

**INFORMATION COLLECTION REQUEST:  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) AND SEWAGE  
SLUDGE MANAGEMENT STATE PROGRAM REQUIREMENTS**

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## TABLE OF CONTENTS

1. IDENTIFICATION OF THE INFORMATION COLLECTION.....	1
1(a). Title of the Information Collection.....	1
1(b). Short Characterization/Abstract.....	1
1(c). Statutory and Regulatory Background.....	3
1(d). Current State NPDES/Sludge Program Status.....	4
2. NEED FOR AND USE OF THE COLLECTION.....	4
2(a). Need/Authority for the Collection.....	4
2(b). Practical Utility and Users of the Data.....	5
2(b)(i). State Program Requests.....	5
2(b)(ii). State Program Implementation.....	5
2(b)(iii). State Program Oversight.....	6
3. NON-DUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA.....	7
3(a). Non-Duplication.....	7
3(b). Public Notice Required Prior to ICR Submission to OMB.....	7
3(c). Consultations.....	7
3(d). Effects of Less Frequent Collection.....	7
3(e). General Guidelines.....	8
3(f). Confidentiality.....	8
3(g). Sensitive Questions.....	8
4. THE RESPONDENTS AND THE INFORMATION REQUESTED.....	8
4(a). Respondents and Standard Industrial Classification Codes.....	8
4(b). Information Requested.....	10
4(b)(i). State Program Requests.....	10
4(c). NPDES State Program Implementation.....	13
4(c)(i). Report on Compliance Evaluation.....	13
4(c)(ii). Recordkeeping of NPDES Program Information.....	13
4(c)(iii). Recordkeeping for Sludge Program Information.....	13
4(c)(iv). Inspection and Investigation of NPDES Permittees.....	14
4(c)(v). State Certification of EPA-issued Permits.....	17
4(d). EPA Oversight of NPDES State Program Implementation.....	17
4(d)(i). Submittal of NPDES Permit Information.....	17
4(d)(ii). Submittal of Noncompliance Information for Sludge Management Programs.....	19
5. THE INFORMATION COLLECTED AGENCY ACTIVITIES, COLLECTION METHODOLOGY, AND INFORMATION MANAGEMENT.....	19
5(a). Agency Activities.....	19
5(b). Collection Methodology and Management.....	20
5(c). Small Entity Flexibility.....	20
5(d). Collection Schedule.....	20
6. ESTIMATING THE BURDEN AND COST OF THE COLLECTION.....	21
6(a). Estimating Respondent Burden.....	21
6(b). Estimating Respondent Cost.....	22
6(c). Estimating the Agency Burden and Cost.....	22
6(d). Total Burden Hours and Costs.....	24
6(e). Reasons for Changes in Burden.....	25

6(f). Burden Statement.....27

Attachment 1. Indian Tribal Entities Within the Contiguous 48 States Recognized and Eligible to  
Receive Services from the United States Bureau of Indian Affairs.....29

Attachment 2. State, Tribes, and U.S. Territories, NPDES/Sludge Program Status.....42

## EXHIBITS

Exhibit 1.	Reporting Requirement Descriptions.....	2
Exhibit 2.	Annual Number of Responses.....	9
Exhibit 3-A.	Number of NPDES and Sludge Permits Administered by EPA and the States.....	10
Exhibit 3-B.	Number of Local Pretreatment Programs.....	10
Exhibit 4-A.	Annual Burden for Compliance Inspections: Municipal Facilities.....	16
Exhibit 4-B.	Annual Burden for Compliance Inspections: Non-Municipal Facilities.....	16
Exhibit 5.	Reporting Frequency.....	20
Exhibit 6.	Annual Respondent Burden and Costs.....	21
Exhibit 7.	Annual Federal Burden and Costs.....	23
Exhibit 8.	Total Annual Burden and Costs.....	24
Exhibit 9.	Changes in Respondent Burden.....	25
Exhibit 10.	Changes in Total Burden.....	26



## 1. IDENTIFICATION OF THE INFORMATION COLLECTION

### 1(a). Title of the Information Collection

ICR: National Pollutant Discharge Elimination System (NPDES) and Sewage Sludge Management State Program Requirements.

