

RD&D requirements allow the State to issue RD&D permits to owners and operators of MSWLF units in accordance with state law. Subject to public review and comment, this notice approves Ohio's RD&D permit requirements.

**DATES:** This determination of RD&D program adequacy for Ohio will become effective August 15, 2011 unless adverse comments are received on or before August 15, 2011. If adverse comments are received, the U.S. EPA will review those comments and publish another FR document responding to those comments and either affirming or revising the U.S. EPA's initial decision.

**ADDRESSES:** Written comments should be sent to Rebecca Geyer, Land and Chemicals Division (Mail Code LM-8J), U.S. EPA Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, *telephone:* (312) 353-8314. Comments may also be submitted electronically to [geyer.rebecca@epa.gov](mailto:geyer.rebecca@epa.gov) or by facsimile at (312) 582-5122. You may examine copies of Ohio's application and relevant portions of Ohio's regulations during normal business hours at U.S. EPA Region 5.

**FOR FURTHER INFORMATION CONTACT:** Rebecca Geyer, Land and Chemicals Division (Mail Code LM-8J), U.S. EPA Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, *telephone:* (312) 353-8314, [geyer.rebecca@epa.gov](mailto:geyer.rebecca@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**A. Background**

On March 22, 2004, EPA issued a final rule amending the municipal solid waste landfill criteria in 40 CFR Part 258 to allow for research, development and demonstration permits (69 FR 13242). This rule allows for variances from specified criteria for a limited period of time, to be implemented through state-issued RD&D permits. RD&D permits are available only in states with approved MSWLF permit programs that have been modified to incorporate RD&D permit authority. While States are not required to adopt this new provision, those States that are interested in providing RD&D permits to owners and operators of MSWLFs must seek approval from EPA before issuing such permits. Approval procedures for new provisions of 40 CFR Part 258 are outlined in 40 CFR Part 239.12.

Ohio's MSWLF permit program was approved on June 13, 1994 (59 FR 112). On March 3, 2011, Ohio applied for approval of its RD&D permit provisions. Ohio submitted its amended laws under OAC 3745-27-80 to 3745-27-89 for review.

**B. Decision**

After a thorough review, U.S. EPA Region 5 determined that Ohio's RD&D permit provisions as defined under OAC 3745-27-80 to 3745-27-89 are adequate to ensure compliance with the Federal criteria as defined at 40 CFR Part 258.4.

**Authority:** This action is issued under the authority of section 2002, 4005 and 4010(c) of the Solid Waste Disposal Act, as amended, 42 U.S.C. 6912, 6945 and 6949(a).

Dated: June 3, 2011.

**Susan Hedman,**

*Regional Administrator, U.S. EPA Region 5.*

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**ENVIRONMENTAL PROTECTION AGENCY**

[EPA-HQ-OW-2010-0464; FRL-9318-8]

**Notice of EPA Workshop on Sanitary Sewer Overflows and Peak Wet Weather Discharges**

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

**ACTION:** Notice.

**SUMMARY:** The Office of Wastewater Management of the U.S. Environmental Protection Agency is holding a workshop to solicit the views of stakeholders concerning a number of issues. These include views on how the National Pollutant Discharge Elimination System (NPDES) regulations should apply to municipal sanitary sewer collection systems, sanitary sewer overflows (SSOs), and peak wet weather discharges at publicly owned treatment works (POTW) treatment plants. EPA will also seek views on the 2005 draft Peak Flows Policy. The workshop will include a facilitated discussion with representatives of organizations that represent POTWs, state NPDES permitting authorities, and non-for-profit environmental groups. EPA invites other interested members of the public to observe the workshop and to offer verbal comments at designated times during the workshop or to submit written comments to the Agency.

**DATES:** The workshop will be held on July 14, from 8 a.m. to 5:15 p.m. and on July 15, from 8 a.m. to 12:30 p.m. If you plan to participate in the workshop as an observer, EPA requests that you pre-register by July 6, 2011 at <http://www.epa.gov/npdes/sso>.

