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ENVIRONMENTAL PROTECTION AGENCY

[FRL-7580-8]

Public Notice of Draft NPDES General Permits for Wastewater Lagoon Systems Located In Indian Country in MT, ND, SD, UT, and WY

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of intent to reissue NPDES general permits.

SUMMARY: EPA Region 8 is hereby giving notice of its proposed determination to issue five National Pollutant Discharge Elimination System (NPDES) general permits for wastewater lagoon systems that are located in Indian country in the States of MT, ND, SD, UT, and WY and that are treating primarily domestic wastewater. The general permits are grouped geographically by State, with the permit coverage being for specified Indian reservations in the State; any land held in trust by the United States for an Indian tribe; and any other areas which are Indian country within the meaning of 18 U.S.C. 1151. These general permits will replace the twenty-one general permits that were issued for a 5-year term in 1998 for Indian reservations in MT, ND, SD, and UT.

The use of wastewater lagoon systems is the most common method of treating municipal wastewater in Indian country in MT, ND, SD, UT and WY. Wastewater lagoon systems are also used to treat domestic wastewater from isolated housing developments, schools, camps, missions, and similar sources of domestic wastewater that are not connected to a municipal sanitary sewer system and do not use septic tank systems. Region 8 is proposing to use general permits instead of individual permits for permitting the discharges from such facilities in order to reduce the Region's administrative burden of issuing separate individual permits. The administrative burden for the regulated sources is expected to be about the same under the general permits as with individual permits, but it will be much quicker to obtain permit coverage with general permits than with individual permits. The discharge requirements would essentially be the same with an individual permit or under the general permit.

DATES: Public comments on this proposal must be received, in writing, on or before December 30, 2003.

ADDRESSES: Public comments should be sent to: U.S. EPA, Region 8; Water Permits Unit (8P-W-P); 999 18th Street, Suite 300; Denver, CO 80202-2466.

FOR FURTHER INFORMATION CONTACT: For a copy of the draft permit and Fact Sheet, please write William Kennedy at the above address or telephone (303) 312-6285. Copies of the draft permit and Fact Sheet may also be downloaded from the EPA Region 8 web page at <http://www.epa.gov/region08/html/npdes/lagoons.html>. Questions regarding the specific permit requirements may be directed to Mike Reed at (303) 312-6132, or E-mail address Reed.Mike@epa.gov.

SUPPLEMENTARY INFORMATION It is proposed that general permits be issued for discharges from wastewater lagoon systems located in the following areas:

Montana: MTG589###. This permit covers the Blackfeet Indian Reservation; the Crow Indian Reservation; the Flathead Indian Reservation; the Fort Belknap Indian Reservation; the Fort Peck Indian Reservation; the Northern Cheyenne Indian Reservation; the Rocky Boy's Indian Reservation; any land within the State of Montana held in trust by the United States for an Indian tribe; and any other areas within the State of Montana which are Indian country within the meaning of 18 U.S.C. 1151.

North Dakota: NDG589###. This permit covers the Fort Berthold Indian Reservation; the Fort Totten Indian Reservation—also known as Spirit Lake Indian Reservation; the Standing Rock Sioux Indian Reservation; the Turtle Mountain Indian Reservation; any land within the State of North Dakota held in trust by the United States for an Indian tribe; and any other areas within the State of North Dakota which are Indian country within the meaning of 18 U.S.C. 1151. This permit includes that portion of the Standing Rock Indian Reservation and associated Indian country located within the State of South Dakota. It does not include any land held in trust by the United States for the Sisseton-Wahpeton Sioux Tribe or any other Indian country associated with that Tribe, which is covered under general permit SDG589###.

South Dakota: SDG589###. This permit covers the Cheyenne River Sioux Indian Reservation; Crow Creek Sioux Indian Reservation; the Flandreau Indian Reservation; the Lower Brule Indian Reservation; the Pine Ridge Indian Reservation—includes the entire Reservation, which is located in both

South Dakota and Nebraska; the Rosebud Sioux Indian Reservation; the Yankton Sioux Indian Reservation; any land within the State of South Dakota held in trust by the United States for an Indian tribe; and any other areas, within the State of South Dakota which are Indian country within the meaning of 18 U.S.C. 1151. This permit includes any land in the State of North Dakota that is held in trust by the United States for the Sisseton-Wahpeton Sioux Tribe or any other Indian country associated with that Tribe. It does not include the Standing Rock Indian Reservation or any associated Indian country, which is covered under general permit NDG589###.

Utah: UTG589###. This permit covers the Northwestern Band of Shoshoni Indian Reservation; the Paiute Indian Reservation; the Skull Valley Indian Reservation; the Uintah and Ouray Indian Reservation; any land within the State of Utah held in trust by the United States for an Indian tribe; and any other areas within the State of Utah which are Indian country within the meaning of 18 U.S.C. 1151. It does not include those portions of the Navajo Nation, the Goshutes Indian Reservation, and the Ute Mountain Indian Reservation located in the State of Utah, any land held in trust by the United States for an Indian tribe that is associated with those reservations, and any other areas which are Indian country within the meaning of 18 U.S.C. 1151 that are associated with those reservations.

Wyoming: WYG589###. This permit covers the Wind River Indian Reservation; any land within the State of Wyoming held in trust by the United States for an Indian tribe; and any other areas within the State of Wyoming which are Indian country within the meaning of 18 U.S.C. 1151.

General permits are not being issued for the portions of the Navajo Nation and the Goshutes Indian Reservation in Utah since the permitting activities for these reservations are done by Region 9 of EPA. Also, general permits are not being issued for the Southern Ute Indian Reservation located in the State of Colorado and the Ute Mountain Indian Reservation located in the States of Colorado, New Mexico, and Utah because of water quality concerns in the San Juan River Basin portion of the Colorado River Basin.

Coverage under the general permits will be limited to lagoon systems treating primarily domestic wastewater and will include the following three categories: (1) Lagoons where no permission is required before starting to discharge; (2) lagoons where permission is required before starting to discharge;