EPA ICR No.: 0168.09

OMB Control No.: 2040-0057

### 1(b). Short Characterization/Abstract

This ICR is entitled *Information Collection Request for NPDES and Sewage Sludge Management State Program Requirements*. It is an update of OMB No. 2040-0057, which expires on November 30, 2006. Office of Management and Budget (OMB) Control No. 2040-0128. This ICR includes state program requirements for 561 federally recognized Native American Indian tribes and Alaska Native villages within the United States and 6 U.S. territories and the District of Columbia. It was prepared according to the guidance contained in the Office of Environmental Information's (OEI's) 2005 *ICR Handbook*. The handbook is the Agency's most current guidance document for preparing an ICR, and it follows the provisions of the Paperwork Reduction Act of 1995 and the OMB guidelines. The total respondent burden for the activities covered in this ICR is estimated as 1,013,802 hours, at a labor cost of \$37,470,111

The purpose of the ICR is to update the current recordkeeping and reporting requirements associated with state NPDES and sludge programs. Three categories of reporting requirements are the subject of this ICR:

1. *State Program Requests*. This category includes the activities that states, tribes, U.S. territories, and the District of Columbia must complete to request a new NPDES or sludge program or that NPDES authorized states must complete to modify an existing program;
2. *State Program Implementation*. This category includes the activities that authorized states, tribes, U.S. territories, and the District of Columbia must complete to implement an existing program, such as recordkeeping and permit enforcement activities. The category also includes certification of EPA-issued permits by non-NPDES-authorized states, tribes, U.S. territories, and the District of Columbia;
3. *State Program Oversight*. This category includes the activities required of NPDES-authorized states, tribes, U.S. territories, and the District of Columbia so that EPA can satisfy its statutory requirements for state program oversight.

Exhibit 1 briefly describes the specific information activities included in each category.

**Exhibit 1. Reporting Requirement Descriptions**

Reporting Requirements	Citation	Description
<b>State Program Requests</b>		
Request for NPDES Program Authorization	40 CFR Part 123, Subpart B	Contains requirements for states that wish to obtain an NPDES program authorization.
Request for NPDES Partial Program Authorization	CWA ' 402(n)	Allows states to request authority to administer portions of the NPDES program. Reporting requirements parallel requests for full NPDES program authorization.
Request for NPDES Program Modification	40 CFR 123.62	Contains requirements for states that wish to modify an existing NPDES program.
Request for Program Transfer/Withdrawal	40 CFR 123.63, 123.64, 501.34	Outlines procedures for states to voluntarily transfer their NPDES program responsibilities back to EPA and for withdrawal of state programs due to unilateral EPA decision or in response to an interested party's petition.
Request for Sewage Sludge Program authorization	40 CFR 501.11	Contains requirements for states that wish to obtain a sludge management program authorization.
<b>State Program Implementation</b>		
Report on Compliance Evaluation	40 CFR 123.26(b)(1)	Requires states to submit information on compliance evaluation programs.
Recordkeeping of NPDES Program Information	40 CFR 123.26(e)	Requires states to maintain a management information system for compliance evaluation activities.
Recordkeeping for Sludge Program Information	40 CFR 501.16	Requires states with sludge management programs to comply with the recordkeeping requirements outlined in 40 CFR 123.26.
Inspection and Investigation of NPDES permittees	40 CFR 123.26(b)(2) & (3)	Requires states to inspect facilities to determine permit compliance, verify monitoring and other data supplied by permittees, and investigate violation reports from the public.
Certification of EPA-Issued Permits	40 CFR 124.53 & 124.54	Requires states to certify permit conditions and to ensure conformity with all applicable state laws. (Does not apply to sludge programs.)
<b>State Program Oversight</b>		
Submittal of NPDES Permit Information	40 CFR 123.43 & 123.44(j)	Requires states to submit proposed NPDES permits and sludge permits for certain permittee categories to EPA.
Submittal of Sludge Permit Information	40 CFR 501.14(b)	Requires states to submit proposed sludge permits to EPA as agreed to in the Memorandum of Agreement (MOA).
NPDES Quarterly, Semiannual, and Annual Reports	40 CFR 123.45	Requires quarterly and semiannual reports of major permittee violations, as well as annual statistical reports of non-major permittee violations and enforcement actions.
Sludge Noncompliance Reports	40 CFR 501.21	Requires annual reports providing inventory information and compliance monitoring summaries.



### **1(c). Statutory and Regulatory Background**

The objective of the Clean Water Act (CWA) is to restore and maintain the chemical, physical, and biological integrity of the nation's waters<sup>1</sup> (CWA section 101). The Environmental Protection Agency (EPA) controls and limits discharges of pollutants into U.S. waters from all point sources. The NPDES program, established under CWA section 402, is an important tool for controlling pollutant discharges. Under this program, discharges of pollutants to waters of the United States must be covered by an NPDES permit. The permit contains limitations on the amount of pollutants the discharger may discharge.

