerque, NM (Phase I).
NV	Las Vegas Colony, Las Vegas Tribe of Paiute Indians of the Las Vegas Indian Colony, Nevada	Las Vegas, NV (Phase I).
NV	Reno-Sparks Colony, Reno-Sparks Indian Colony, Nevada	Reno, NV (Phase I).
OK	Osage Reservation (pt.), Osage Nation of Oklahoma	Tulsa, OK (Phase I).
OK	Absentee Shawnee-CitizensBand of Potawatomi TJSA (pt.), Absentee-Shawnee Tribe of Indians of Oklahoma, Citizen Potawatomi Nation, Oklahoma.	Oklahoma City, OK (Phase I).
OK	Cherokee TJSA 9 (pt.), Cherokee Nation of Oklahoma, United Keetoowah Band of Cherokee Indians of Oklahoma.	Ft. Smith, AR–OK; Tulsa, OK (Phase I).
OK	Cheyenne-Arapaho TJSA (pt.), Cheyenne-Arapaho Tribes of Oklahoma	Oklahoma City, OK (Phase I).
OK	Choctaw TJSA (pt.), Choctaw Nation of Oklahoma	Ft. Smith, AR–OK (Phase I).
OK	Creek TJSA (pt.), Alabama-Quassarte Tribal Town of the Creek Nation of Oklahoma, Kialegee Tribal Town of the Creek Indian Nation of Oklahoma, Muscogee (Creek) Nation of Oklahoma, Thlopthlocco Tribal Town of the Creek Nation of Oklahoma.	Tulsa, OK (Phase I).
OK	Kiowa-Comanche-Apache-Ft. Sill Apache, Apache Tribe of Oklahoma, Comanche Indian Tribe, Oklahoma, Fort Sill Apache Tribe of Oklahoma, Kiowa Indian Tribe of Oklahoma.	Lawton, OK.
TX	Ysleta del Sur Reservation, Ysleta Del Sur Pueblo of Texas	El Paso, TX–NM (Phase I).
WA	Muckleshoot Reservation and Trust Lands (pt.), Muckleshoot Indian Tribe of the Muckleshoot Reservation.	Seattle, WA (Phase I).
WA	Puyallup Reservation and Trust Lands (pt.), Puyallup Tribe of the Puyallup Reservation, WA	Tacoma, WA (Phase I).
WA	Yakima Reservation (pt.), Confederated Tribes and Bands of the Yakama Indian Nation of the Yakama Reservation, WA.	Yakima, WA.
WI	Oneida (West) (pt.), Oneida Tribe of Wisconsin	Green Bay, WI.

Please Note:

''(pt.)'' indicates that the American Indian Area (AIA) listed is only partially located within the referenced urbanized area.

''(Phase I)'' indicates that the urbanized area includes a medium or large MS4 currently regulated under the existing NPDES storm water program (i.e. Phase I).

The first line under ''American Indian Area'' is the name of the reservation/colony/rancheria as it appears in the Bureau of the Census data. Under this first line, the names of the tribes included in the AIA are listed as they appear on the Bureau of Indian Affairs' list of Federally Recognized Indian Tribes. [Federal Register: Nov. 13, 1996, Vol. 66, No. 220, pgs. 58211–58216]

Information for Tribal Jurisdiction Statistical Areas (TSJAs) in Oklahoma was also included in the table. These areas are defined in conjunction with the Federally-recognized tribes in Oklahoma who have definite land areas under their jurisdiction, but do not have reservation status.

Sources: Mike Radcliffe, Geography Division, Bureau of the Census.

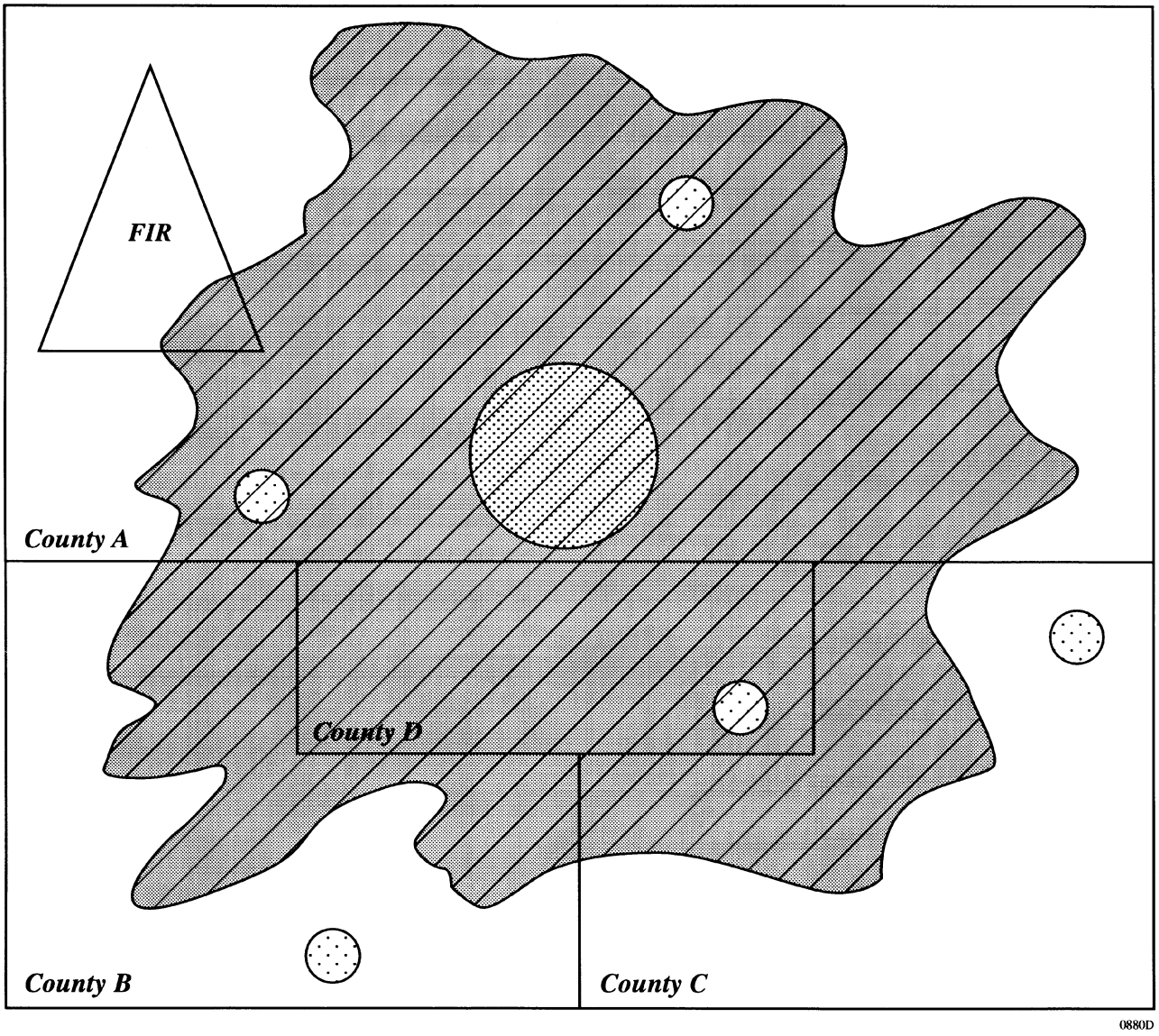
1990 Census of Population and Housing, Summary Population and Housing Characteristics, United States. Tables 9 & 10. [1990 CPH–1–1].

Federal Register: Nov. 13, 1996, Vol. 66, No. 220, pgs. 58211–58216.

BILLING CODE 6560–55–P

Appendix 2 to Preamble

Urbanized Area Illustration



Central Place

Incorporated Place

Federal Indian Reservation (FIR)

Unincorporated "Urbanized Area" Portion of a County

Urbanized Area

BILLING CODE 6560–50–C

Appendix 3 to Preamble—Urbanized Areas of the United States and Puerto Rico (based on 1990 Census data)

Alabama

Anniston
Auburn—Opelika
Birmingham
Columbus, GA—AL
Decatur
Dothan
Florence
Gadsden
Huntsville
Mobile
Montgomery
Tuscaloosa

Alaska

Anchorage

Arizona

Phoenix
Tucson
Yuma, AZ—CA

Arkansas

Fayetteville-Springdale
Fort Smith, AR—OK
Little Rock—North Little Rock
Memphis, TN—AR—MS
Pine Bluff
Texarkana, AR—TX

California

Antioch—Pittsburgh
Bakersfield
Chico
Davis
Fairfield
Fresno
Hemet—San Jacinto
Hesperia—Apple Valley—Victorville
Indio—Coachella
Lancaster—Palmdale
Lodi
Lompoc
Los Angeles
Merced
Modesto
Napa
Oxnard—Ventura
Palm Springs
Redding
Riverside—San Bernardino
Sacramento
Salinas
San Diego
San Francisco—Oakland
San Jose
San Luis Obispo
Santa Barbara
Santa Cruz
Santa Maria
Santa Rosa
Seaside—Monterey
Simi Valley
Stockton
Vacaville
Visalia
Watsonville
Yuba City
Yuma

Colorado

Boulder
Colorado Springs
Denver
Fort Collins
Grand Junction
Greeley
Longmont
Pueblo

Connecticut

Bridgeport—Milford
Bristol
Danbury, CT—NY
Hartford—Middletown
New Britain
New Haven—Meriden
New London—Norwich
Norwalk
Springfield, MA—CT
Stamford, CT—NY
Waterbury
Worcester, MA—CT

Delaware

Dover
Wilmington, DE—NJ—MD—PA

District of Columbia

Washington, DC—MD—VA

Florida

Daytona Beach
Deltona
Fort Lauderdale—Hollywood—Pompano Beach
Fort Myers—Cape Coral
Fort Pierce
Fort Walton Beach
Gainesville
Jacksonville
Kissimmee
Lakeland
Melbourne—Palm Bay
Miami—Hialeah
Naples
Ocala
Orlando
Panama City
Pensacola
Punta Gorda
Sarasota—Bradenton
Spring Hill
Stuart
Tallahassee
Tampa—St. Petersburg—Clearwater
Titusville
Vero Beach
West Palm Beach—Boca Raton—Delray Beach
Winter Haven

Georgia

Albany
Athens
Atlanta
Augusta
Brunswick
Chattanooga
Columbus
Macon
Rome
Savannah
Warner Robins

Hawaii

Honolulu
Kailua

Idaho

Boise City
Idaho Falls
Pocatello

Illinois

Alton
Aurora
Beloit, WI—IL
Bloomington—Normal
Champaign—Urbana
Chicago, IL—Northwestern IN
Crystal Lake
Davenport—Rock Island—Moline, IA—IL
Decatur
Dubuque
Elgin
Joliet
Kankakee
Peoria
Rockford
Round Lake Beach—McHenry, IL—WI
St. Louis, MO—IL
Springfield

Indiana

Anderson
Bloomington
Chicago, IL—Northwestern IN
Elkhart—Goshen
Evansville, IN—KY
Fort Wayne
Indianapolis
Kokomo
Lafayette—West Lafayette
Louisville, KY—IN
Muncie
South Bend—Mishawaka, IN—MI
Terre Haute

Iowa

Cedar Rapids
Davenport—Rock Island—Moline, IA—IL
Des Moines
Dubuque, IA—IL—WI
Iowa City
Omaha, NE—IA
Sioux City, IA—NE—SD
Waterloo—Cedar Falls

Kansas

Kansas City, MO—KS
Lawrence
St. Joseph, MO—KS
Topeka
Wichita

Kentucky

Cincinnati, OH—KY
Clarksville, TN—KY
Evansville, IN—KY
Huntington—Ashland, WV—KY—OH
Lexington-Fayette
Louisville, KY-IN
Owensboro

Louisiana

Alexandria
Baton Rouge
Houma
Lafayette
Lake Charles
Monroe
New Orleans
Shreveport
Slidell

Maine

Bangor

Lewiston—Auburn
Portland
Portsmouth—Dover—Rochester, NH—ME

Maryland

Annapolis
Baltimore
Cumberland
Frederick
Hagerstown, MD—PA—WV
Washington, DC—MD—VA
Wilmington, DE—NJ—MD—PA

Massachusetts

Boston
Brockton
Fall River, MA—RI
Fitchburg—Leominster
Hyannis
Lawrence—Haverhill, MA—NH
Lowell, MA—NH
New Bedford
Pittsfield
Providence—Pawtucket, RI—MA
Springfield, MA—CT
Taunton
Worcester, MA—CT

Michigan

Ann Arbor
Battle Creek
Bay City
Benton Harbor
Detroit
Flint
Grand Rapids
Holland
Jackson
Kalamazoo
Lansing—East Lansing
Muskegon
Port Huron
Saginaw
South Bend—Mishawaka, IN—MI
Toledo, OH-MI

Minnesota

Duluth, MN—WI
Fargo—Moorhead, ND—MN
Grand Forks, ND—MN
La Crosse, WI—MN
Minneapolis—St.Paul
Rochester
St. Cloud

Mississippi

Biloxi—Gulfport
Hattiesburg
Jackson
Memphis, TN—AR—MS
Pascagoula

Missouri

Columbia
Joplin
Kansas City, MO—KS
St. Joseph, MO—KS
St. Louis, MO—IL
Springfield

Montana

Billings
Great Falls
Missoula

Nebraska

Lincoln
Omaha, NE—IA
Sioux City, IA—NE—SD

Nevada

Las Vegas
Reno

New Hampshire

Lawrence—Haverhill, MA—NH
Lowell, MA—NH
Manchester
Nashua
Portsmouth—Dover—Rochester, NH—ME

New Jersey

Allentown—Bethlehem—Easton, PA—NJ
Atlantic City
New York, NY—Northeastern NJ
Philadelphia, PA-NJ
Trenton, NJ—PA
Vineland—Millville
Wilmington, DE—NJ—MD—PA

New Mexico

Albuquerque
El Paso
Las Cruces
Santa Fe

New York

Albany—Schenectady—Troy
Binghamton
Buffalo—Niagara Falls
Danbury, CT—NY
Elmira
Glens Falls
Ithaca
Newburgh
New York, NY—Northeastern NJ
Poughkeepsie
Rochester
Stamford, CT—NY
Syracuse
Utica—Rome

North Carolina

Asheville
Burlington
Charlotte
Durham
Fayetteville
Gastonia
Goldsboro
Greensboro
Greenville
Hickory
High Point
Jacksonville
Kannapolis
Raleigh
Rocky Mount
Wilmington
Winston-Salem

