average annual household costs for sewage treatment. Thus, impacts on small treatment facilities and their customers are not expected to be severe.

### List of Subjects

# 40 CFR Part 122

Environmental protection, Administrative practice and procedure, Confidential business information, Reporting and recordkeeping requirements, Sewage disposal, Waste treatment and disposal, Water pollution control.

## 40 CFR Part 123

Confidential business information, Hazardous materials, Reporting and recordkeeping requirements, Sewage disposal, Waste treatment and disposal, Water pollution control, Penalties.

### 40 CFR Part 403

Confidential business information, Reporting and recordkeeping requirements, Waste treatment and disposal, Water pollution control.

### 40 CFR Part 501

Confidential business information, Environmental protection, Reporting and recordkeeping requirements, Publicly owned treatment works, Sewage disposal, Waste treatment and disposal.

Dated: November 2, 1995. Carol M. Browner, Administrator.

For the reasons set forth in the preamble. EPA proposes to amend 40 CFR Chapter I as follows:

## PART 122—EPA ADMINISTERED PERMIT PROGRAMS: THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

1. The authority citation for part 122 continues to read as follows:

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

2. Section 122.2 is amended by revising the definition for "Publicly owned treatment works ("POTW") and adding a definition for "TWTDS" in alphabetical order to read as follows:

## §122.2 Definitions.

Publicly owned treatment works ("POTW") means a treatment works as defined by section 212 of the CWA, which is owned by a "State" or "municipality" (as defined by section 502(4) of the CWA). This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes and other conveyances only if they convey wastewater to a POTW Treatment Plant, as defined in § 403.3(p) of this chapter. The term also means the municipality as defined in section 502(4) of the CWA, which has jurisdiction over the Indirect Discharges, as defined in § 403.3(g) of this chapter, to and the discharges from such a treatment works.

TWTDS means treatment works treating domestic sewage.

\*

3-6. Section 122.21 is amended by revising paragraph (c)(2)(i) through (iii) introductory text, paragraph (d)(3), the introductory text of paragraph (f), paragraph (j) and by adding paragraph (q) before the notes to read as follows:

#### § 122.21 Application for a permit (applicable to State programs, see § 123.25). \* \* \* \* \* \*

\* \*

(c) \* \* \*

(2) Permits under section 405(f) of CWA. (i) Any existing treatment works treating domestic sewage (TWTDS) required to have site-specific pollutant limits, or requesting such limits, as provided in 40 CFR Part 503, must submit the permit application information required by paragraph (d)(3)(iii) of this section within 180 days after publication of a standard applicable to its sewage sludge use or disposal practice(s). After this 180-day period, TWTDS may only apply for sitespecific pollutant limits for good cause and such requests must be made within 180 days of becoming aware that good cause exists.

(ii) Any TWTDS with a currently effective NPDES permit, not addressed under paragraph (c)(2)(i) of this section, must submit the application information required by paragraph (d)(3)(iii) of this section at the time of its next NPDES permit renewal application. Such information must be submitted in accordance with paragraph (d) of this section.

(iii) Any other existing TWTDS not addressed under paragraphs (c)(2)(i) or (ii) of this section must submit the information listed in paragraphs (c)(2)(iii)(A) through (E) of this section, to the Director within 1 year after publication of a standard applicable to its sewage sludge use or disposal practice(s), using Form 2S or another form approved by the Director. The Director shall determine when such TWTDS must apply for a permit.

\* \* \* \* \*

(3)(i) All applicants for EPA-issued permits, other than POTWs, new sources, and TWTDS, must complete Forms 1 and either 2B, 2C, or 2E of the consolidated permit application forms to apply under § 122.21 and paragraphs (f), (g), (h), and (i) of this section.

(ii) All POTWs must submit the application information required by paragraph (j) of this section, within the time periods established in paragraph (c)(2) of this section, using Form 2A or another form approved by the Director. All POTWs applying for EPA-issued permits must complete Form 2A.

(iii) All TWTDS, except "sludge-only facilities" subject to paragraph (c)(2)(iii) of this section, must submit the application information required by paragraph (q) of this section, within the time periods established in paragraph (c)(2) of this section, using Form 2S or another form approved by the Director. All such applicants applying for EPAissued permits must complete Form 2S.

(f) Information requirements. All applicants for NPDES permits, other than POTWs and other TWTDS, shall provide the following information to the Director, using the application form provided by the Director (additional information required of applicants is set forth in paragraphs (g) through (k) of this section).

(j) Application requirements for new and existing POTWs. Unless otherwise indicated, all POTWs shall provide, at a minimum, the information in this paragraph (j) to the Director, using Form 2A or another application form provided by the Director. The Director may waive any requirement of this paragraph if the Director has access to substantially identical information.

(1) Basic application information. All applicants shall provide the following information:

(i) *Facility information*. Name, mailing address, and location of the facility for which the application is submitted;

(ii) Applicant information. Name, mailing address, and telephone number of the applicant, and indication as to whether the applicant is the facility's owner, operator, or both;

(iii) Existing environmental permits. Identification of all environmental permits or construction approvals received or applied for (including dates) under any of the following programs:

(A) Hazardous Waste Management program under the Resource Conservation and Recovery Act (RCRA), subpart C of this part;

(B) UIC program under the Safe Drinking Water Act (SDWA);

<sup>(</sup>d) \* \* \*