**ADDRESSES:** The workshop will be held at the Ronald Reagan Building and International Trade Center, Horizon Ballroom, located in Washington, DC at 1300 Pennsylvania Avenue, NW.

**FOR FURTHER INFORMATION CONTACT:** For further information about this notice, contact Greg Schaner, EPA Headquarters, Office of Water, Office of Wastewater Management at tel.: 202-564-0721 or e-mail: [schaner.greg@epa.gov](mailto:schaner.greg@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Properly designed, operated, and maintained sanitary sewer systems are meant to collect and transport all of the sewage that flows into them to a publicly owned treatment works (POTW). However, occasional discharges of raw sewage from municipal sanitary sewers occur in almost every system. These types of discharges are called sanitary sewer overflows (SSOs). SSOs have a variety of causes, including but not limited to blockages, line breaks, sewer defects that allow storm water and groundwater to overload the system, lapses in sewer system operation and maintenance, power failures, inadequate sewer design and vandalism. EPA estimates that there are at least 23,000-75,000 SSOs per year (not including sewage backups into buildings). The untreated sewage from these overflows can contaminate our waters, causing serious water quality problems. It can also back-up into basements, causing property damage and threatening public health.

Additionally, aging sewer line infrastructure in many communities allows rain and snow melt to enter sanitary sewer systems and cause excess flow at the treatment plant. During significant wet weather events it is possible for influent flows to exceed the treatment capacity of existing secondary treatment units. Known as "peak flows," these wet weather flows are sometimes diverted around secondary treatment units and then either recombined with flows from the secondary treatment units or discharged directly into waterways from the treatment plant in order to prevent any damage to the treatment facility. Operators of wastewater treatment plants must manage these high flows to ensure continued operation of the treatment process.

For additional background on SSOs and peak wet weather discharges, refer to the "background" section of EPA's notice announcing the 2010 Listening Sessions at 75 FR 30395 (June 1, 2010) and to information included on EPA's Web site at [http://cfpub.epa.gov/npdes/home.cfm?program\\_id=4](http://cfpub.epa.gov/npdes/home.cfm?program_id=4).

**II. 2010 Listening Sessions**

In 2010, EPA held several listening sessions to obtain information from the

public regarding the potential modification to the NPDES regulations to address SSOs and other types of peak wet weather discharges. See 75 FR 30395 (June 1, 2010). Participants in the sessions offered both verbal and written comments. The Agency received 235 written comments to the docket. You can view these comments at <http://www.regulations.gov>, under Docket ID # EPA-HQ-OW-2010-0464.

### III. Purpose of SSO/Peak Wet Weather Flow Workshop

As a follow-up to the 2010 Listening Sessions, EPA will hold a 1½ day workshop on July 14–15, 2011 in Washington, DC. The purpose of this workshop is to provide interested parties and other members of the public an opportunity to elaborate on their recommendations to the Agency with respect to actions that could be taken to strengthen the permitting program's approach to regulating SSOs and peak wet weather discharges. EPA has invited several stakeholder groups representing non-governmental interests, POTWs and collection systems, and state permitting authorities to recommend members of their community to participate in the workshop as experts. In addition to eliciting the views of the representative groups, EPA will also invite comments during the meeting from any member of the public who wishes to observe and participate at the workshop.

The specific issues that EPA is seeking feedback on have significant overlap with those highlighted for the 2010 listening sessions. See 75 FR 30399–30401 (June 1, 2010). For example, EPA will be interested in the views of the representatives and observers on whether and to what extent specific NPDES permit requirements should be developed to address the following:

- How SSOs are reported to EPA or state permitting authorities and documented in POTW records, and how and when the public is notified of overflows;
- What components of POTW programs for capacity, management, operations, and maintenance (CMOM) should be made part of standard NPDES permit conditions;
- Whether to require NPDES permits for “municipal satellite collection systems”, and what types of requirements should such permits include; and
- Are there any circumstances under which an SSO may be authorized under an NPDES permit.

EPA will also seek input on the disposition of the 2005 draft Peak Flows Policy (see <http://cfpub.epa.gov/npdes/>

*wetweather.cfm*) that pertains to wet weather diversions at POTW treatment plants.