North Dakota

Bismark
Fargo—Moorhead, ND—MN
Grand Forks, ND-MN

Ohio

Akron
Canton
Cincinnati, OH—KY
Cleveland
Columbus
Dayton
Hamilton
Huntington—Ashland, WV—KY—OH
Lima
Lorain—Elyria
Mansfield
Middletown
Newark
Parkersburg, WV—OH
Sharon, PA—OH
Springfield
Steubenville—Weirton, OH—WV—PA
Toledo, OH-MI
Wheeling, WV-OH
Youngstown—Warren

Oklahoma

Fort Smith, AR—OK
Lawton
Oklahoma City
Tulsa

Oregon

Eugene—Springfield
Longview
Medford
Portland—Vancouver, OR—WA
Salem

Pennsylvania

Allentown—Bethlehem—Easton, PA—NJ
Altoona
Erie
Hagerstown, MD—PA—WV
Harrisburg
Johnstown
Lancaster
Monessen
Philadelphia, PA—NJ
Pittsburgh
Pottstown
Reading
Scranton—Wilkes-Barre
Sharon, PA—OH
State College
Steubenville—Weirton, OH—WV—PA
Trenton, NJ—PA
Williamsport
Wilmington, DE—NJ—MD—PA
York

Rhode Island

Fall River, MA—RI
Newport, RI
Providence—Pawtucket, RI—MA

South Carolina

Anderson
Augusta, GA—SC
Charleston
Columbia
Florence
Greenville
Myrtle Beach
Rock Hill
Spartanburg
Sumter

South Dakota

Rapid City
Sioux City, IA—NE—SD
Sioux Falls

Tennessee

Bristol, TN—Bristol, VA
Chattanooga, TN—GA
Clarksville, TN—KY
Jackson
Johnson City

Kingsport, TN—VA
Knoxville
Memphis, TN—AR—MS
Nashville

Texas

Abilene
Amarillo
Austin
Beaumont
Brownsville
Bryan—College Station
Corpus Christi
Dallas—Fort Worth
Denton
El Paso, TX—NM
Galveston
Harlingen
Houston
Killeen
Laredo
Lewisville
Longview
Lubbock
McAllen—Edinburg—Mission
Midland
Odessa
Port Arthur
San Angelo
San Antonio
Sherman—Denison
Temple
Texarkana, TX—Texarkana, AR
Texas City
Tyler
Victoria
Waco
Wichita Falls

Utah

Logan
Ogden
Provo—Orem
Salt Lake City

Vermont

Burlington

Virginia

Bristol, TN—Bristol, VA
Charlottesville
Danville
Fredericksburg
Kingsport, TN—VA
Lynchburg
Norfolk—Virginia Beach—Newport News
Petersburg
Richmond
Roanoke
Washington, DC—MD—VA

Washington

Bellingham
Bremerton
Longview, WA—OR
Olympia
Portland—Vancouver, OR—WA
Richland—Kennewick—Pasco
Seattle
Spokane
Tacoma
Yakima

West Virginia

Charleston
Cumberland, MD—WV
Hagerstown, MD—PA—WV
Huntington—Ashland, WV—KY—OH
Parkersburg, WV—OH
Steubenville—Weirton, OH—WV—PA
Wheeling, WV—OH

Wisconsin

Appleton—Neenah
Beloit, WI—IL
Duluth, MN—WI
Eau Claire
Green Bay
Janesville
Kenosha
La Crosse, WI—MN
Madison
Milwaukee
Oshkosh
Racine
Round Lake Beach—McHenry, IL—WI
Sheboygan
Wausau

Wyoming

Casper
Cheyenne

Puerto Rico

Aquadilla
Arecibo
Caguas
Cayey
Humacao
Mayaguez
Ponce
San Juan
Vega Baja—Manati

Appendix 4 to Preamble

Checklist for No-Exposure Certification for NPDES Storm Water Permitting

Instructions—EPA Form XXX–X

Who May File a No-Exposure Certification

In accordance with the Clean Water Act, all industrial facilities that discharge storm water meeting the definition of storm water associated with industrial activity must apply for coverage under a National Pollutant Discharge Elimination System (NPDES) permit. However, permit coverage is not required at facilities that can certify a ''no-exposure'' condition exists. This document may be used to certify that at the facility described herein, a condition of no-exposure exists. This certification is under the auspices of the EPA only and must be made at least once every five years. Should the industrial activity change such that a condition of no-exposure no longer exists, this certification is no longer valid and coverage under an NPDES storm water permit must be sought.

Definition of No-Exposure

No-exposure exists at an industrial facility when all industrial materials or activities, including, but not limited to, material handling equipment, industrial machinery, raw materials, intermediate products, by-products or waste products, however packaged, are protected by a storm-resistant shelter so as not to be exposed to rain, snow, snowmelt, or runoff. Adequately maintained mobile equipment (trucks, automobiles, trailers or other such general purpose vehicles found at the industrial site which themselves are not industrial machinery or material handling equipment and which are not leaking contaminants or are not otherwise a source of industrial pollutants) may be exposed to precipitation or runoff.

Completing the Form

You must type or print in the spaces provided only. One form must be completed for each facility or site for which you are seeking to certify no-exposure.

Section I. Facility Operator Information

Provide the legal name (no colloquial names) of the person, firm, public organization, or any other entity that operates the facility or site described in this certification. The name of the operator may or may not be the same as the name of the facility. The operator is the legal entity that controls the facility's operation, rather than the plant or site manager. Enter the complete address (P.O. Box numbers OK) and telephone number of the operator.

Section II. Facility/Site Location Information

Enter the facility's or site's official or legal name and complete street address (directional address OK if no street address exists). Do not provide a P.O. Box number as the street address. In addition, provide the latitude and longitude of the facility to the nearest 15 seconds of the approximate center of the site (if you do not know your site's latitude and longitude, call 1–800–USA–MAPS).

Section III. Exposure Checklist

Circle ''Yes'' or ''No'' as appropriate to describe conditions at your facility. For the purposes of this document, ''material'' is defined as any raw material, intermediate product, finished product, by-product or waste product, however packaged. ''Material handling activities'', by definition, include storage, loading and/or unloading, transportation or conveyance of a raw material, intermediate product, finished product, by-product or waste product.

Interpretation of Results

If you answer ''Yes'' to ANY of questions a. through r. in Section III, a potential for exposure exists at your site and you cannot certify a no-exposure condition exists. You must obtain (or already have) coverage under an NPDES Storm Water permit. After obtaining permit coverage, you can institute modifications to eliminate the potential for a discharge of storm water exposed to industrial activity, and then claim no-exposure and terminate coverage under the existing permit.

Section IV. Certification

Federal statutes provide for severe penalties for submitting false information on this application form. Federal regulations require this application to be signed as follows:

For a corporation: by a responsible corporate officer, which means: (i) president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions, or (ii) the manager of one or more manufacturing, production, or operating

facilities employing more than 250 persons or having gross annual sales or expenditures exceeding $25 million (in second-quarter 1980 dollars) if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures [note, wording subject to change as a result of NPDES streamlining, rnd. II];

For a partnership or sole proprietorship: by a general partner or the proprietor; or

For a municipality, State, Federal, or other public facility: by either a principal executive officer or ranking elected official.

Where To File This Form

Mail the completed form to:

XXXXXXXXXXXXXXX
XXXXXXXXXXXXXXX
U.S. Environmental Protection Agency (4203)
401 M St. SW
Washington, DC 20460

BILLING CODE 6560–50–P

CHECKLIST FOR NO-EXPOSURE CERTIFICATION (Continued)

I. Facility Operator Information

Name:		Phone:
Address:		
City:	State:	Zip Code:

II. Facility/Site Location Information

Facility Name:		
Facility Address:		
City:	State:	Zip Code:
County Name:	Latitude:	Longitude:

III. Exposure Checklist

Are any of the following items exposed to precipitation, now or in the foreseeable future, AND is the drainage from these areas discharged from the site to surface waters of the US or to a municipal separate storm sewer system?

a.	vehicles used in material handling (excepting adequately maintained mobile equipment)	Yes	No
b.	industrial machinery or equipment	Yes	No
c.	residue from the cleaning of machinery or equipment	Yes	No
d.	materials associated with vehicular maintenance, cleaning or fueling	Yes	No
e.	materials or products during loading/unloading or transporting activities	Yes	No
f.	materials or products at uncovered loading docks	Yes	No
g.	materials or products stored outdoors (excepting products intended for outside use, e.g., cars)	Yes	No
h.	materials or products handled/stored on roads or railways owned or maintained by the certifier	Yes	No
i.	materials or spill/leak residues accumulated in storm water inlets	Yes	No
j.	residuals on the ground from spills/leaks (including subsurface residuals from percolation)	Yes	No
k.	materials contained in open or deteriorated storage tanks/drums/containers	Yes	No
l.	industrial activities conducted outdoors	Yes	No
m.	materials or products from past outdoor industrial activity	Yes	No
n.	waste material	Yes	No
o.	process wastewater disposed of outdoors (unless otherwise permitted)	Yes	No
p.	particulate matter from roof stacks/vents not otherwise regulated (i.e., under an air quality control permit) and in quantities detectable in the storm water outflow.	Yes	No
q.	visible deposits of residuals near roof or side vents	Yes	No
r.	spills/leaks resulting from maintenance of stacks or air exhaust systems	Yes	No

Have you paved or roofed over a large, formerly exposed, pervious area in order to qualify for no-exposure? Yes No
Please indicate approximately how much area was paved or roofed over from the choices below. ***(Completing this question does not influence your qualifying for the no exposure exemption and is for informational purposes.)***

___ *none* ___ *less than one acre* ___ *one to five acres* ___ *more than five acres*

CHECKLIST FOR NO-EXPOSURE CERTIFICATION (Continued)

IV. Certification

I certify that there are no discharges of storm water contaminated by exposure to industrial activities or materials from the facility identified in this document.

I understand that I am obligated to make this certification once every five years to the NPDES permitting authority and, if requested, to the municipality (or other local government) in which this facility is located providing the facility discharges storm water into the local municipal separate storm sewer system (MS4). I understand that I must seek coverage under an NPDES storm water permit prior to any point-source discharge of exposed storm water from the facility. I understand that I must allow the permitting authority, or municipality where the discharge is into the MS4, to perform inspections to confirm the condition of no-exposure and to make such inspection reports publicly available upon request.

Additionally, I certify under penalty of law this document was prepared under my direction and that qualified personnel gathered and evaluated the information submitted. Based upon my knowledge of the personnel directly involved in gathering the information, the information is true, accurate and complete. I am aware there are significant penalties for providing false information, including the possibility of fine and imprisonment.

Signed: _____ Date: _____

Print Name and Title: _____

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Appendix 5 to Preamble—Regulatory Flexibility for Small Entities

A. Regulatory Flexibility for Municipal Storm Sewer Systems (MS4s)

Different Compliance, Reporting, or Timetables That Are Responsive to Resources of Small Entities

NPDES permitting authority would issue general permits instead of requiring individual permits. This flexibility would avoid the high application costs and administrative burden associated with individual permits.

NPDES permitting authority could specify a time period of up to five years for small MS4s to fully develop and implement their program.

Analytic monitoring would not be required.

After the first permit term and subsequent permit terms, submittal of a summary report would only be required in years two and four. Phase I municipalities are currently required to submit a detailed report each year.

Brief reporting format encouraged to facilitate compiling and analyzing data from submitted reports. EPA would develop a model form for this purpose.

Clarifying, Consolidating, or Simplifying Compliance and Reporting Requirements

The proposed rule would avoid duplication in permit requirements by allowing the NPDES permitting authority to incorporate by reference State, Tribal, or local programs under a NPDES general permit. Compliance with these programs would be considered compliance with the NPDES general permit.

The proposed rule would allow the NPDES permitting authority to recognize existing responsibilities among different municipal entities to satisfy obligations for the minimum control measures. For example, a State program may address construction site storm water runoff. Municipalities would be relieved of that obligation and would only be responsible for the remaining minimum control measures.

The proposed rule would allow a small MS4 to satisfy its NPDES permit obligations if another governmental entity is already implementing a minimum control measure in the jurisdiction of the small MS4. The following conditions would need to be met:

1. The particular control measure (or component thereof) is equivalent to what the NPDES permit requires,
2. The other entity is implementing the control measure, and
3. The small MS4 has requested, and the other entity has agreed to accept responsibility for implementation of the control measure on your behalf and to satisfy your permit obligation.

The proposed rule would allow a covered small MS4 to "piggy-back" on to the storm water management program of an adjoining Phase I MS4. A small MS4 would be waived from the application requirements of § 122.26(d)(1)(iii), (iv) and (d)(2)(iii) [discharge characterization] and may satisfy the requirements of § 122.26(d)(1)(v) and (d)(2)(iv) [identifying a management plan] by referencing the adjoining Phase I MS4's storm water management plan.

The proposed rule would accommodate the use of the watershed approach through NPDES general permits that could be issued on a watershed basis. A municipality could develop measures that are tailored to meet their watershed requirements. Municipalities' storm water management program could tie into watershed-wide plans.

Performance Rather Than Design Standards for Small Entities

Small governmental jurisdictions whose MS4s are covered by this proposed rule would be allowed to choose the best management practices (BMPs) to be implemented and the measurable goals for each of the minimum control measures:

1. Public education and outreach on storm water impacts.
2. Public Involvement/Participation.
3. Illicit discharge detection and elimination.

4. Construction site storm water runoff control for sites of one or more acre.

5. Post-construction storm water management in new development and redevelopment for sites of one or more acre.

6. Pollution prevention/good housekeeping for municipal operations.

EPA would provide guidance and would recommend, but not mandate, certain BMPs for some of the minimum control measures listed above.

Small governmental jurisdictions would identify the measurable goals for each of the minimum control measures listed above. In their reports to the NPDES permitting authority, the small MS4s would need to evaluate their progress towards achievement of their identified measurable goals.

Waivers for Small Entities From Coverage

The proposed rule would waiver from coverage Indian Tribes located within an urbanized area and whose population is less than or equal to 1,000 people.

The proposed rule would allow the permitting authority to waive from coverage MS4s owned or operated by small governmental jurisdictions located within an urbanized area and serving a population less than or equal to 1,000 people where the permitting authority determines:

1. Implementation of a TMDL that addresses the pollutants of concern, or

2. Implementation of a comprehensive watershed plan for the water body.

B. Regulatory Flexibility for Construction Activities

Different Compliance, Reporting, or Timetables That Are Responsive to Resources of Small Entities

The proposed rule would give the relevant Director of the NPDES permitting program discretion not to require the submittal of a notice of intent (NOI) for coverage under a NPDES general permit, thereby reducing administrative and financial burden. Currently, all construction sites disturbing greater than 5 acres must submit an NOI.

