

In the Matter of Reinhold Development, Inc., St. Louis, Missouri, CWA Docket No. VII-96-W-0006.

The Complaint proposes a penalty of Sixty-seven Thousand Four Hundred Forty-nine Dollars (\$67,449) for the discharge of pollutants into the waters of the United States without permit in accordance with 40 CFR part 22, in violation of Section 301 and 404 of the Clean Water Act.

**FOR FURTHER INFORMATION CONTACT:**

Persons wishing to receive a copy of EPA's Consolidated Rules, review the Complaint or other documents filed in this proceeding, comment upon the proposed penalty assessment, or otherwise participate in the proceeding should contact the Regional Hearing Clerk identified above.

The administrative record for the proceeding is located in the EPA Regional Office at the address stated above, and the file will be open for public inspection during normal business hours. All information submitted by Reinhold Development, Inc. is available as part of the administrative record, subject to provisions of law restricting public disclosure of confidential information. In order to provide opportunity for public comment, EPA will issue no final order assessing a penalty in this proceeding prior to thirty (30) days from the date of this notice.

Dated: October 22, 1996.

William Rice,

*Acting Regional Administrator.*

[FR Doc. 96-28426 Filed 11-5-96; 8:45 am]

BILLING CODE 6560-50-M

**[FRL-5647-2]**

**Clean Water Act Class II: Proposed Administrative Penalty Assessment and Opportunity To Comment Regarding Jacobson Brothers, Inc., Dubuque, IA**

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

**ACTION:** Notice of proposed administrative penalty assessment and opportunity to comment regarding Jacobson Brothers, Inc., Dubuque, Iowa.

**SUMMARY:** EPA is providing notice of opportunity to comment on the proposed assessment.

Under 33 U.S.C. 1319(g), EPA is authorized to issue orders assessing civil penalties for various violations of the Act. EPA may issue such orders after filing a Complaint commencing either a Class I or Class II penalty proceeding. EPA provides public notice of the

proposed assessment pursuant to 33 U.S.C. 1319(g)(4)(A).

Class II proceedings are conducted under EPA's Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, 40 CFR part 22. The procedures by which the public may submit written comment on a proposed Class II order or participate in a Class II proceeding, and the procedures by which a respondent may request a hearing, are set forth in the Consolidated Rules. The deadline for submitting public comment on a proposed Class II order is thirty (30) days after issuance of this public notice.

On September 26, 1996, EPA commenced the following Class II proceeding for the assessment of penalties by filing with the Regional Hearing Clerk, U.S. Environmental Protection Agency, Region VII, 726 Minnesota Avenue, Kansas City, Kansas 66101, (913) 551-7630, the following Complaint:

In the Matter of Jacobson Brothers, Inc., CWA Docket No. VII-96-W-0007.

The Complaint proposes a penalty of Ten Thousand (\$10,000) Dollars for discharging approximately 43 barrels of oil into or upon the North Fork of Catfish Creek (a navigable water, as defined in 40 CFR 110.1) in violation of Section 311(b)(6) of the Clean Water Act.

**FOR FURTHER INFORMATION CONTACT:**

Persons wishing to receive a copy of EPA's Consolidated Rules, review the Complaint or other documents filed in this proceeding, comment upon the proposed penalty assessment, or otherwise participate in the proceeding should contact the Regional Hearing Clerk identified above.

The administrative record for the proceeding is located in the EPA Regional Office at the address stated above, and the file will be open for public inspection during normal business hours. All information submitted by Jacobson Brothers, Inc. is available as part of the administrative record, subject to provisions of law restricting public disclosure of confidential information. In order to provide opportunity for public comment, EPA will issue no final order assessing a penalty in this proceeding prior to thirty (30) days from the date of this notice.

Dated: October 22, 1996.

William Rice,

*Acting Regional Administrator.*

[FR Doc. 96-28427 Filed 11-4-96; 8:45 am]

BILLING CODE 6560-50-M

**[FRL-5647-3]**

**Clean Water Act Class II: Proposed Administrative Penalty Assessment and Opportunity to Comment regarding Union Electric Company, Cape Girardeau, MO**

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

**ACTION:** Notice of proposed administrative penalty assessment and opportunity to comment regarding Union Electric Company, Cape Girardeau, Missouri.

**SUMMARY:** EPA is providing notice of opportunity to comment on the proposed assessment.

Under 33 U.S.C. 1319(g), EPA is authorized to issue orders assessing civil penalties for various violations of the Act. EPA may issue such orders after filing a Complaint commencing either a Class I or Class II penalty proceeding. EPA provides public notice of the proposed assessment pursuant to 33 U.S.C. 1319(g)(4)(A).

Class II proceedings are conducted under EPA's Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, 40 CFR part 22. The procedures by which the public may submit written comment on a proposed Class II order or participate in a Class II proceeding, and the procedures by which a respondent may request a hearing, are set forth in the Consolidated Rules. The deadline for submitting public comment on a proposed Class II order is thirty (30) days after issuance of this public notice.