It is not EPA's objective during the workshop to establish consensus among the parties or to obtain a collective set of recommendations. Rather, it is EPA's intention to obtain individual input from interested parties so that the Agency can better understand the differences and commonalities among the individual recommendations. In this regard, EPA has determined that this workshop is not subject to the requirements of the Federal Advisory Committee Act, 5 U.S.C. Appendix 2.

### IV. Participation in the Workshop

Members of the public are welcome to participate as observers in the workshop. The agenda will be structured to invite specific verbal comments from observers on key issues. If you plan to participate as an observer at the workshop, in order that EPA may properly anticipate the correct number of people, EPA requests that you pre-register by July 6, 2011 at <http://www.epa.gov/npdes/sso>.

**Authority:** Clean Water Act, 33 U.S.C. 1251 *et seq.*

Dated: June 7, 2011.

**James A. Hanlon,**

*Director, Office of Wastewater Management.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9320-1]

### Science Advisory Board Staff Office Notification of a Public Teleconference of the Chartered Science Advisory Board

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

**ACTION:** Notice.

**SUMMARY:** The EPA Science Advisory Board (SAB) Staff Office announces a public teleconference of the chartered SAB on July 5, 2011 to conduct a quality review of a draft SAB report, *Review of EPA's Draft Hydraulic Fracturing Study Plan (Quality Review Draft)*.

**DATES:** The public teleconference will be held on July 5, 2011 from 11 a.m. to 3 p.m. (Eastern Daylight Time).

**ADDRESSES:** The public teleconference will be conducted by telephone only.

**FOR FURTHER INFORMATION CONTACT:** Any member of the public wishing to obtain general information concerning the public teleconference may contact Dr. Angela Nugent, Designated Federal

Officer (DFO). Dr. Nugent may be contacted at the EPA Science Advisory Board (1400R), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; or by telephone/voice mail at (202) 564-2188; fax at (202) 565-2098; or e-mail at [nugent.angela@epa.gov](mailto:nugent.angela@epa.gov). General information concerning the EPA Science Advisory Board can be found on the EPA Web site at <http://www.epa.gov/sab>.

**SUPPLEMENTARY INFORMATION:** The SAB was established pursuant to the Environmental Research, Development, and Demonstration Authorization Act (ERDAA), codified at 42 U.S.C. 4365, to provide independent scientific and technical advice to the EPA Administrator on the technical basis for Agency positions and regulations. The SAB is a Federal Advisory Committee chartered under the Federal Advisory Committee Act (FACA), 5 U.S.C., App. 2. Pursuant to FACA and EPA policy, notice is hereby given that the SAB will hold a public teleconference to conduct a quality review of a draft report entitled *Review of EPA's Draft Hydraulic Fracturing Study Plan*. The SAB will comply with the provisions of FACA and all appropriate SAB Staff Office procedural policies.

**Background:** EPA's Office of Research and Development (ORD) is initiating a study of the potential environmental and human health implications of hydraulic fracturing with special emphasis on the relationship between hydraulic fracturing and drinking water resources. ORD has requested that the SAB review its draft Study Plan. The SAB Hydraulic Fracturing Study Plan Review Panel has developed the draft report that will undergo quality review by the chartered SAB.

Background information about the SAB advisory activity, including its meetings and teleconferences, can be found on the SAB Web site at [http://yosemite.epa.gov/sab/sabproduct.nsf/fedrgstr\\_activites/HFSP?OpenDocument](http://yosemite.epa.gov/sab/sabproduct.nsf/fedrgstr_activites/HFSP?OpenDocument).

**Availability of Meeting Materials:** The agenda and other materials in support of the teleconference will be placed on the SAB Web site at <http://www.epa.gov/sab> in advance of the teleconference.

**Procedures for Providing Public Input:** Public comment for consideration by EPA's federal advisory committees and panels has a different purpose from public comment provided to EPA program offices. Therefore, the process for submitting comments to a federal advisory committee is different from the process used to submit comments to an EPA program office.