Clarifying, Consolidating, or Simplifying Compliance and Reporting Requirements

The proposed rule would avoid duplication by allowing the NPDES permitting authority to incorporate by reference State, Tribal, or local programs under a NPDES general permit. Compliance with these programs would be considered compliance with the NPDES general permit.

Performance Rather Than Design Standards for Small Entities

The operator of a covered construction activity would select and implement the BMPs most appropriate for the construction site based on the operator's storm water pollution prevention plan.

Waivers for Small Entities From Coverage

Waivers could be granted based on the use of the revised Universal Soil Loss Equation. Universal Soil Loss Equation (USLE)

(A) *Default/Low-Risk Exemption:* When rainfall energy factor (R from Universal Soil Loss Equation) is less than 2 during periods of construction activity, a permit would not be required.

(B) *Case-by-Case Determination:* A permit would not be required for sites having an annual soil loss less than 2 tons/acre/year.

The NPDES permitting authority could waive from coverage construction activities disturbing from 1 acre up to 5 acres of land where the permitting authority determines that storm water controls are not needed based on:

1. Implementation of a TMDL that addresses the pollutants of concern, or

2. Implementation of a comprehensive watershed plan for the water body.

C. Regulatory Flexibility for Industrial/Commercial Facilities

Waivers for Small Entities From Coverage

The proposed rule would provide a ''no-exposure'' waiver provision for Phase I industrial/commercial facilities. Those facilities seeking this provision would simply need to complete a self-certification form.

Appendix 6 of Preamble—Incorporated Places and Counties Proposed To Be Automatically Designated Under the Storm Water Phase II Proposed Rule (From the 1990 Census of Population and Housing—U.S. Census Bureau)

(This List May Change With the Decennial Census)

AL Anniston
AL Attalla
AL Auburn
AL Autauga County
AL Blue Mountain
AL Calhoun County
AL Colbert County
AL Dale County
AL Decatur
AL Dothan
AL Etowah County
AL Flint City
AL Florence
AL Gadsden
AL Glencoe
AL Grimes
AL Hartselle
AL Hobson City
AL Hokes Bluff
AL Houston County
AL Kinsey
AL Lauderdale County
AL Lee County
AL Madison County
AL Midland City
AL Montgomery County
AL Morgan County
AL Muscle Shoals
AL Napier Field
AL Northport
AL Opelika
AL Oxford
AL Phenix City
AL Prattville
AL Priceville
AL Rainbow City
AL Russell County
AL Sheffield
AL Southside
AL Sylvan Springs
AL Talladega County
AL Tuscaloosa
AL Tuscaloosa County
AL Tuscumbia
AL Weaver

AZ Apache Junction
AZ Chandler
AZ El Mirage
AZ Gilbert
AZ Guadalupe
AZ Maricopa County
AZ Oro Valley
AZ Paradise Valley
AZ Peoria
AZ Pinal County
AZ South Tucson
AZ Surprise
AZ Tolleson
AZ Youngtown
AZ Yuma
AZ Yuma County

AR Alexander
AR Barling
AR Benton County
AR Cammack Village
AR Crawford County
AR Crittenden County
AR Farmington
AR Fayetteville
AR Fort Smith
AR Greenland
AR Jacksonville
AR Jefferson County
AR Johnson
AR Marion
AR Miller County
AR North Little Rock
AR Pine Bluff
AR Pulaski County
AR Saline County
AR Shannon Hills
AR Sherwood
AR Springdale
AR Sunset
AR Texarkana
AR Van Buren
AR Washington County
AR West Memphis
AR White Hall

CA Apple Valley
CA Belvedere
CA Benicia
CA Brentwood
CA Butte County
CA Capitola
CA Carmel-by-the-Sea
CA Carpinteria
CA Ceres
CA Chico
CA Compton
CA Corte Madera
CA Cotati
CA Davis
CA Del Rey Oaks
CA Fairfax
CA Hesperia
CA Imperial County
CA Lakewood
CA Lancaster
CA Larkspur
CA Lodi
CA Lompoc
CA Marin County
CA Marina
CA Marysville
CA Merced
CA Merced County
CA Mill Valley
CA Monterey
CA Monterey County
CA Morgan Hill

CA Napa
CA Napa County
CA Novato
CA Pacific Grove
CA Palm Desert
CA Palmdale
CA Piedmont
CA Redding
CA Rocklin
CA Rohnert Park
CA Roseville
CA Ross
CA San Anselmo
CA San Buenaventura (Ventura)
CA San Francisco
CA San Joaquin County
CA San Luis Obispo
CA San Luis Obispo County
CA San Rafael
CA Sand City
CA Santa Barbara
CA Santa Barbara County
CA Santa Cruz
CA Santa Cruz County
CA Santa Maria
CA Sausalito
CA Scotts Valley
CA Seaside
CA Shasta County
CA Solano County
CA Sonoma County
CA Stanislaus County
CA Sutter County
CA Tiburon
CA Tulare County
CA Vacaville
CA Victorville
CA Villa Park
CA Visalia
CA Watsonville
CA West Sacramento
CA Yolo County
CA Yuba City
CA Yuba County

CO Adams County
CO Arvada
CO Boulder
CO Boulder County
CO Bow Mar
CO Broomfield
CO Cherry Hills Village
CO Columbine Valley
CO Commerce City
CO Douglas County
CO Edgewater
CO El Paso County
CO Englewood
CO Evans
CO Federal Heights
CO Fort Collins
CO Fountain
CO Garden City
CO Glendale
CO Golden
CO Grand Junction
CO Greeley
CO Greenwood Village
CO Jefferson County
CO La Salle
CO Lakeside
CO Larimer County
CO Littleton
CO Longmont
CO Manitou Springs
CO Mesa County
CO Mountain View
CO Northglenn
CO Pueblo
CO Pueblo County
CO Sheridan
CO Thornton
CO Weld County
CO Westminster
CO Wheat Ridge

CT Ansonia
CT Bridgeport
CT Bristol
CT Danbury
CT Derby
CT Fairfield County
CT Groton
CT Hartford
CT Hartford County
CT Litchfield County
CT Meriden
CT Middlesex County
CT Middletown
CT Milford
CT Naugatuck
CT New Britain
CT New Haven
CT New Haven County
CT New London
CT New London County
CT Norwalk
CT Norwich
CT Shelton
CT Tolland County
CT Waterbury
CT West Haven
CT Windham County
CT Woodmont

DE Camden
DE Dover
DE Kent County
DE Newark
DE Wyoming

FL Alachua County
FL Baldwin
FL Bay County
FL Belleair Shore
FL Biscayne Park
FL Brevard County
FL Callaway
FL Cape Canaveral
FL Cedar Grove
FL Charlotte County
FL Cinco Bayou
FL Clay County
FL Cocoa
FL Cocoa Beach
FL Collier County
FL Daytona Beach
FL Daytona Beach Shores
FL Destin
FL Edgewater
FL El Portal
FL FLorida City
FL Fort Pierce
FL Fort Walton Beach
FL Gainesville
FL Gulf Breeze
FL Hernando County
FL Hillsboro Beach
FL Holly Hill
FL Indialantic
FL Indian Harbour Beach
FL Indian River County
FL Indian River Shores
FL Indian Shores
FL Kissimmee
FL Lazy Lake
FL Lynn Haven
FL Malabar
FL Marion County
FL Martin County
FL Mary Esther
FL Melbourne
FL Melbourne Beach
FL Melbourne Village
FL Naples
FL New Smyrna Beach
FL Niceville
FL Ocala
FL Ocean Breeze Park
FL Okaloosa County
FL Orange Park
FL Ormond Beach
FL Osceola County
FL Palm Bay
FL Panama City
FL Parker
FL Ponce Inlet
FL Port Orange
FL Port St. Lucie
FL Punta Gorda
FL Rockledge
FL Santa Rosa County
FL Satellite Beach
FL Sewall's Point
FL Shalimar
FL South Daytona
FL Springfield
FL St. Johns County
FL St. Lucie
FL St. Lucie County
FL Stuart
FL Sweetwater
FL Titusville
FL Valparaiso
FL Vero Beach
FL Virginia Gardens
FL Volusia County
FL Walton County
FL Weeki Wachee
FL West Melbourne
FL Windermere

GA Albany
GA Athens
GA Bartow County
GA Bibb City
GA Brunswick
GA Catoosa County
GA Centerville
GA Chattahoochee County
GA Cherokee County
GA Chickamauga
GA Clarke County
GA Columbia County
GA Columbus
GA Conyers
GA Dade County
GA Dougherty County
GA Douglas County
GA Douglasville
GA Fayette County
GA Floyd County
GA Fort Oglethorpe
GA Glynn County
GA Grovetown
GA Henry County
GA Houston County
GA Jones County
GA Lee County
GA Lookout Mountain
GA Mountain Park
GA Oconee County

GA Payne
GA Rockdale County
GA Rome
GA Rossville
GA Stockbridge
GA Vernonburg
GA Walker County
GA Warner Robins
GA Winterville
GA Woodstock
ID Ada County
ID Ammon
ID Bannock County
ID Bonneville County
ID Chubbuck
ID Garden City
ID IDaho Falls
ID Iona
ID Pocatello
IL Addison
IL Algonquin
IL Alorton
IL Alsip
IL Alton
IL Antioch
IL Arlington Heights
IL Aroma Park
IL Aurora
IL Bannockburn
IL Barrington
IL Bartlett
IL Bartonville
IL Batavia
IL Beach Park
IL Bedford Park
IL Belleville
IL Bellevue
IL Bellwood
IL Bensenville
IL Berkeley
IL Berwyn
IL Bethalto
IL Bloomingdale
IL Bloomington
IL Blue Island
IL Bolingbrook
IL Bourbonnais
IL Bradley
IL Bridgeview
IL Broadview
IL Brookfield
IL Brooklyn
IL Buffalo Grove
IL Burbank
IL Burnham
IL Burr Ridge
IL Cahokia
IL Calumet City
IL Calumet Park
IL Carbon Cliff
IL Carol Stream
IL Carpentersville
IL Cary
IL Caseyville
IL Centreville
IL Champaign
IL Champaign County
IL Cherry Valley
IL Chicago
IL Chicago Heights
IL Chicago Ridge
IL Cicero
IL Clarendon Hills
IL Coal Valley
IL Collinsville
IL Colona
IL Columbia
IL Cook County
IL Country Club Hills
IL Countryside
IL Crest Hill
IL Crestwood
IL Crete
IL Creve Coeur
IL Crystal Lake
IL Darien
IL Decatur
IL Deer Park
IL Deerfield
IL Des Plaines
IL Dixmoor
IL Dolton
IL Downers Grove
IL Dupo
IL DuPage County
IL East Alton
IL East Dubuque
IL East Dundee
IL East Hazel Crest
IL East Moline
IL East Peoria
IL East St. Louis
IL Edwardsville
IL Elgin
IL Elk Grove Village
IL Elmhurst
IL Elmwood Park
IL Evanston
IL Evergreen Park
IL Fairmont City
IL Fairview Heights
IL Flossmoor
IL Ford Heights
IL Forest Park
IL Forest View
IL Forsyth
IL Fox Lake
IL Fox River Grove
IL Frankfort
IL Franklin Park
IL Geneva
IL Gilberts
IL Glen Carbon
IL Glen Ellyn
IL Glencoe
IL Glendale Heights
IL Glenview
IL Glenwood
IL Golf
IL Grandview
IL Granite City
IL Grayslake
IL Green Oaks
IL Green Rock
IL Gurnee
IL Hainesville
IL Hampton
IL Hanover Park
IL Harristown
IL Hartford
IL Harvey
IL Harwood Heights
IL Hawthorn Woods
IL Hazel Crest
IL Henry County
IL Hickory Hills
IL Highland Park
IL Highwood
IL Hillside
IL Hinsdale
IL Hodgkins
IL Hoffman Estates
IL Hometown
IL Homewood
IL Indian Creek
IL Indian Head Park
IL Inverness
IL Itasca
IL Jerome
IL Jo Daviess County
IL Joliet
IL Justice
IL Kane County
IL Kankakee
IL Kankakee County
IL Kendall County
IL Kenilworth
IL Kildeer
IL La Grange
IL La Grange Park
IL Lake in the Hills
IL Lake Barrington
IL Lake Bluff
IL Lake County
IL Lake Forest
IL Lake Villa
IL Lake Zurich
IL Lakemoor
IL Lakewood
IL Lansing
IL Leland Grove
IL Libertyville
IL Lincolnshire
IL Lincolnwood
IL Lindenhurst
IL Lisle
IL Lockport
IL Lombard
IL Long Grove
IL Loves Park
IL Lynwood
IL Lyons
IL Machesney Park
IL Macon County
IL Madison
IL Madison County
IL Markham
IL Marquette Heights
IL Maryville
IL Matteson
IL Maywood
IL McCook
IL McCullom Lake
IL McHenry
IL McHenry County
IL McLean County
IL Melrose Park
IL Merrionette Park
IL Midlothian
IL Milan
IL Moline
IL Monroe County
IL Montgomery
IL Morton
IL Morton Grove
IL Mount Prospect
IL Mount Zion
IL Mundelein
IL Naperville
IL National City
IL New Lenox
IL New Millford
IL Niles
IL Normal
IL Norridge
IL North Aurora
IL North Barrington
IL North Chicago