In addition, section 405 of the CWA requires EPA to regulate the use and disposal of sludge produced by publicly owned treatment works (POTWs) and other treatment works treating domestic sewage. These treatment works must obtain permits that incorporate EPA's technical standards for sludge use and disposal. The sludge requirements may be included in the facility's NPDES permit or in a separate "sludge-only" permit.

Under the NPDES program, states, Federally Recognized Indian Tribes (see Attachment 1), the District of Columbia and U.S. territories (Commonwealth of Puerto Rico, Virgin Islands, Guam, American Samoa, Commonwealth of the Northern Mariana Islands, and Trust Territories of the Pacific Islands) may acquire the authority to issue permits. In the absence of an authorized state program, EPA issues permits. States, tribes, and U.S. territories that administer NPDES programs are also required to obtain pretreatment authority<sup>1</sup> (authority to require POTWs to establish pretreatment programs and to require that indirect dischargers meet pretreatment standards) and authority to issue permits to federal facilities. States, tribes, and U.S. territories also have the option of acquiring authority to issue general permits (permits that cover a group of similar discharges). If these program areas were not covered in the original authorization, states, tribes, and U.S. territories with existing NPDES programs must submit requests for program modifications to add pretreatment, federal facilities, or general permit authority. In addition, as federal statutes and regulations are modified, states, tribes, and U.S. territories must submit program modifications to ensure that their programs continue to meet federal requirements.

States, tribes, and U.S. territories also have the option of acquiring authority to operate a sludge management program. This program may be a component of a state NPDES program, or it may be administered as a separate program. To obtain authority to operate an NPDES or sludge program, a state, tribe, or territory must submit an application that includes a program description, attorney general's statement, draft Memorandum of Agreement (MOA) with the EPA region, and copies of the state's statutes and regulations.

Once a state, tribe, or territory obtains authority for an NPDES or sludge program, it becomes responsible for implementing the program in that jurisdiction. The state, tribe, or territory must retain records on the permittees and perform inspections. In addition, when a state, tribe, or territory obtains NPDES or sludge program authority, EPA must oversee the program. Thus, states, tribes, and U.S. territories must submit permit information and compliance reports to EPA.

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<sup>1</sup> Requests for pretreatment authority and state implementation of pretreatment programs are covered by a separate ICR (OMB No. 2040-0009).

When EPA issues a permit in an unauthorized state, tribe, or territory, that state, tribe, or territory must certify that the permit requirements comply with the water laws of the state, tribe, or territory. According to the CWA (section 510), states, tribes, and U.S. territories may adopt discharge requirements that are equal to or more stringent than the requirements in the CWA or federal regulations.

### **1(d). Current State NPDES/Sludge Program Status**

As of July 2006, a total of 45 of the 50 states and 1 of the 6 U.S. territories had obtained NPDES authority. This is a total of 46 delegated NPDES programs for the universe of 618 potential program delegations (50 states, 561 Federally Recognized Indian Tribes, 6 U.S. territories and the District of Columbia). Of these 46 states, tribes, or U.S. territories, 35 have authorized pretreatment programs, 41 have authority to issue permits to federal facilities, 45 have general permit programs, and 7 have sludge programs (see Attachment 2).

As shown on Attachment 2, 33 of the 46 NPDES-authorized states<sup>2</sup> have full NPDES authority, including the authority to issue pretreatment permits, the authority to issue permits to federal facilities, and the authority to issue general permits, which is an optional component. Several of the remaining authorized NPDES-authorized states are working with EPA to put necessary statutes, regulations, and other provisions in place. Five hundred seventy-two states, tribes, or U.S. territories, and the District of Columbia (618 minus 46) do not administer any part of the NPDES program and are at various stages of program authorization. Some of the states, tribes, or U.S. territories without NPDES authority are working with EPA to develop a program, whereas others, including most of the tribes, have not requested, and might never request, any part of the NPDES program.

## **2. NEED FOR AND USE OF THE COLLECTION**

### **2(a). Need/Authority for the Collection**

Section 402(a) of the CWA established the NPDES program, which requires issuance of a permit to control the discharge of pollutants, ensuring compliance with provisions of the CWA. In addition, section 402(b) of the act provides that any state, tribe, or territory may administer the NPDES program if it requests authority and receives EPA approval. The CWA requires submittal and approval of “a full and complete description of the program it [the state] proposes to establish and administer under state law . . .”. The CWA further requires the state to submit “a statement from the Attorney General . . . that the laws of such state . . . provide adequate authority to carry out the described program.”

