

## NOTICES OF PUBLIC INFORMATION

Notices of Public Information contain corrections that agencies wish to make to their notices of rulemaking; miscellaneous rulemaking information that does not fit into any other category of notice; and other types of information required by statute to be published in the *Register*. Because of the variety of material that is contained in a Notice of Public Information, the Office of the Secretary of State has not established a specific format for these notices.

### NOTICE OF PUBLIC INFORMATION

#### DEPARTMENT OF ENVIRONMENTAL QUALITY – WATER POLLUTION CONTROL (AZPDES SMALL MS4 GENERAL PERMIT)

1. **Name of the agency:** Department of Environmental Quality
2. **Title and its heading:** 18, Environmental Quality  
**Chapter and its heading:** 9, Department of Environmental Quality – Water Pollution Control  
**Article and its heading:** 9, Arizona Pollution Discharge Elimination System  
**Section numbers:** R18-9-A907
3. **The date, time, and location of public meeting:**
  - Date: Wednesday, October 16, 2002
  - Time: 1:00 p.m. to 5:00 p.m.
  - Location: Arizona Industrial Commission  
800 W. Washington, Auditorium  
Phoenix, AZ 85007
4. **The name, address, and telephone number of agency personnel to whom questions and comments on the rules may be addressed:**
  - Name: Karyn Moldenhauer
  - Address: Arizona Department of Environmental Quality  
Water Permits Unit  
1110 W. Washington, 5370C  
Phoenix, AZ 85007
  - Telephone: (602) 771-4449
  - Fax: (602) 771-4674
  - E-mail: kdm@ev.state.az.us

5. **Subject matter of the public meeting:**

The Regional Administrator, EPA, Region 9 is proposing to issue an NPDES general permit for stormwater discharges from small municipal separate storm sewer systems (MS4s) located in the geographic areas of Region 9 where the NPDES permit program has not been delegated. These areas include the state of Arizona (including Indian lands), Indian lands in the states of California and Nevada, and the U.S. Pacific Island territories. For the state of Arizona (excluding Indian Country lands), the general permit is being proposed jointly by Region 9 and the Director of the Arizona Department of Environmental Quality (ADEQ). NPDES permit coverage for these discharges is required in accordance with the 1987 Amendments to the Clean Water Act (CWA), and final EPA regulations for Phase II stormwater discharges (64 FR 68722, December 8, 1999). This Notice announces the availability of the proposed general permit and fact sheet for public comment.

The purpose of this public meeting is to provide potential permittees and other interested persons an opportunity to discuss the proposed Small MS4 General Permit with EPA Region 9 and ADEQ.

The state of Arizona has an application pending with EPA for authority to administer the Arizona Pollutant Discharge Elimination System (AZPDES) program. When that approval is received, the ADEQ Director proposes to issue an AZPDES general permit for stormwater discharges from MS4s located in the state of Arizona that mirrors the proposed federal general permit with the following exceptions: (1) the AZPDES general permit will not include references to Indian Country lands and the U.S. Pacific Island territories; (2) federal rule citations will be changed to reflect Arizona state statute and rule authorities; and (3) eligibility for coverage under the general permit will not be dependant upon consultation with the U.S. Fish and Wildlife Service or the National Register of Historic Places.

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**COMMENTS:** All public comments or requests for a public hearing must be submitted to Lisa Honor, U.S. EPA, Region 9 (WTR-5), 75 Hawthorne Street, San Francisco, CA 94105. Comments or requests for a public hearing pertaining to MS4s within non-Indian Country lands in Arizona must also be sent to Karyn Moldenhauer, ADEQ, Water Permits Unit, 1110 W. Washington, Phoenix, AZ 85007.

Comments on the proposed general permit must be received or postmarked no later than October 30, 2002. Within the comment period, interested persons may also request a public hearing pursuant to 40 CFR 124.12 concerning the proposed permit.

**FOR FURTHER INFORMATION CONTACT:** For further information on the proposed general permit, contact either Eugene Bromley, EPA, Region 9 (WTR-5), 75 Hawthorne Street, San Francisco, CA 94105 (415) 972-3510, or Karyn Moldenhauer, ADEQ, Water Permits Unit, 1110 W. Washington, Phoenix, AZ 85007 (602) 771-4449.

Copies of the proposed general permit and fact sheet will be provided upon request and are also available at EPA, Region 9's web site at <http://www.epa.gov/region09/water>. Additional information on Phase II of the stormwater program is available at EPA's national stormwater web site at <http://www.epa.gov/NPDES/stormwater>.

**ADMINISTRATIVE RECORD:** The proposed general permit and other related documents in the administrative record are on file and may be inspected any time between 8:30 a.m. and 4:00 p.m., Monday through Friday, excluding legal holidays, at the addresses shown below.

U.S. EPA, Region 9  
CWA Standards and Permits Office (WTR-5)  
75 Hawthorne Street  
San Francisco, CA 94105-3901

Arizona Department of Environmental Quality  
Water Permits Unit  
1110 W. Washington, 5370C  
Phoenix, AZ 85007