IL North Pekin
IL North Riverside
IL Northbrook
IL Northfield
IL Northlake
IL Norwood
IL O'Fallon
IL Oak Brook
IL Oak Forest
IL Oak Grove
IL Oak Lawn
IL Oak Park
IL Oakbrook Terrace
IL Oakwood Hills
IL Olympia Fields
IL Orland Hills
IL Orland Park
IL Oswego
IL Palatine
IL Palos Heights
IL Palos Hills
IL Palos Park
IL Park City
IL Park Forest
IL Park Ridge
IL Pekin
IL Peoria
IL Peoria County
IL Peoria Heights
IL Phoenix
IL Plainfield
IL Pontoon Beach
IL Posen
IL Prospect Heights
IL Richton Park
IL River Forest
IL River Grove
IL Riverdale
IL Riverside
IL Riverwoods
IL Robbins
IL Rock Island
IL Rock Island County
IL Rockdale
IL Rockton
IL Rolling Meadows
IL Romeoville
IL Roscoe
IL Roselle
IL Rosemont
IL Round Lake
IL Round Lake Beach
IL Round Lake Heights
IL Round Lake Park
IL Roxana
IL Sangamon County
IL Sauget
IL Sauk Village
IL Savoy
IL Schaumburg
IL Schiller Park
IL Shiloh
IL Shorewood
IL Silvis
IL Skokie
IL Sleepy Hollow
IL South Beloit
IL South Chicago Heights
IL South Elgin
IL South Holland
IL South Roxana
IL Southern View
IL Springfield
IL St. Charles
IL St. Clair County
IL Steger
IL Stickney
IL Stone Park
IL Streamwood
IL Summit
IL Sunnyside
IL Swansea
IL Tazewell County
IL Thornton
IL Tinley Park
IL Tower Lakes
IL Troy
IL University Park
IL Urbana
IL Venice
IL Vernon Hills
IL Villa Park
IL Warrenville
IL Washington
IL Washington Park
IL Waukegan
IL West Chicago
IL West Dundee
IL Westchester
IL Western Springs
IL Westmont
IL Wheaton
IL Wheeling
IL Will County
IL Willow Springs
IL Willowbrook
IL Wilmette
IL Winfield
IL Winnebago County
IL Winnetka
IL Winthrop Harbor
IL Wood Dale
IL Wood River
IL Woodridge
IL Worth
IL Zion
IN Allen County
IN Anderson
IN Beech Grove
IN Bloomington
IN Boone County
IN Carmel
IN Castleton
IN Chesterfield
IN Chesterton
IN Clark County
IN Clarksville
IN Clermont
IN Country Club Heights
IN Crown Point
IN Crows Nest
IN Cumberland
IN Daleville
IN Delaware County
IN Dyer
IN East Chicago
IN Edgewood
IN Elkhart
IN Elkhart County
IN Evansville
IN Fishers
IN Floyd County
IN Gary
IN Goshen
IN Greenwood
IN Griffith
IN Hamilton County
IN Hammond
IN Hancock County
IN Hendricks County
IN Highland
IN Hobart
IN Homecroft
IN Howard County
IN Indian Village
IN Jeffersonville
IN Johnson County
IN Kokomo
IN Lafayette
IN Lake County
IN Lake Station
IN Lawrence
IN Madison County
IN Meridian Hills
IN Merrillville
IN Mishawaka
IN Monroe County
IN Muncie
IN Munster
IN New Albany
IN New Chicago
IN New Haven
IN New Whiteland
IN Newburgh
IN North Crows Nest
IN Ogden Dunes
IN Osceola
IN Portage
IN Porter
IN Porter County
IN River Forest
IN Rocky Ripple
IN Roseland
IN Schererville
IN Seelyville
IN Sellersburg
IN Selma
IN South Bend
IN Southport
IN Speedway
IN Spring Hill
IN St. John
IN St. Joseph County
IN Terre Haute
IN Tippecanoe County
IN Vanderburgh County
IN Vigo County
IN Warren Park
IN Warrick County
IN West Lafayette
IN West Terre Haute
IN Westfield
IN Whiteland
IN Whiting
IN Williams Creek
IN Woodlawn Heights
IN Wynnedale
IN Yorktown
IN Zionsville
IA Altoona
IA Asbury
IA Bettendorf
IA Black Hawk County
IA Buffalo
IA Carter Lake
IA Cedar Falls
IA Clive
IA Coralville
IA Council Bluffs
IA Dubuque
IA Dubuque County
IA Elk Run Heights
IA Evansdale
IA Hiawatha
IA Iowa City
IA Johnson County
IA Johnston
IA Le Claire

IA Linn County
IA Marion
IA Norwalk
IA Panorama Park
IA Pleasant Hill
IA Polk County
IA Pottawattamie County
IA Raymond
IA Riverdale
IA Robins
IA Scott County
IA Sergeant Bluff
IA Sioux City
IA University Heights
IA Urbandale
IA Warren County
IA Waterloo
IA West Des Moines
IA Windsor Heights
KS Bel Aire
KS Countryside
KS Doniphan County
KS Douglas County
KS Eastborough
KS Elwood
KS Fairway
KS Haysville
KS Johnson County
KS Kechi
KS Lake Quivira
KS Lawrence
KS Leawood
KS Lenexa
KS Merriam
KS Mission
KS Mission Hills
KS Mission Woods
KS Olathe
KS Park City
KS Prairie Village
KS Roeland Park
KS Sedgwick County
KS Shawnee
KS Shawnee County
KS Westwood
KS Westwood Hills
KY Alexandria
KY Anchorage
KY Ashland
KY Audubon Park
KY Bancroft
KY Barbourmeade
KY Beechwood Village
KY Bellefonte
KY Bellemeade
KY Bellevue
KY Bellewood
KY Blue Ridge Manor
KY Boone County
KY Boyd County
KY Briarwood
KY Broad Fields
KY Broeck Pointe
KY Bromley
KY Brownsboro Farm
KY Brownsboro Village
KY Bullitt County
KY Cambridge
KY Campbell County
KY Catlettsburg
KY Cherrywood Village
KY Christian County
KY Cold Spring
KY Covington
KY Creekside
KY Crescent Park
KY Crescent Springs
KY Crestview
KY Crestview Hills
KY Crossgate
KY Daviess County
KY Dayton
KY Douglass Hills
KY Druid Hills
KY Edgewood
KY Elsmere
KY Erlanger
KY Fairmeade
KY Fairview
KY Flatwoods
KY Florence
KY Forest Hills
KY Fort Mitchell
KY Fort Thomas
KY Fort Wright
KY Fox Chase
KY Glenview
KY Glenview Hills
KY Glenview Manor
KY Goose Creek
KY Graymoor-Devondale
KY Green Spring
KY Greenup County
KY Hebron Estates
KY Henderson
KY Henderson County
KY Hickory Hill
KY Highland Heights
KY Hills and Dales
KY Hillview
KY Hollow Creek
KY Hollyvilla
KY Houston Acres
KY Hunters Hollow
KY Hurstbourne
KY Hurstbourne Acres
KY Independence
KY Indian Hills
KY Indian Hills Cherokee Section
KY Jeffersontown
KY Jessamine County
KY Keeneland
KY Kenton County
KY Kenton Vale
KY Kingsley
KY Lakeside Park
KY Langdon Place
KY Latonia Lakes
KY Lincolnshire
KY Ludlow
KY Lyndon
KY Lynnview
KY Manor Creek
KY Maryhill Estates
KY Meadow Vale
KY Meadowbrook Farm
KY Meadowview Estates
KY Melbourne
KY Middletown
KY Minor Lane Heights
KY Mockingbird Valley
KY Moorland
KY Murray Hill
KY Newport
KY Norbourne Estates
KY Northfield
KY Norwood
KY Oak Grove
KY Old Brownsboro Place
KY Owensboro
KY Park Hills
KY Parkway Village
KY Pioneer Village
KY Plantation
KY Plymouth Village
KY Poplar Hills
KY Prospect
KY Raceland
KY Richlawn
KY Riverwood
KY Robinswood
KY Rolling Fields
KY Rolling Hills
KY Russell
KY Seneca Gardens
KY Shively
KY Silver Grove
KY South Park View
KY Southgate
KY Spring Mill
KY Spring Valley
KY Springlee
KY St. Matthews
KY St. Regis Park
KY Strathmoor Gardens
KY Strathmoor Manor
KY Strathmoor Village
KY Sycamore
KY Taylor Mill
KY Ten Broeck
KY Thornhill
KY Villa Hills
KY Watterson Park
KY Wellington
KY West Buechel
KY Westwood
KY Whipps Millgate
KY Wilder
KY Wildwood
KY Winding Falls
KY Windy Hills
KY Woodland Hills
KY Woodlawn
KY Woodlawn Park
KY Worthington
KY Wurtland
LA Alexandria
LA Baker
LA Ball
LA Bossier City
LA Bossier Parish
LA Broussard
LA Caddo Parish
LA Calcasieu Parish
LA Carencro
LA Denham Springs
LA East Baton Rouge Parish
LA Houma
LA Lafayette
LA Lafayette Parish
LA Lafourche Parish
LA Lake Charles
LA Livingston Parish
LA Monroe
LA Ouachita Parish
LA Pineville
LA Plaquemines Parish
LA Port Allen
LA Rapides Parish
LA Richwood
LA Scott
LA Slidell
LA St. Bernard Parish
LA St. Charles Parish
LA St. Tammany Parish
LA Sulphur
LA Terrebonne Parish
LA West Baton Rouge Parish

LA West Monroe
LA Westlake
LA Zachary

ME Androscoggin County
ME Auburn
ME Bangor
ME Brewer
ME Cumberland County
ME Lewiston
ME Old Town
ME Penobscot County
ME Portland
ME South Portland
ME Westbrook
ME York County

MD Allegany County
MD Annapolis
MD Bel Air
MD Berwyn Heights
MD Bladensburg
MD Bowie
MD Brentwood
MD Brookeville
MD Capitol Heights
MD Cecil County
MD Cheverly
MD Chevy Chase
MD Chevy Chase Section Five
MD Chevy Chase Section Three
MD Chevy Chase Village
MD College Park
MD Colmar Manor
MD Cottage City
MD Cumberland
MD District Heights
MD Edmonston
MD Elkton
MD Fairmount Heights
MD Forest Heights
MD Frederick
MD Frostburg
MD Funkstown
MD Gaithersburg
MD Garrett Park
MD Glen Echo
MD Glenarden
MD Greenbelt
MD Hagerstown
MD Highland Beach
MD Hyattsville
MD Kensington
MD Landover Hills
MD Laurel
MD Martin's Additions
MD Morningside
MD Mount Rainier
MD New Carrollton
MD North Brentwood
MD Riverdale
MD Rockville
MD Seat Pleasant
MD Smithsburg
MD Somerset
MD Takoma Park
MD University Park
MD Walkersville
MD Washington Grove
MD Williamsport

MA Attleboro
MA Barnstable County
MA Berkshire County
MA Beverly
MA Bristol County
MA Brockton
MA Cambridge
MA Chelsea
MA Chicopee
MA Essex County
MA Everett
MA Fall River
MA Fitchburg
MA Gloucester
MA Hampden County
MA Hampshire County
MA Haverhill
MA Holyoke
MA Lawrence
MA Leominster
MA Lowell
MA Lynn
MA Malden
MA Marlborough
MA Medford
MA Melrose
MA Middlesex County
MA New Bedford
MA Newton
MA Norfolk County
MA Northampton
MA Peabody
MA Pittsfield
MA Plymouth County
MA Quincy
MA Revere
MA Salem
MA Somerville
MA Springfield
MA Suffolk County
MA Taunton
MA Waltham
MA Westfield
MA Woburn
MA Worcester County

MI Allegan County
MI Allen Park
MI Auburn Hills
MI Battle Creek
MI Bay City
MI Bay County
MI Belleville
MI Benton Harbor
MI Berkley
MI Berrien County
MI Beverly Hills
MI Bingham Farms
MI Birmingham
MI Bloomfield Hills
MI Burton
MI Calhoun County
MI Cass County
MI Center Line
MI Clarkston
MI Clawson
MI Clinton County
MI Clio
MI Davison
MI Dearborn
MI Dearborn Heights
MI Detroit
MI East Detroit
MI East Grand Rapids
MI East Lansing
MI Eaton County
MI Ecorse
MI Essexville
MI Farmington
MI Farmington Hills
MI Ferndale
MI Flat Rock
MI Flushing
MI Franklin
MI Fraser
MI Garden City
MI Genesee County
MI Gibraltar
MI Grand Blanc
MI Grandville
MI Grosse Pointe
MI Grosse Pointe Farms
MI Grosse Pointe Park
MI Grosse Pointe Shores
MI Grosse Pointe Woods
MI Hamtramck
MI Harper Woods
MI Hazel Park
MI Highland Park
MI Holland
MI Hudsonville
MI Huntington Woods
MI Ingham County
MI Inkster
MI Jackson
MI Jackson County
MI Kalamazoo
MI Kalamazoo County
MI Keego Harbor
MI Kent County
MI Kentwood
MI Lake Angelus
MI Lansing
MI Lathrup Village
MI Lincoln Park
MI Livonia
MI Macomb County
MI Madison Heights
MI Marysville
MI Melvindale
MI Monroe County
MI Mount Clemens
MI Mount Morris
MI Muskegon
MI Muskegon County
MI Muskegon Heights
MI New Baltimore
MI Niles
MI North Muskegon
MI Northville
MI Norton Shores
MI Novi
MI Oak Park
MI Oakland County
MI Orchard Lake Village
MI Ottawa County
MI Parchment
MI Pleasant Ridge
MI Plymouth
MI Pontiac
MI Port Huron
MI Portage
MI River Rouge
MI Riverview
MI Rochester
MI Rochester Hills
MI Rockwood
MI Romulus
MI Roosevelt Park
MI Roseville
MI Royal Oak
MI Saginaw
MI Saginaw County
MI Shoreham
MI South Rockwood
MI Southfield
MI Southgate
MI Springfield
MI St. Clair
MI St. Clair County

MI St. Clair Shores
MI St. Joseph
MI Stevensville
MI Swartz Creek
MI Sylvan Lake
MI Taylor
MI Trenton
MI Troy
MI Utica
MI Walker
MI Walled Lake
MI Washtenaw County
MI Wayne
MI Wayne County
MI Westland
MI Wixom
MI Wolverine Lake
MI Woodhaven
MI Wyandotte
MI Wyoming
MI Ypsilanti
MI Zeeland
MI Zilwaukee