Section 405 of the CWA requires EPA to regulate the use and disposal of sludge produced by POTWs and other treatment works treating domestic sewage. On February 4, 1987, Congress passed the Water Quality Act of 1987 (WQA), which included significant changes to section 405 of the CWA. Section 405 now requires that technical standards be promulgated and that those standards be implemented through permits issued by EPA or authorized states. EPA’s Office of Science and Technology is responsible for promulgating the technical standards for sewage sludge use and disposal. EPA’s Office of Wastewater Management is charged with administering the sludge permitting program and the state

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<sup>2</sup> All delegated states, tribes, and U.S. territories will henceforth be referred to as *states*.

permit programs.

The CWA also provides for EPA oversight of states, tribes, and U.S. territories that have been authorized to administer the NPDES program. CWA section 309 deals with the enforcement of permits, and section 402(c) and (d) deals with overall program oversight, including permit review and program withdrawal.

In the absence of an authorized state, tribal, or territorial program, EPA administers the NPDES program. CWA section 401 requires states to certify that EPA-issued NPDES permits establish “effluent limitations, and monitoring requirements necessary to assure that any applicant . . . will comply with any applicable effluent limitations and other limitations (pursuant to the CWA) and with any other appropriate requirement of state law . . .”. States, tribes, and U.S. territories may waive their right to certify permits if they wish. Section 510 provides that states, tribes, and U.S. territories may adopt requirements equal to or more stringent than standards established pursuant to CWA provisions.

EPA has promulgated regulations, at 40 CFR Parts 122 through 125, that establish the procedures and requirements of the NPDES program. Part 123 outlines state program requirements and establishes the information that must accompany a state’s request for program authorization. The submittal requirements for states requesting modification of an existing NPDES program are also established under Part 123. Part 501 contains requirements for states to gain authorization of a sludge management program.

## **2(b). Practical Utility and Users of the Data**

### **2(b)(i). State Program Requests**

The information collected by EPA is used to evaluate the adequacy of a state's NPDES or sludge program and to provide EPA with the information necessary to fulfill its function of statutory oversight over state program performance and individual permit actions. EPA will also use this information to evaluate states' requests for full or partial program authorization and program modifications. To evaluate the adequacy of a state's proposed program, appropriate information must be provided to ensure that proper procedures, regulations, and statutes are in place and consistent with CWA requirements.

### **2(b)(ii). State Program Implementation**

#### **2(b)(ii)(a). Report on Compliance Evaluation**

40 CFR 123.26 requires each state to have a program that is capable of making comprehensive surveys of all facilities and activities subject to the state Director’s authority. The purpose of this survey is to identify persons subject to regulations who have failed to comply with permit application or other program requirements. States must make any compilation, index, or inventory of such facilities and activities available to the EPA Regional Administrator upon request. EPA and NPDES-authorized states can use comprehensive survey information for several purposes. One of the major uses is compliance assessment of a specific permittee or permittees. In addition, such data can be used to assess the trends of pollutant loading, as well as to identify new control needs for a group or category of permitted facilities. Survey data could lead to enforcement action, permit modification or revocation and reissuance, or a change in permit conditions.

**2(b)(ii)(b). Recordkeeping of NPDES and Sludge Program Information**

States must maintain records of NPDES permit applications, inspection reports, and noncompliance and enforcement information. States must have a management system in place to support compliance evaluation activities, to allow for the review of the effectiveness of state permitting and enforcement programs, and to generate noncompliance rates. The state uses the data in overseeing permittees and in generating reports on noncompliance and enforcement.

**2(b)(ii)(c). Inspection and Investigation of NPDES Permittees**

EPA and NPDES-authorized states use inspection data to assess compliance with permit conditions. Inspection data, in conjunction with other data (permittees' self-monitoring data) are used to evaluate the need for EPA to initiate enforcement action. EPA headquarters uses inspection data to assess the adequacy of regional and state programs.

**2(b)(ii)(d). Certification of EPA-issued Permits**

When EPA issues permits in non-authorized states, the Agency must comply with state laws, including water quality standards. To comply with state laws, EPA regions use state certification information when they determine permit effluent limits. The CWA states that no permit may be issued by EPA unless such certification has been granted or the state waives certification.

**2(b)(iii). State Program Oversight**

The information included in this category is used to evaluate program implementation in authorized states. EPA uses the information when reviewing permits, assessing compliance, evaluating state and regional enforcement measures, generating noncompliance rates, establishing Agency priorities, formulating budgets, and analyzing federal and state programs. Monitoring of approved state programs also ensures continued compliance with the goals and requirements of the CWA and state programs themselves. Much of the information collected under this category is also used by the state in administering its program. The information is essential for adequate implementation of an NPDES program.