On September 26, 1996, EPA commenced the following Class II proceeding for the assessment of penalties by filing with the Regional Hearing Clerk, U.S. Environmental Protection Agency, Region VII, 726 Minnesota Avenue, Kansas City, Kansas 66101, (913) 551-7630, the following Complaint:

In the Matter of Union Electric Company, CWA Docket No. VII-96-W-0003.

The Complaint proposes a penalty of Twenty-eight Thousand Three Hundred Fifty (\$28,350) dollars for failure to prepare an SPCC Plan in writing and in accordance with 40 CFR 112.7, in violation of Section 331(j) of the Clean Water Act.

**FOR FURTHER INFORMATION CONTACT:**

Persons wishing to receive a copy of EPA's Consolidated Rules, review the Complaint or other documents filed in this proceeding, comment upon the proposed penalty assessment, or otherwise participate in the proceeding

should contact the Regional Hearing Clerk identified above.

The administrative record for the proceeding is located in the EPA Regional Office at the address stated above, and the file will be open for public inspection during normal business hours. All information submitted by Union Electric Company is available as part of the administrative record, subject to provisions of law restricting public disclosure of confidential information. In order to provide opportunity for public comment, EPA will issue no final order assessing a penalty in this proceeding prior to thirty (30) days from the date of this notice.

Dated: October 22, 1996.

William Rice,

*Acting Regional Administrator.*

[FR Doc. 96-28428 Filed 11-5-96; 8:45 am]

BILLING CODE 6560-50-M

[FRL-5647-7]

**Proposed General NPDES Permit for log transfer facilities in Alaska:  
General NPDES Permit No. AK-G70-0000**

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

**ACTION:** Notice, extension of the public comment period.

**SUMMARY:** On September 30, 1996, EPA provided notice of the draft general National Pollutant Discharge Elimination System (NPDES) permit no. AK-G70-0000 for log transfer facilities in Alaska. The public comment period was published in the notice. At the request of interested parties, EPA is today providing notice that the public comment period has been extended.

**ORIGINAL PUBLIC NOTICE ISSUANCE DATE:** September 30, 1996.

**ORIGINAL PUBLIC NOTICE EXPIRATION DATE:** October 30, 1996.

**EXTENDED PUBLIC NOTICE EXPIRATION DATE:** November 20, 1996.

**PUBLIC COMMENTS:** Interested persons may submit written comments on the draft general NPDES permit to: Environmental Protection Agency, Attn: Susan Cantor, 222 W. Seventh Avenue #19, Anchorage, Alaska 99513. All comments should include the name, address, and telephone number of the commenter and a concise statement of comment and the relevant facts upon which it is based. Comments of either support or concern which are directed at specific, cited permit requirements are appreciated. Comments must be submitted to EPA on or before the

extended expiration date of the public notice.

**ADMINISTRATIVE RECORD:** The draft general NPDES permit, fact sheet, and the draft technical report for the "Ocean Discharge Criteria Evaluation of the NPDES General Permit for Alaskan Log Transfer Facilities" are available for inspection and copying at the EPA office in Anchorage (Room 537) any time between 8:00 am and 4:30 pm., Monday through Friday. Copies and other information may also be requested by mail or by calling Susan Cantor at (907) 271-3413.

**FOR FURTHER INFORMATION CONTACT:** Susan Cantor, of the Environmental Protection Agency, Region 10, Alaska Office, at the address listed above, or by telephone at (907) 271-3413. Inquiries may be submitted via facsimile to (907) 271-3424. Requests may be electronically mailed to CANTOR.SUSAN@EPAMAIL.EPA.GOV. Additional services can be made available to persons with disabilities. For those with impaired hearing or speech, please contact EPA's telecommunication device for the deaf at (206) 553-1698.

Dated: October 29, 1996.

Philip G. Millam,

*Director, Office of Water.*

[FR Doc. 96-28542 Filed 11-05-96; 8:45 am]

BILLING CODE 6560-50-P

[FRL-5646-6]

**Questions and Answers Regarding Implementation of an Interim Permitting Approach for Water Quality-Based Effluent Limitations in Storm Water Permits**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the Environmental Protection Agency (EPA) has developed a set of questions and answers to assist municipalities and permitting authorities in implementing its recent policy outlining an interim approach for incorporating water quality-based effluent limitations into storm water permits.

**Background and Purpose**

On August 26, 1996, the EPA published in the Federal Register (61 FR 43761) a policy outlining an interim approach for incorporating water quality-based effluent limitations into National Pollution Discharge Elimination System (NPDES) storm water permits. The policy was developed to address the variable 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). The policy addresses issues related to the type of effluent limitations that are most appropriate for NPDES storm water permits to provide for the attainment of water quality standards. Since the policy only applies to water quality-based effluent limitations, it is not intended to affect technology-based limitations, such as those based on effluent guidelines or the permit writer's best professional judgements, that are incorporated into storm water permits.

Based on numerous requests for additional information regarding the implementation of the policy, the EPA has developed the following set of questions and answers. For convenience, the policy is also reprinted below.

**Policy Statement**

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 policy only applies to water quality-based effluent limitations, it is not intended to affect technology-based limitations, such as those based on effluent guidelines or the permit writer's best professional judgement, that are incorporated into storm water permits.