MN Andover
MN Anoka
MN Apple Valley
MN Arden Hills
MN Benton County
MN Birchwood Village
MN Blaine
MN Bloomington
MN Brooklyn Center
MN Brooklyn Park
MN Burnsville
MN Champlin
MN Chanhassen
MN Circle Pines
MN Clay County
MN Coon Rapids
MN Cottage Grove
MN Crystal
MN Dayton
MN Deephaven
MN Dilworth
MN Duluth
MN Eagan
MN East Grand Forks
MN Eden Prairie
MN Excelsior
MN Falcon Heights
MN Farmington
MN Fridley
MN Gem Lake
MN Golden Valley
MN Greenwood
MN Ham Lake
MN Hennepin County
MN Hermantown
MN Hilltop
MN Hopkins
MN Houston County
MN Inver Grove Heights
MN La Crescent
MN Lake Elmo
MN Lakeville
MN Landfall
MN Lauderdale
MN Lexington
MN Lilydale
MN Lino Lakes
MN Little Canada
MN Long Lake
MN Loretto
MN Mahtomedi
MN Maple Grove
MN Maple Plain
MN Maplewood
MN Medicine Lake
MN Medina
MN Mendota
MN Mendota Heights
MN Minnetonka
MN Minnetonka Beach
MN Minnetrista
MN Moorhead
MN Mound
MN Mounds View
MN New Brighton
MN New Hope
MN Newport
MN North Oaks
MN North St. Paul
MN Oakdale
MN Olmsted County
MN Orono
MN Osseo
MN Plymouth
MN Prior Lake
MN Proctor
MN Ramsey
MN Ramsey County
MN Robbinsdale
MN Rochester
MN Rosemount
MN Roseville
MN Sartell
MN Sauk Rapids
MN Savage
MN Scott County
MN Sherburne County
MN Shoreview
MN Shorewood
MN South St. Paul
MN Spring Lake Park
MN Spring Park
MN St. Anthony
MN St. Cloud
MN St. Louis County
MN St. Paul Park
MN Stearns County
MN Sunfish Lake
MN Tonka Bay
MN Vadnais Heights
MN Victoria
MN Waite Park
MN WA County
MN Wayzata
MN West St. Paul
MN White Bear Lake
MN Willernie
MN Woodbury
MN Woodland

MS Bay St. Louis
MS Biloxi
MS Brandon
MS Clinton
MS D'Iberville
MS DeSoto County
MS Flowood
MS Forrest County
MS Gautier
MS Gulfport
MS Hancock County
MS Harrison County
MS Hattiesburg
MS Hinds County
MS Horn Lake
MS Jackson County
MS Lamar County
MS Long Beach
MS Madison
MS Madison County
MS Moss Point
MS Ocean Springs
MS Pascagoula
MS Pass Christian
MS Pearl
MS Petal
MS Rankin County
MS Richland
MS Ridgeland
MS Southaven
MS Waveland

MO Airport Drive
MO Andrew County
MO Arnold
MO Avondale
MO Ballwin
MO Battlefield
MO Bel-Nor
MO Bel-Ridge
MO Bella Villa
MO Bellefontaine Neighbors
MO Bellerive
MO Belton
MO Berkeley
MO Beverly Hills
MO Birmingham
MO Black Jack
MO Blue Springs
MO Boone County
MO Breckenridge Hills
MO Brentwood
MO Bridgeton
MO Buchanan County
MO Calverton Park
MO Carl Junction
MO Carterville
MO Cass County
MO Charlack
MO Chesterfield
MO Clarkson Valley
MO Claycomo
MO Clayton
MO Cliff Village
MO Columbia
MO Cool Valley
MO Cottleville
MO Country Club
MO Country Club Hills
MO Country Life Acres
MO Crestwood
MO Creve Coeur
MO Crystal Lake Park
MO Dellwood
MO Dennis Acres
MO Des Peres
MO Duquesne
MO Edmundson
MO Ellisville
MO Fenton
MO Ferguson
MO Flordell Hills
MO Florissant
MO Frontenac
MO Gladstone
MO Glen Echo Park
MO Glenaire
MO Glendale
MO Grandview
MO Grantwood Village
MO Greendale
MO Greene County
MO Hanley Hills
MO Hazelwood
MO Hillsdale
MO Houston Lake
MO Huntleigh

MO Iron Gates
MO Jackson County
MO Jasper County
MO Jefferson County
MO Jennings
MO Joplin
MO Kimmswick
MO Kinloch
MO Kirkwood
MO Ladue
MO Lake St.Louis
MO Lake Tapawingo
MO Lake Waukomis
MO Lakeshire
MO Leawood
MO Lee's Summit
MO Liberty
MO Mac Kenzie
MO Manchester
MO Maplewood
MO Marlborough
MO Maryland Heights
MO Moline Acres
MO Normandy
MO North KS City
MO Northmoor
MO Northwoods
MO Norwood Court
MO O'Fallon
MO Oakland
MO Oakland Park
MO Oaks
MO Oakview
MO Oakwood
MO Oakwood Park
MO Olivette
MO Overland
MO Pagedale
MO Parkdale
MO Parkville
MO Pasadena Hills
MO Pasadena Park
MO Pine Lawn
MO Platte County
MO Platte Woods
MO Pleasant Valley
MO Randolph
MO Raymore
MO Raytown
MO Redings Mill
MO Richmond Heights
MO Riverside
MO Riverview
MO Rock Hill
MO Saginaw
MO Shoal Creek Drive
MO Shrewsbury
MO Silver Creek
MO St. Ann
MO St. Charles
MO St. Charles County
MO St. George
MO St. John
MO St. Joseph
MO St. Louis
MO St. Louis County
MO St. Peters
MO Sugar Creek
MO Sunset Hills
MO Sycamore Hills
MO Town and Country
MO Twin Oaks
MO Unity Village
MO University City
MO Uplands Park
MO Valley Park
MO Velda Village
MO Velda Village Hills
MO Vinita Park
MO Vinita Terrace
MO Warson Woods
MO Weatherby Lake
MO Webb City
MO Webster Groves
MO Wellston
MO Westwood
MO Wilbur Park
MO Winchester
MO Woodson Terrace

MT Billings
MT Cascade County
MT Great Falls
MT Missoula
MT Missoula County
MT Yellowstone County

NE Bellevue
NE Boys Town
NE Dakota County
NE Douglas County
NE La Vista
NE Lancaster County
NE Papillion
NE Ralston
NE Sarpy County
NE South Sioux City

NH Dover
NH Hillsborough County
NH Manchester
NH Merrimack County
NH Nashua
NH Portsmouth
NH Rochester
NH Rockingham County
NH Somersworth
NH Strafford County

NJ Absecon
NJ Allendale
NJ Allenhurst
NJ Alpha
NJ Alpine
NJ Asbury Park
NJ Atlantic City
NJ Atlantic County
NJ Atlantic Highlands
NJ Audubon
NJ Audubon Park
NJ Avon-by-the-Sea
NJ Barrington
NJ Bay Head
NJ Bayonne
NJ Beachwood
NJ Bellmawr
NJ Belmar
NJ Bergen County
NJ Bergenfield
NJ Berlin
NJ Bernardsville
NJ Beverly
NJ Bloomingdale
NJ Bogota
NJ Boonton
NJ Bordentown
NJ Bound Brook
NJ Bradley Beach
NJ Brielle
NJ Brigantine
NJ Brooklawn
NJ Buena
NJ Burlington
NJ Burlington County
NJ Butler
NJ Camden
NJ Camden County
NJ Cape May County
NJ Carlstadt
NJ Carteret
NJ Chatham
NJ Chesilhurst
NJ Clayton
NJ Clementon
NJ Cliffside Park
NJ Clifton
NJ Closter
NJ Collingswood
NJ Cresskill
NJ Cumberland County
NJ Deal
NJ Demarest
NJ Dover
NJ Dumont
NJ Dunellen
NJ East Newark
NJ East Orange
NJ East Rutherford
NJ Eatontown
NJ Edgewater
NJ Elizabeth
NJ Elmwood Park
NJ Emerson
NJ Englewood
NJ Englewood Cliffs
NJ Englishtown
NJ Essex County
NJ Fair Haven
NJ Fair Lawn
NJ Fairview
NJ Fanwood
NJ Fieldsboro
NJ Florham Park
NJ Fort Lee
NJ Franklin Lakes
NJ Freehold
NJ Garfield
NJ Garwood
NJ Gibbsboro
NJ Glassboro
NJ Glen Rock
NJ Gloucester City
NJ Gloucester County
NJ Guttenberg
NJ Hackensack
NJ Haddon Heights
NJ Haddonfield
NJ Haledon
NJ Harrington Park
NJ Harrison
NJ Hasbrouck Heights
NJ Haworth
NJ Hawthorne
NJ Helmetta
NJ Hi-Nella
NJ Highland Park
NJ Highlands
NJ Hillsdale
NJ Ho-Ho-Kus
NJ Hoboken
NJ Hopatcong
NJ Hudson County
NJ Hunterdon County
NJ Interlaken
NJ Island Heights
NJ Jamesburg
NJ Jersey City
NJ Keansburg
NJ Kearny
NJ Kenilworth
NJ Keyport

NJ Kinnelon
NJ Lakehurst
NJ Laurel Springs
NJ Lavallette
NJ Lawnside
NJ Leonia
NJ Lincoln Park
NJ Linden
NJ Lindenwold
NJ Linwood
NJ Little Ferry
NJ Little Silver
NJ Loch Arbour
NJ Lodi
NJ Long Branch
NJ Longport
NJ Madison
NJ Magnolia
NJ Manasquan
NJ Mantoloking
NJ Manville
NJ Margate City
NJ Matawan
NJ Maywood
NJ Medford Lakes
NJ Mendham
NJ Mercer County
NJ Merchantville
NJ Metuchen
NJ Middlesex
NJ Middlesex County
NJ Midland Park
NJ Millstone
NJ Milltown
NJ Millville
NJ Monmouth Beach
NJ Monmouth County
NJ Montvale
NJ Moonachie
NJ Morris County
NJ Morris Plains
NJ Morristown
NJ Mount Arlington
NJ Mount Ephraim
NJ Mountain Lakes
NJ Mountainside
NJ National Park
NJ Neptune City
NJ Netcong
NJ New Brunswick
NJ New Milford
NJ New Providence
NJ Newark
NJ Newfield
NJ North Arlington
NJ North Haledon
NJ North Plainfield
NJ Northfield
NJ Northvale
NJ Norwood
NJ Oakland
NJ Oaklyn
NJ Ocean City
NJ Ocean County
NJ Ocean Gate
NJ Oceanport
NJ Old Tappan
NJ Oradell
NJ Palisades Park
NJ Palmyra
NJ Paramus
NJ Park Ridge
NJ Passaic
NJ Passaic County
NJ Paterson
NJ Paulsboro
NJ Pennington
NJ Penns Grove
NJ Perth Amboy
NJ Phillipsburg
NJ Pine Beach
NJ Pine Hill
NJ Pine Valley
NJ Pitman
NJ Plainfield
NJ Pleasantville
NJ Point Pleasant
NJ Point Pleasant Beach
NJ Pompton Lakes
NJ Prospect Park
NJ Rahway
NJ Ramsey
NJ Raritan
NJ Red Bank
NJ Ridgefield
NJ Ridgefield Park
NJ Ridgewood
NJ Ringwood
NJ River Edge
NJ Riverdale
NJ Riverton
NJ Rockaway
NJ Rockleigh
NJ Roseland
NJ Roselle
NJ Roselle Park
NJ Rumson
NJ Runnemede
NJ Rutherford
NJ Saddle River
NJ Salem County
NJ Sayreville
NJ Sea Bright
NJ Sea Girt
NJ Seaside Heights
NJ Seaside Park
NJ Secaucus
NJ Shrewsbury
NJ Somerdale
NJ Somers Point
NJ Somerset County
NJ Somerville
NJ South Amboy
NJ South Belmar
NJ South Bound Brook
NJ South Plainfield
NJ South River
NJ South Toms River
NJ Spotswood
NJ Spring Lake
NJ Spring Lake Heights
NJ Stanhope
NJ Stratford
NJ Summit
NJ Sussex County
NJ Tavistock
NJ Tenafly
NJ Teterboro
NJ Tinton Falls
NJ Totowa
NJ Trenton
NJ Union Beach
NJ Union City
NJ Union County
NJ Upper Saddle River
NJ Ventnor City
NJ Victory Gardens
NJ Vineland
NJ Waldwick
NJ Wallington
NJ Wanaque
NJ Warren County
NJ Watchung
NJ Wenonah
NJ West Long Branch
NJ West NY
NJ West Paterson
NJ Westfield
NJ Westville
NJ Westwood
NJ Wharton
NJ Wood-Ridge
NJ Woodbury
NJ Woodbury Heights
NJ Woodcliff Lake
NJ Woodlynne

NM Bernalillo County
NM Corrales
NM Dona Ana County
NM Las Cruces
NM Los Ranchos de Albuquerque
NM Mesilla
NM Rio Rancho
NM Santa Fe
NM Santa Fe County
NM Sunland Park

NY Albany
NY Albany County
NY Amityville
NY Ardsley
NY Atlantic Beach
NY Babylon
NY Baldwinsville
NY Baxter Estates
NY Bayville
NY Beacon
NY Belle Terre
NY Bellerose
NY Bellport
NY Binghamton
NY Blasdell
NY Briarcliff Manor
NY Brightwaters
NY Bronxville
NY Brookville
NY Broome County
NY Buchanan
NY Buffalo
NY Camillus
NY Cayuga Heights
NY Cedarhurst
NY Chemung County
NY Chestnut Ridge
NY Clayville
NY Clinton
NY Cohoes
NY Colonie
NY Cornwall on Hudson
NY Croton-on-Hudson
NY Depew
NY Dobbs Ferry
NY Dutchess County
NY East Hills
NY East Rochester
NY East Rockaway
NY East Syracuse
NY East Williston
NY Elmira
NY Elmira Heights
NY Elmsford
NY Endicott
NY Erie County
NY Fairport
NY Farmingdale
NY Fayetteville
NY Fishkill
NY Floral Park
NY Flower Hill

NY Fort Edward
NY Freeport
NY Garden City
NY Glen Cove
NY Glens Falls
NY Grand View-on-Hudson
NY Great Neck
NY Great Neck Estates
NY Great Neck Plaza
NY Green Island
NY Hamburg
NY Harrison
NY Hastings-on-Hudson
NY Haverstraw
NY Hempstead
NY Herkimer County
NY Hewlett Bay Park
NY Hewlett Harbor
NY Hewlett Neck
NY Hillburn
NY Horseheads
NY Hudson Falls
NY Huntington Bay
NY Irvington
NY Island Park
NY Islandia
NY Ithaca
NY Johnson City
NY Kenmore
NY Kensington
NY Kings Point
NY Lackawanna
NY Lake Grove
NY Lake Success
NY Lancaster
NY Lansing
NY Larchmont
NY Lattingtown
NY Lawrence
NY Lewiston
NY Lindenhurst
NY Liverpool
NY Lloyd Harbor
NY Long Beach
NY Lynbrook
NY Malverne
NY Mamaroneck
NY Manlius
NY Manorhaven
NY Massapequa Park
NY Matinecock
NY Menands
NY Mill Neck
NY Mineola
NY Minoa
NY Monroe County
NY Montebello
NY Mount Kisco
NY Mount Vernon
NY Munsey Park
NY Muttontown
NY Nassau County
NY New Hartford
NY New Hempstead
NY New Hyde Park
NY New Rochelle
NY New Square
NY NY Mills
NY Newburgh
NY Niagara County
NY Niagara Falls
NY North Hills
NY North Syracuse
NY North Tarrytown
NY North Tonawanda
NY Northport
NY Nyack
NY Old Brookville
NY Old Westbury
NY Oneida County
NY Onondaga County
NY Orange County
NY Orchard Park
NY Oriskany
NY Ossining
NY Oswego County
NY Patchogue
NY Peekskill
NY Pelham
NY Pelham Manor
NY Phoenix
NY Piermont
NY Pittsford
NY Plandome
NY Plandome Heights
NY Plandome Manor
NY Pleasantville
NY Pomona
NY Poquott
NY Port Chester
NY Port Dickinson
NY Port Jefferson
NY Port WA North
NY Poughkeepsie
NY Putnam County
NY Rensselaer
NY Rensselaer County
NY Rochester
NY Rockland County
NY Rockville Centre
NY Rome
NY Roslyn
NY Roslyn Estates
NY Roslyn Harbor
NY Russell Gardens
NY Rye
NY Rye Brook
NY Saddle Rock
NY Sands Point
NY Saratoga County
NY Scarsdale
NY Schenectady
NY Schenectady County
NY Scotia
NY Sea Cliff
NY Shoreham
NY Sloan
NY Sloatsburg
NY Solvay
NY South Floral Park
NY South Glens Falls
NY South Nyack
NY Spencerport
NY Spring Valley
NY Stewart Manor
NY Suffern
NY Suffolk County
NY Syracuse
NY Tarrytown
NY Thomaston
NY Tioga County
NY Tompkins County
NY Tonawanda
NY Troy
NY Tuckahoe
NY Ulster County
NY Upper Brookville
NY Upper Nyack
NY Utica
NY Valley Stream
NY Village of the Branch
NY Wappingers Falls
NY Warren County
NY Washington County
NY Waterford
NY Watervliet
NY Webster
NY Wesley Hills
NY West Haverstraw
NY Westbury
NY Westchester County
NY White Plains
NY Whitesboro
NY Williamsville
NY Williston Park
NY Woodsburgh
NY Yonkers
NY Yorkville
NC Alamance County
NC Apex
NC Archdale
NC Asheville
NC Belmont
NC Belville
NC Bessemer City
NC Biltmore Forest
NC Black Mountain
NC Brookford
NC Brunswick County
NC Buncombe County
NC Burke County
NC Burlington
NC Cabarrus County
NC Carrboro
NC Cary
NC Catawba County
NC Chapel Hill
NC China Grove
NC Clemmons
NC Concord
NC Conover
NC Cramerton
NC Dallas
NC Davidson County
NC Durham County
NC Edgecombe County
NC Elon College
NC Fletcher
NC Forsyth County
NC Garner
NC Gaston County
NC Gastonia
NC Gibsonville
NC Goldsboro
NC Graham
NC Greenville
NC Guilford County
NC Harnett County
NC Haw River
NC Hickory
NC High Point
NC Hildebran
NC Hope Mills
NC Indian Trail
NC Jacksonville
NC Jamestown
NC Kannapolis
NC Landis
NC Leland
NC Long View
NC Lowell
NC Matthews
NC McAdenville
NC Mebane
NC Mecklenburg County
NC Mint Hill
NC Montreat
NC Mount Holly

NC Nash County
NC New Hanover County
NC Newton
NC Onslow County
NC Orange County
NC Pineville
NC Pitt County
NC Randolph County
NC Ranlo
NC Rocky Mount
NC Rowan County
NC Rural Hall
NC Spring Lake
NC Stallings
NC Thomasville
NC Union County
NC Wake County
NC Walkertown
NC Wayne County
NC Weaverville
NC Wilmington
NC Winterville
NC Woodfin
NC Wrightsville Beach

ND Bismarck
ND Burleigh County
ND Cass County
ND Fargo
ND Grand Forks
ND Grand Forks County
ND Lincoln
ND Mandan
ND Morton County
ND West Fargo

OH Addyston
OH Allen County
OH Amberley
OH Amelia
OH Amherst
OH Arlington Heights
OH Auglaize County
OH Aurora
OH Avon
OH Avon Lake
OH Barberton
OH Bay Village
OH Beachwood
OH Beavercreek
OH Bedford
OH Bedford Heights
OH Bellaire
OH Bellbrook
OH Belmont County
OH Belpre
OH Bentleyville
OH Berea
OH Bexley
OH Blue Ash
OH Brady Lake
OH Bratenahl
OH Brecksville
OH Brice
OH Bridgeport
OH Brilliant
OH Broadview Heights
OH Brook Park
OH Brooklyn
OH Brooklyn Heights
OH Brookside
OH Brunswick
OH Butler County
OH Campbell
OH Canfield
OH Canton
OH Carlisle
OH Centerville
OH Chagrin Falls
OH Chesapeake
OH Cheviot
OH Cincinnati
OH Clark County
OH Clermont County
OH Cleveland
OH Cleveland Heights
OH Cleves
OH Coal Grove
OH Cridersville
OH Cuyahoga County
OH Cuyahoga Falls
OH Cuyahoga Heights
OH Deer Park
OH Delaware County
OH Doylestown
OH Dublin
OH East Cleveland
OH Eastlake
OH Elmwood Place
OH Elyria
OH Englewood
OH Erie County
OH Euclid
OH Evendale
OH Fairborn
OH Fairfax
OH Fairfield
OH Fairfield County
OH Fairlawn
OH Fairport Harbor
OH Fairview Park
OH Forest Park
OH Fort Shawnee
OH Franklin
OH Franklin County
OH Gahanna
OH Garfield Heights
OH Geauga County
OH Girard
OH Glendale
OH Glenwillow
OH Golf Manor
OH Grand River
OH Grandview Heights
OH Green
OH Greene County
OH Greenhills
OH Grove City
OH Groveport
OH Hamilton
OH Hamilton County
OH Hanging Rock
OH Harbor View
OH Hartville
OH Heath
OH Highland Heights
OH Hilliard
OH Hills and Dales
OH Holland
OH Hubbard
OH Huber Heights
OH Hudson
OH Independence
OH Ironton
OH Jefferson County
OH Kent
OH Kettering
OH Kirtland
OH Lake County
OH Lakeline
OH Lakemore
OH Lakewood
OH Lawrence County
OH Lexington
OH Licking County
OH Lima
OH Lincoln Heights
OH Linndale
OH Lockland
OH Lorain
OH Lorain County
OH Louisville
OH Loveland
OH Lowellville
OH Lucas County
OH Lyndhurst
OH Macedonia
OH Madeira
OH Mahoning County
OH Maineville
OH Mansfield
OH Maple Heights
OH Marble Cliff
OH Mariemont
OH Martins Ferry
OH Mason
OH Massillon
OH Maumee
OH Mayfield
OH Mayfield Heights
OH McDonald
OH Medina County
OH Mentor
OH Mentor-on-the-Lake
OH Meyers Lake
OH Miami County
OH Miamisburg
OH Middleburg Heights
OH Middletown
OH Milford
OH Millbury
OH Millville
OH Minerva Park
OH Mingo Junction
OH Mogadore
OH Monroe
OH Montgomery
OH Montgomery County
OH Moraine
OH Moreland Hills
OH Mount Healthy
OH Munroe Falls
OH New Miami
OH New Middletown
OH New Rome
OH Newark
OH Newburgh Heights
OH Newtown
OH Niles
OH North Bend
OH North Canton
OH North College Hill
OH North Olmsted
OH North Randall
OH North Ridgeville
OH North Royalton
OH Northfield
OH Northwood
OH Norton
OH Norwood
OH Oakwood
OH Oakwood
OH Obetz
OH Olmsted Falls
OH Ontario
OH Orange
OH Oregon
OH Ottawa County
OH Ottawa Hills
OH Painesville

OH Parma
OH Parma Heights
OH Pepper Pike
OH Perrysburg
OH Poland
OH Portage County
OH Powell
OH Proctorville
OH Ravenna
OH Reading
OH Reminderville
OH Reynoldsburg
OH Richfield
OH Richland County
OH Richmond Heights
OH Riverlea
OH Riverside
OH Rocky River
OH Rossford
OH Seven Hills
OH Shadyside
OH Shaker Heights
OH Sharonville
OH Shawnee Hills
OH Sheffield
OH Sheffield Lake
OH Silver Lake
OH Silverton
OH Solon
OH South Amherst
OH South Euclid
OH South Point
OH South Russell
OH Springboro
OH Springdale
OH Springfield
OH St. Bernard
OH Stark County
OH Steubenville
OH Stow
OH Strongsville
OH Struthers
OH Sugar Bush Knolls
OH Summit County
OH Sylvania
OH Tallmadge
OH Terrace Park
OH The Village of Indian Hill
OH Timberlake
OH Trenton
OH Trotwood
OH Trumbull County
OH Twinsburg
OH Union
OH University Heights
OH Upper Arlington
OH Urbancrest
OH Valley View
OH Valleyview
OH Vandalia
OH Vermilion
OH Wadsworth
OH Waite Hill
OH Walbridge
OH Walton Hills
OH Warren
OH Warren County
OH Warrensville Heights
OH Washington County
OH Wayne County
OH West Carrollton City
OH West Milton
OH Westerville
OH Westlake
OH Whitehall
OH Wickliffe
OH Willoughby
OH Willoughby Hills
OH Willowick
OH Wintersville
OH Wood County
OH Woodlawn
OH Woodmere
OH Worthington
OH Wyoming
OH Youngstown
OK Arkoma
OK Bethany
OK Bixby
OK Broken Arrow
OK Canadian County
OK Catoosa
OK Choctaw
OK Cleveland County
OK Comanche County
OK Creek County
OK Del City
OK Edmond
OK Forest Park
OK Hall Park
OK Harrah
OK Jenks
OK Jones
OK Lake Aluma
OK Lawton
OK Logan County
OK Midwest City
OK Moffett
OK Moore
OK Mustang
OK Nichols Hills
OK Nicoma Park
OK Norman
OK Oklahoma County
OK Rogers County
OK Sand Springs
OK Sequoyah County
OK Smith Village
OK Spencer
OK The Village
OK Tulsa County
OK Valley Brook
OK Wagoner County
OK Warr Acres
OK Woodlawn Park
OK Yukon
OR Central Point
OR Columbia County
OR Durham
OR Jackson County
OR Keizer
OR King City
OR Lane County
OR Marion County
OR Maywood Park
OR Medford
OR Phoenix
OR Polk County
OR Rainier
OR Springfield
OR Troutdale
OR Wood Village
PA Adamsburg
PA Alburtis
PA Aldan
PA Aliquippa
PA Allegheny County
PA Allenport
PA Altoona
PA Ambler
PA Ambridge
PA Archbald
PA Arnold
PA Ashley
PA Aspinwall
PA Avalon
PA Avoca
PA Baden
PA Baldwin
PA Beaver
PA Beaver County
PA Beaver Falls
PA Bell Acres
PA Belle Vernon
PA Bellevue
PA Ben Avon
PA Ben Avon Heights
PA Berks County
PA Bethel Park
PA Bethlehem
PA Big Beaver
PA Birdsboro
PA Blair County
PA Blakely
PA Blawnox
PA Boyertown
PA Brackenridge
PA Braddock
PA Braddock Hills
PA Bradfordwoods
PA Brentwood
PA Bridgeport
PA Bridgeville
PA Bridgewater
PA Bristol
PA Brookhaven
PA Brownstown
PA Brownsville
PA Bryn Athyn
PA Bucks County
PA California
PA Cambria County
PA Camp Hill
PA Canonsburg
PA Carbondale
PA Carnegie
PA Castle Shannon
PA Catasauqua
PA Centre County
PA Chalfant
PA Chalfont
PA Charleroi
PA Chester
PA Chester County
PA Chester Heights
PA Cheswick
PA Churchill
PA Clairton
PA Clarks Green
PA Clarks Summit
PA Clifton Heights
PA Coal Center
PA Coatesville
PA Collegeville
PA Collingdale
PA Columbia
PA Colwyn
PA Conshohocken
PA Conway
PA Coplay
PA Coraopolis
PA Courtdale
PA Crafton
PA Cumberland County
PA Daisytown
PA Dale
PA Dallas

PA Dallastown
PA Darby
PA Dauphin County
PA Delaware County
PA Delmont
PA Dickson City
PA Donora
PA Dormont
PA Dover
PA Downingtown
PA Doylestown
PA Dravosburg
PA Duboistown
PA Duncansville
PA Dunlevy
PA Dunmore
PA Dupont
PA Duquesne
PA Duryea
PA East Conemaugh
PA East Lansdowne
PA East McKeesport
PA East Petersburg
PA East Pittsburgh
PA East Rochester
PA East Washington
PA Easton
PA Eastvale
PA Economy
PA Eddystone
PA Edgewood
PA Edgeworth
PA Edwardsville
PA Elco
PA Elizabeth
PA Ellport
PA Ellwood City
PA Emmaus
PA Emsworth
PA Erie
PA Erie County
PA Etna
PA Exeter
PA Export
PA Fallston
PA Farrell
PA Fayette City
PA Fayette County
PA Ferndale
PA Finleyville
PA Folcroft
PA Forest Hills
PA Forty Fort
PA Fountain Hill
PA Fox Chapel
PA Franklin
PA Franklin County
PA Franklin Park
PA Freedom
PA Freemansburg
PA Geistown
PA Glassport
PA Glendon
PA Glenfield
PA Glenolden
PA Green Tree
PA Greensburg
PA Hallam
PA Harrisburg
PA Harveys Lake
PA Hatboro
PA Hatfield
PA Haysville
PA Heidelberg
PA Hellertown
PA Hermitage
PA Highspire
PA Hollidaysburg
PA Homestead
PA Homewood
PA Houston
PA Hughestown
PA Hulmeville
PA Hummelstown
PA Hunker
PA Ingram
PA Irwin
PA Ivyland
PA Jacobus
PA Jeannette
PA Jefferson
PA Jenkintown
PA Jermyn
PA Jessup
PA Johnstown
PA Kenhorst
PA Kingston
PA Koppel
PA Lackawanna County
PA Laflin
PA Lancaster
PA Lancaster County
PA Langhorne
PA Langhorne Manor
PA Lansdale
PA Lansdowne
PA Larksville
PA Laurel Run
PA Laureldale
PA Lawrence County
PA Lebanon County
PA Leesport
PA Leetsdale
PA Lehigh County
PA Lemoyne
PA Liberty
PA Lincoln
PA Lititz
PA Loganville
PA Lorain
PA Lower Burrell
PA Luzerne
PA Luzerne County
PA Lycoming County
PA Macungie
PA Madison
PA Malvern
PA Manor
PA Marcus Hook
PA Marysville
PA Mayfield
PA McKees Rocks
PA McKeesport
PA Mechanicsburg
PA Media
PA Mercer County
PA Middletown
PA Millbourne
PA Millersville
PA Millvale
PA Modena
PA Mohnton
PA Monaca
PA Monessen
PA Monongahela
PA Montgomery County
PA Montoursville
PA Moosic
PA Morrisville
PA Morton
PA Mount Oliver
PA Mount Penn
PA Mountville
PA Munhall
PA Municipality of Monroeville
PA Municipality of Murrysville
PA Nanticoke
PA Narberth
PA New Brighton
PA New Britain
PA New Cumberland
PA New Eagle
PA New Galilee
PA New Kensington
PA New Stanton
PA Newell
PA Newtown
PA Norristown
PA North Belle Vernon
PA North Braddock
PA North Catasauqua
PA North Charleroi
PA North Irwin
PA North Wales
PA North York
PA Northampton
PA Northampton County
PA Norwood
PA Oakmont
PA Old Forge
PA Olyphant
PA Osborne
PA Paint
PA Palmyra
PA Parkside
PA Patterson Heights
PA Paxtang
PA Penbrook
PA Penn
PA Penndel
PA Pennsbury Village
PA Phoenixville
PA Pitcairn
PA Pittsburgh
PA Pittston
PA Pleasant Hills
PA Plum
PA Plymouth
PA Port Vue
PA Pottstown
PA Pringle
PA Prospect Park
PA Rankin
PA Reading
PA Red Lion
PA Ridley Park
PA Rochester
PA Rockledge
PA Roscoe
PA Rose Valley
PA Rosslyn Farms
PA Royalton
PA Royersford
PA Rutledge
PA Scalp Level
PA Schwenksville
PA Scranton
PA Sewickley
PA Sewickley Heights
PA Sewickley Hills
PA Sharon
PA Sharon Hill
PA Sharpsburg
PA Sharpsville
PA Shillington
PA Shiremanstown
PA Sinking Spring
PA Somerset County

PA Souderton
PA South Coatesville
PA South Greensburg
PA South Heights
PA South Williamsport
PA Southmont
PA Southwest Greensburg
PA Speers
PA Spring City
PA Springdale
PA St. Lawrence
PA State College
PA Steelton
PA Stockdale
PA Sugar Notch
PA Swarthmore
PA Swissvale
PA Swoyersville
PA Tarentum
PA Taylor
PA Telford
PA Temple
PA Thornburg
PA Throop
PA Trafford
PA Trainer
PA Trappe
PA Tullytown
PA Turtle Creek
PA Upland
PA Verona
PA Versailles
PA Wall
PA Warrior Run
PA Washington
PA Washington County
PA Wernersville
PA Wesleyville
PA West Brownsville
PA West Chester
PA West Conshohocken
PA West Easton
PA West Elizabeth
PA West Fairview
PA West Homestead
PA West Lawn
PA West Mayfield
PA West Middlesex
PA West Mifflin
PA West Newton
PA West Pittston
PA West Reading
PA West View
PA West Wyoming
PA West York
PA Westmont
PA Westmoreland County
PA Wheatland
PA Whitaker
PA White Oak
PA Wilkes-Barre
PA Wilkinsburg
PA Williamsport
PA Wilmerding
PA Wilson
PA Windber
PA Windsor
PA Wormleysburg
PA Wrightsville
PA Wyoming
PA Wyomissing
PA Wyomissing Hills
PA Yardley
PA Yatesville
PA Yeadon
PA Yoe
PA York
PA York County
PA Youngwood

PR Aguada Municipio
PR Aguadilla Municipio
PR Aguas Buenas Municipio
PR Aibonito Municipio
PR Anasco Municipio
PR Arecibo Municipio
PR Bayamon Municipio
PR Cabo Rojo Municipio
PR Caguas Municipio
PR Camuy Municipio
PR Canovanas Municipio
PR Carolina Municipio
PR Catano Municipio
PR Cayey Municipio
PR Cidra Municipio
PR Dorado Municipio
PR Guaynabo Municipio
PR Gurabo Municipio
PR Hatillo Municipio
PR Hormigueros Municipio
PR Humacao Municipio
PR Juncos Municipio
PR Las Piedras Municipio
PR Loiza Municipio
PR Manati Municipio
PR Mayaguez Municipio
PR Moca Municipio
PR Naguabo Municipio
PR Naranjito Municipio
PR Penuelas Municipio
PR Ponce Municipio
PR Rio Grande Municipio
PR San German Municipio
PR San Juan Municipio
PR San Lorenzo Municipio
PR Toa Alta Municipio
PR Toa Baja Municipio
PR Trujillo Alto Municipio
PR Vega Alta Municipio
PR Vega Baja Municipio
PR Yabucoa Municipio

RI Bristol County
RI Central Falls
RI Cranston
RI East Providence
RI Kent County
RI Newport
RI Newport County
RI Pawtucket
RI Providence
RI Providence County
RI Warwick
RI Washington County
RI Woonsocket

SC Aiken
SC Aiken County
SC Anderson
SC Anderson County
SC Arcadia Lakes
SC Berkeley County
SC Burnettown
SC Cayce
SC Charleston
SC Charleston County
SC Columbia
SC Cowpens
SC Darlington County
SC Dorchester County
SC Florence
SC Florence County
SC Folly Beach
SC Forest Acres
SC Fort Mill
SC Georgetown County
SC Goose Creek
SC Hanahan
SC Horry County
SC Irmo
SC Isle of Palms
SC Lexington County
SC Lincolnville
SC Mount Pleasant
SC Myrtle Beach
SC North Augusta
SC North Charleston
SC Pickens County
SC Pineridge
SC Quinby
SC Rock Hill
SC South Congaree
SC Spartanburg
SC Spartanburg County
SC Springdale
SC Sullivan's Island
SC Summerville
SC Sumter
SC Sumter County
SC Surfside Beach
SC West Columbia
SC York County

SD Minnehaha County
SD North Sioux City
SD Pennington County
SD Rapid City

TN Alcoa
TN Anderson County
TN Bartlett
TN Blount County
TN Brentwood
TN Bristol
TN Carter County
TN Church Hill
TN Clarksville
TN Collegedale
TN East Ridge
TN Elizabethton
TN Farragut
TN Germantown
TN Hamilton County
TN Hawkins County
TN Hendersonville
TN Jackson
TN Johnson City
TN Jonesborough
TN Kingsport
TN Knox County
TN Lakesite
TN Lookout Mountain
TN Loudon County
TN Madison County
TN Maryville
TN Montgomery County
TN Mount Carmel
TN Mount Juliet
TN Red Bank
TN Ridgeside
TN Rockford
TN Shelby County
TN Signal Mountain
TN Soddy-Daisy
TN Sullivan County
TN Sumner County
TN Washington County
TN Wilson County

TX Addison
TX Alamo
TX Alamo Heights

TX Allen
TX Azle
TX Balch Springs
TX Balcones Heights
TX Bayou Vista
TX Baytown
TX Bedford
TX Bell County
TX Bellaire
TX Bellmead
TX Belton
TX Benbrook
TX Beverly Hills
TX Bexar County
TX Blue Mound
TX Bowie County
TX Brazoria County
TX Brazos County
TX Brookside Village
TX Brownsville
TX Bryan
TX Buckingham
TX Bunker Hill Village
TX Cameron County
TX Carrollton
TX Castle Hills
TX Cedar Hill
TX Cedar Park
TX Cibolo
TX Clear Lake Shores
TX Clint
TX Cockrell Hill
TX College Station
TX Colleyville
TX Collin County
TX Combes
TX Converse
TX Copperas Cove
TX Corinth
TX Coryell County
TX Crowley
TX Dallas County
TX Dalworthington Gardens
TX Deer Park
TX Denison
TX Denton
TX Denton County
TX DeSoto
TX Dickinson
TX Donna
TX Double Oak
TX Duncanville
TX Ector County
TX Edgecliff
TX Edinburg
TX El Lago
TX El Paso County
TX Euless
TX Everman
TX Farmers Branch
TX Flower Mound
TX Forest Hill
TX Fort Bend County
TX Friendswood
TX Galena Park
TX Galveston
TX Galveston County
TX Grand Prairie
TX Grapevine
TX Grayson County
TX Gregg County
TX Groves
TX Guadalupe County
TX Haltom City
TX Hardin County
TX Harker Heights
TX Harlingen
TX Hedwig Village
TX Hewitt
TX Hickory Creek
TX Hidalgo County
TX Highland Park
TX Highland Village
TX Hill Country Village
TX Hilshire Village
TX Hitchcock
TX Hollywood Park
TX Howe
TX Humble
TX Hunters Creek Village
TX Hurst
TX Hutchins
TX Impact
TX Jacinto City
TX Jefferson County
TX Jersey Village
TX Katy
TX Keller
TX Kemah
TX Kennedale
TX Killeen
TX Kirby
TX La Marque
TX La Porte
TX Lacy-Lakeview
TX Lake Dallas
TX Lake Worth
TX Lakeside
TX Lakeside City
TX Lancaster
TX League City
TX Leander
TX Leon Valley
TX Lewisville
TX Live Oak
TX Longview
TX Lubbock County
TX Lumberton
TX McAllen
TX McLennan County
TX Meadows
TX Midland
TX Midland County
TX Mission
TX Missouri City
TX Montgomery County
TX Morgan's Point
TX Nash
TX Nassau Bay
TX Nederland
TX Nolanville
TX North Richland Hills
TX Northcrest
TX Nueces County
TX Odessa
TX Olmos Park
TX Palm Valley
TX Palmview
TX Pantego
TX Pearland
TX Pflugerville
TX Pharr
TX Piney Point Village
TX Port Arthur
TX Port Neches
TX Portland
TX Potter County
TX Primera
TX Randall County
TX Richardson
TX Richland Hills
TX River Oaks
TX Robinson
TX Rockwall
TX Rockwall County
TX Rollingwood
TX Rose Hill Acres
TX Rowlett
TX Sachse
TX Saginaw
TX San Angelo
TX San Benito
TX San Juan
TX San Patricio County
TX Sansom Park
TX Santa Fe
TX Schertz
TX Seabrook
TX Seagoville
TX Selma
TX Shavano Park
TX Sherman
TX Shoreacres
TX Smith County
TX Socorro
TX South Houston
TX Southside Place
TX Spring Valley
TX Stafford
TX Sugar Land
TX Sunset Valley
TX Tarrant County
TX Taylor County
TX Taylor Lake Village
TX Temple
TX Terrell Hills
TX Texarkana
TX Texas City
TX Tom Green County
TX Travis County
TX Tye
TX Tyler
TX Universal City
TX University Park
TX Victoria
TX Victoria County
TX Wake Village
TX Watauga
TX Webb County
TX Webster
TX Weslaco
TX West Lake Hills
TX West University Place
TX Westover Hills
TX Westworth
TX White Oak
TX White Settlement
TX Wichita County
TX Wichita Falls
TX Williamson County
TX Wilmer
TX Windcrest
TX Woodway
UT American Fork
UT Bluffdale
UT Bountiful
UT Cache County
UT Cedar Hills
UT Centerville
UT Clearfield
UT Clinton
UT Davis County
UT Draper
UT Farmington
UT Farr West
UT Fruit Heights
UT Harrisville
UT Highland

UT Hyde Park
UT Kaysville
UT Layton
UT Lehi
UT Lindon
UT Logan
UT Mapleton
UT Midvale
UT Millville
UT Murray
UT North Logan
UT North Ogden
UT North Salt Lake
UT Ogden
UT Orem
UT Pleasant Grove
UT Pleasant View
UT Providence
UT Provo
UT River Heights
UT Riverdale
UT Riverton
UT Roy
UT Sandy
UT Smithfield
UT South Jordan
UT South Ogden
UT South Salt Lake
UT South Weber
UT Springville
UT Sunset
UT Syracuse
UT Uintah
UT Utah County
UT Washington Terrace
UT Weber County
UT West Bountiful
UT West Jordan
UT West Point
UT West Valley City
UT Woods Cross

VT Burlington
VT Chittenden County
VT Essex Junction
VT South Burlington
VT Winooski

VA Albemarle County
VA Alexandria
VA Amherst County
VA Bedford County
VA Botetourt County
VA Bristol
VA Campbell County
VA Charlottesville
VA Colonial Heights
VA Danville
VA Dinwiddie County
VA Fairfax
VA Falls Church
VA Fredericksburg
VA Gate City
VA Gloucester County
VA Hanover County
VA Herndon
VA Hopewell
VA James City County
VA Loudoun County
VA Lynchburg
VA Manassas
VA Manassas Park
VA Occoquan
VA Petersburg
VA Pittsylvania County
VA Poquoson
VA Prince George County
VA Richmond
VA Roanoke
VA Roanoke County
VA Salem
VA Scott County
VA Spotsylvania County
VA Stafford County
VA Suffolk
VA Vienna
VA Vinton
VA Washington County
VA Weber City
VA Williamsburg
VA York County

WA Algona
WA Auburn
WA Beaux Arts Village
WA Bellevue
WA Bellingham
WA Benton County
WA Bonney Lake
WA Bothell
WA Bremerton
WA Brier
WA Clyde Hill
WA Cowlitz County
WA Des Moines
WA DuPont
WA Edmonds
WA Everett
WA Fife
WA Fircrest
WA Franklin County
WA Gig Harbor
WA Hunts Point
WA Issaquah
WA Kelso
WA Kennewick
WA Kent
WA Kirkland
WA Kitsap County
WA Lacey
WA Lake Forest Park
WA Longview
WA Lynnwood
WA Marysville
WA Medina
WA Mercer Island
WA Mill Creek
WA Millwood
WA Milton
WA Mountlake Terrace
WA Mukilteo
WA Normandy Park
WA Olympia
WA Pacific
WA Pasco
WA Port Orchard
WA Puyallup
WA Redmond
WA Renton
WA Richland
WA Ruston
WA Selah
WA Spokane
WA Spokane County
WA Steilacoom
WA Sumner
WA Thurston County
WA Tukwila
WA Tumwater
WA Union Gap
WA Vancouver
WA West Richland
WA Whatcom County
WA Woodway
WA Yakima
WA Yakima County
WA Yarrow Point

WV Bancroft
WV Barboursville
WV Belle
WV Benwood
WV Berkeley County
WV Bethlehem
WV Brooke County
WV Cabell County
WV Cedar Grove
WV Ceredo
WV Charleston
WV Chesapeake
WV Clearview
WV Dunbar
WV East Bank
WV Follansbee
WV Glasgow
WV Glen Dale
WV Hancock County
WV Huntington
WV Hurricane
WV Kanawha County
WV Kenova
WV Marmet
WV Marshall County
WV McMechen
WV Mineral County
WV Moundsville
WV Nitro
WV North Hills
WV Ohio County
WV Parkersburg
WV Poca
WV Putnam County
WV Ridgeley
WV South Charleston
WV St. Albans
WV Triadelphia
WV Vienna
WV Wayne County
WV Weirton
WV Wheeling
WV Wood County

WI Allouez
WI Altoona
WI Appleton
WI Ashwaubenon
WI Bayside
WI Beloit
WI Big Bend
WI Brookfield
WI Brown County
WI Brown Deer
WI Butler
WI Calumet County
WI Cedarburg
WI Chippewa County
WI Chippewa Falls
WI Combined Locks
WI Cudahy
WI Dane County
WI De Pere
WI Eau Claire
WI Eau Claire County
WI Elm Grove
WI Elmwood Park
WI Fitchburg
WI Fox Point
WI Franklin
WI Germantown
WI Glendale
WI Grafton
WI Green Bay
WI Greendale

WI Greenfield
WI Hales Corners
WI Holmen
WI Howard
WI Janesville
WI Kaukauna
WI Kenosha
WI Kenosha County
WI Kimberly
WI Kohler
WI La Crosse
WI La Crosse County
WI Lannon
WI Little Chute
WI Maple Bluff
WI Marathon County
WI McFarland
WI Menasha
WI Menomonee Falls
WI Mequon
WI Middleton
WI Monona
WI Muskego
WI Neenah
WI New Berlin
WI North Bay
WI Oak Creek
WI Onalaska
WI Oshkosh
WI Outagamie County
WI Ozaukee County
WI Pewaukee
WI Pleasant Prairie
WI Racine
WI Racine County
WI River Hills
WI Rock County
WI Rothschild
WI Schofield
WI Sheboygan
WI Sheboygan County
WI Sheboygan Falls
WI Shorewood
WI Shorewood Hills
WI South Milwaukee
WI St. Francis
WI Sturtevant
WI Superior
WI Superior
WI Sussex
WI Thiensville
WI Washington County
WI Waukesha
WI Waukesha County
WI Wausau
WI Wauwatosa
WI West Allis
WI West Milwaukee
WI Whitefish Bay
WI Wind Point
WI Winnebago County

WY Casper
WY Cheyenne
WY Evansville
WY Laramie County
WY Mills
WY Natrona County

Appendix 7 of Preamble—Incorporated Places and Counties Potentially Designated (Outside Urbanized Areas)[1] Under the Storm Water Phase II Proposed Rule

[Proposed to be Examined by the Permitting Authority Under § 123.35(b)(2)]

(From the 1990 Census of Population and Housing—U.S. Census Bureau)

(This List May Change With the Decennial Census)

AL Jacksonville
AL Selma

AZ Douglas

AK Arkadelphia
AK Benton
AK Blytheville
AK Conway
AK El Dorado
AK Hot Springs
AK Magnolia
AK Rogers
AK Searcy
AK Stuttgart

CA Arcata
CA Arroyo Grande
CA Atwater
CA Auburn
CA Brawley
CA Calexico
CA Clearlake
CA Corcoran
CA Delano
CA Dinuba
CA Dixon
CA El Centro
CA El Paso De Robles
CA Eureka
CA Gilroy
CA Grover City
CA Hanford
CA Hollister
CA Lemoore
CA Los Banos
CA Madera
CA Manteca
CA Oakdale
CA Oroville
CA Paradise
CA Petaluma
CA Porterville
CA Red Bluff
CA Reedley
CA Ridgecrest
CA Sanger
CA Selma
CA Tracy
CA Tulare
CA Turlock
CA Ukiah
CA Wasco
CA Woodland

CO Canon City
CO Durango
CO Lafayette
CO Louisville
CO Loveland
CO Sterling

FL De Land

[1] Listed incorporated places have at least 10,000 population and 1,000 population density. Please note that no counties meet the 10,000/1,000 threshold.

FL Eustis
FL Key West
FL Leesburg
FL Palatka
FL St. Augustine
FL St. Cloud

GA Americus
GA Carrollton
GA Cordele
GA Dalton
GA Dublin
GA Griffin
GA Hinesville
GA Moultrie
GA Newnan
GA Statesboro
GA Thomasville
GA Tifton
GA Valdosta
GA Waycross

ID Caldwell
ID Coeur D'alene
ID Lewiston
ID Moscow
ID Nampa
ID Rexburg
ID Twin Falls

IL Belvidere
IL Canton
IL Carbondale
IL Centralia
IL Charleston
IL Danville
IL De Kalb
IL Dixon
IL Effingham
IL Freeport
IL Galesburg
IL Herrin
IL Jacksonville
IL Kewanee
IL Lincoln
IL Macomb
IL Marion
IL Mattoon
IL Morris
IL Mount Vernon
IL Ottawa
IL Pontiac
IL Quincy
IL Rantoul
IL Sterling
IL Streator
IL Taylorville
IL Woodstock

IN Bedford
IN Columbus
IN Connersville
IN Crawfordsville
IN Frankfort
IN Franklin
IN Greenfield
IN Huntington
IN Jasper
IN La Porte
IN Lebanon
IN Logansport
IN Madison
IN Marion
IN Martinsville
IN Michigan City
IN New Castle
IN Noblesville
IN Peru
IN Plainfield

IN Richmond
IN Seymour
IN Shelbyville
IN Valparaiso
IN Vincennes
IN Wabash
IN Warsaw
IN Washington

IA Ames
IA Ankeny
IA Boone
IA Burlington
IA Fort Dodge
IA Fort Madison
IA Indianola
IA Keokuk
IA Marshalltown
IA Mason City
IA Muscatine
IA Newton
IA Oskaloosa
IA Ottumwa
IA Spencer

KS Arkansas City
KS Atchison
KS Coffeyville
KS Derby
KS Dodge City
KS El Dorado
KS Emporia
KS Garden City
KS Great Bend
KS Hays
KS Hutchinson
KS Junction City
KS Leavenworth
KS Liberal
KS Manhattan
KS Mcpherson
KS Newton
KS Ottawa
KS Parsons
KS Pittsburg
KS Salina
KS Winfield

KY Bowling Green
KY Danville
KY Frankfort
KY Georgetown
KY Glasgow
KY Hopkinsville
KY Madisonville
KY Middlesborough
KY Murray
KY Nicholasville
KY Paducah
KY Radcliff
KY Richmond
KY Somerset
KY Winchester

LA Abbeville
LA Bastrop
LA Bogalusa
LA Crowley
LA Eunice
LA Hammond
LA Jennings
LA Minden
LA Morgan City
LA Natchitoches
LA New Iberia
LA Opelousas
LA Ruston
LA Thibodaux

ME Waterville

MD Aberdeen
MD Cambridge
MD Salisbury
MD Westminster

MA Newburyport

MI Adrian
MI Albion
MI Alpena
MI Big Rapids
MI Cadillac
MI Escanaba
MI Grand Haven
MI Marquette
MI Midland
MI Monroe
MI Mount Pleasant
MI Owosso
MI Sturgis
MI Traverse City

MN Albert Lea
MN Austin
MN Bemidji
MN Brainerd
MN Faribault
MN Fergus Falls
MN Hastings
MN Hutchinson
MN Mankato
MN Marshall
MN New Ulm
MN North Mankato
MN Northfield
MN Owatonna
MN Stillwater
MN Willmar
MN Winona

MS Brookhaven
MS Canton
MS Clarksdale
MS Cleveland
MS Columbus
MS Greenville
MS Greenwood
MS Grenada
MS Indianola
MS Laurel
MS Mccomb
MS Meridian
MS Natchez
MS Starkville
MS Vicksburg
MS Yazoo City

MO Cape Girardeau
MO Carthage
MO Excelsior Springs
MO Farmington
MO Hannibal
MO Jefferson City
MO Kennett
MO Kirksville
MO Marshall
MO Maryville
MO Mexico
MO Moberly
MO Poplar Bluff
MO Rolla
MO Sedalia
MO Sikeston
MO Warrensburg
MO Washington

MT Bozeman
MT Havre
MT Helena
MT Kalispell

NE Beatrice
NE Columbus
NE Fremont
NE Grand Island
NE Hastings
NE Kearney
NE Norfolk
NE North Platte
NE Scottsbluff

NV Elko

NJ Bridgeton
NJ Princeton Borough

NM Alamogordo
NM Artesia
NM Clovis
NM Deming
NM Farmington
NM Gallup
NM Hobbs
NM Las Vegas
NM Portales
NM Roswell
NM Silver City

NY Amsterdam
NY Auburn
NY Batavia
NY Canandaigua
NY Corning
NY Cortland
NY Dunkirk
NY Fredonia
NY Fulton
NY Geneva
NY Gloversville
NY Jamestown
NY Kingston
NY Lockport
NY Massena
NY Middletown
NY Ogdensburg
NY Olean
NY Oneonta
NY Oswego
NY Plattsburgh
NY Potsdam
NY Watertown

NC Albemarle
NC Asheboro
NC Boone
NC Eden
NC Elizabeth City
NC Havelock
NC Henderson
NC Kernersville
NC Kinston
NC Laurinburg
NC Lenoir
NC Lexington
NC Lumberton
NC Monroe
NC New Bern
NC Reidsville
NC Roanoke Rapids
NC Salisbury
NC Sanford
NC Shelby
NC Statesville
NC Tarboro
NC Wilson

ND Dickinson
ND Jamestown
ND Minot
ND Williston

OH Alliance

OH Ashland
OH Ashtabula
OH Athens
OH Bellefontaine
OH Bowling Green
OH Bucyrus
OH Cambridge
OH Chillicothe
OH Circleville
OH Coshocton
OH Defiance
OH Delaware
OH Dover
OH East Liverpool
OH Findlay
OH Fostoria
OH Fremont
OH Galion
OH Greenville
OH Lancaster
OH Lebanon
OH Marietta
OH Marion
OH Medina
OH Mount Vernon
OH New Philadelphia
OH Norwalk
OH Oxford
OH Piqua
OH Portsmouth
OH Salem
OH Sandusky
OH Sidney
OH Tiffin
OH Troy
OH Urbana
OH Van Wert
OH Washington
OH Wilmington
OH Wooster
OH Xenia
OH Zanesville

OK Ada
OK Altus
OK Bartlesville
OK Chickasha
OK Claremore
OK Mcalester
OK Miami
OK Muskogee
OK Okmulgee
OK Owasso
OK Ponca City
OK Stillwater
OK Tahlequah
OK Weatherford

OR Albany
OR Ashland
OR Astoria
OR Bend
OR City of the Dalles
OR Coos Bay
OR Corvallis
OR Grants Pass
OR Hermiston
OR Klamath Falls
OR La Grande
OR Lebanon
OR Mcminnville
OR Newberg
OR Pendleton
OR Roseburg
OR Woodburn

PA Berwick Borough
PA Bloomsburg
PA Butler
PA Carlisle Borough
PA Chambersburg Borough
PA Ephrata Borough
PA Hazleton
PA Indiana Borough
PA Lebanon
PA Meadville
PA New Castle
PA Oil City
PA Pottsville
PA Sunbury
PA Uniontown
PA Warren

SC Clemson
SC Easley
SC Gaffney
SC Greenwood
SC Newberry
SC Orangeburg

SD Aberdeen
SD Brookings
SD Huron
SD Mitchell
SD Vermillion
SD Watertown
SD Yankton

TN Brownsville
TN Cleveland
TN Collierville
TN Cookeville
TN Dyersburg
TN Greeneville
TN Lawrenceburg
TN Mcminnville
TN Millington
TN Morristown
TN Murfreesboro
TN Shelbyville
TN Springfield
TN Union City

TX Alice
TX Alvin
TX Andrews
TX Angleton
TX Bay City
TX Beeville
TX Big Spring
TX Borger
TX Brenham
TX Brownwood
TX Burkburnett
TX Canyon
TX Cleburne
TX Conroe
TX Coppell
TX Corsicana
TX Del Rio
TX Dumas
TX Eagle Pass
TX El Campo
TX Gainesville
TX Gatesville
TX Georgetown
TX Henderson
TX Hereford
TX Huntsville
TX Jacksonville
TX Kerrville
TX Kingsville
TX Lake Jackson
TX Lamesa
TX Levelland
TX Lufkin
TX Mercedes
TX Mount Pleasant
TX Nacogdoches
TX New Braunfels
TX Palestine
TX Pampa
TX Pecos
TX Plainview
TX Port Lavaca
TX Robstown
TX Rosenberg
TX Round Rock
TX San Marcos
TX Seguin
TX Snyder
TX Stephenville
TX Sweetwater
TX Taylor
TX The Colony
TX Uvalde
TX Vernon
TX Vidor

UT Brigham City
UT Cedar City
UT Spanish Fork
UT Tooele

VT Rutland

VA Blacksburg
VA Christiansburg
VA Front Royal
VA Harrisonburg
VA Leesburg
VA Martinsville
VA Radford
VA Staunton
VA Waynesboro
VA Winchester

WA Aberdeen
WA Anacortes
WA Centralia
WA Ellensburg
WA Moses Lake
WA Mount Vernon
WA Oak Harbor
WA Port Angeles
WA Pullman
WA Sunnyside
WA Walla Walla
WA Wenatchee

WV Beckley
WV Bluefield
WV Clarksburg
WV Fairmont
WV Martinsburg
WV Morgantown

WI Beaver Dam
WI Fond du Lac
WI Fort Atkinson
WI Manitowoc
WI Marinette
WI Marshfield
WI Menomonie
WI Monroe
WI Oconomowoc
WI River Falls
WI Stevens Point
WI Sun Prairie
WI Two Rivers
WI Watertown
WI West Bend
WI Whitewater
WI Wisconsin Rapids

WY Evanston
WY Gillette
WY Green River