**2(b)(iii)(a). Submittal of NPDES Permit Information**

In the MOA, EPA regions and NPDES-authorized states define which permits the region will review and which permits it will not review. Generally, the region reviews all permits for major facilities, all general permits, and a small percentage of permits for minor facilities. The information submitted by states consists of all appropriate data necessary for permit review—application form, fact sheets, draft permits, and the like. EPA uses the information submitted by states to review state-issued permits for compliance with federal laws.

**2(b)(iii)(b). Submittal of Sludge Permit Information**

EPA uses the information submitted by states to review state-issued permits for compliance with federal laws.

**2(b)(iii)(c). Quarterly, Semiannual, and Annual Reports**

EPA's ongoing monitoring of authorized state programs ensures continued compliance with the goals and requirements of the CWA and state programs. EPA uses information about permittees' noncompliance to

- Evaluate the effectiveness of state compliance enforcement programs
- Support its own enforcement actions, if any, against dischargers in authorized states
- Generate and publish noncompliance rates to be used in reports to offices within EPA and to OMB and Congress

### **2(b)(iii)(d). Submittal of Noncompliance Information for Sludge Management Programs**

Sewage sludge noncompliance reports serve the same purposes as NPDES effluent noncompliance reports, which are described in section 2(b)(iii)(c). However, sewage sludge reports are required only annually.

## **3. NON-DUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA**

### **3(a). Non-Duplication**

EPA has examined all other reporting and recordkeeping requirements contained in the CWA and in the NPDES regulations. In addition, it has consulted the Government Information Locator Service (formerly Federal Information Locator Service) to determine whether similar or duplicate information is available elsewhere. EPA has determined that the information collection and reporting requirements considered in this ICR are not duplicated in other reports.

All the information collection and reporting requirements covered in this ICR involve original information that is not submitted under any other federal program or regulation. Consequently, no alternative means to collect the information are available.

### **3(b). Public Notice Required Prior to ICR Submittal to OMB**

The ICR was published in the *Federal Register* on March 7, 2006. The notice included a request for comments on the content and the impact on the regulated community. EPA received no comments.

### **3(c). Consultations**

EPA finalized all regulations containing the requirements addressed in this ICR after receiving comments from the public and the regulated community. EPA headquarters staff responsible for program oversight in the applicable program areas were contacted to provide revised information and data for this ICR.

EPA regional officials and representatives of authorized states meet at least annually to review state activities, evaluate progress toward meeting program goals, and so forth. In addition, the MOAs between authorized states and the EPA regions provide a mechanism for discussions about the programs. The result is a process of ongoing discussions between EPA and state officials to resolve problems as they arise and to ensure the smooth operation of NPDES and sludge programs nationwide.

### **3(d). Effects of Less Frequent Collection**

Most of the information needed to meet the reporting and information collection requirements related to state programs is submitted at one time or as needed. The only exceptions are the quarterly noncompliance reports (QNCRs), semiannual and annual reports, and annual sludge reports, all of which are submitted at regular, specified intervals.

EPA, to fulfill its oversight responsibilities, needs current information about all state NPDES and sludge programs, including information about individual permits, enforcement cases, and state program performance. EPA must track permits, compliance activities, and enforcement actions to ensure that state programs are carrying out the provisions of the CWA in a timely manner. If reporting were to occur less frequently, data would not be current enough for EPA to effectively provide guidance for state programs, to review or comment on state actions, or to intervene in compliance or enforcement cases as necessary.

### **3(e). General Guidelines**

This information collection is in compliance with the Paperwork Reduction Act guidelines (5 CFR 1320.5(d)(2)).

### **3(f). Confidentiality**

Although highly unlikely, the information collected might contain confidential business information. If this is the case, the respondent may request that such information be treated as confidential. All confidential data will be handled in accordance with 40 CFR 122.7, 40 CFR Part 2, and EPA's *Security Manual*, Part III, Chapter 9, dated August 9, 1976. However, CWA § 308(b) specifically states that effluent data may not be treated as confidential.

### **3(g). Sensitive Questions**

This information collection does not include sensitive questions.

## **4. THE RESPONDENTS AND THE INFORMATION REQUESTED**

### **4(a). Respondents and Standard Industrial Classification Codes**

The respondents to this information request are all 50 states, 6 U.S. territories, the District of Columbia, and 561 Federally Recognized American Indian Tribes, which are not classified under the Standard Industrial Classification (SIC) system.

As shown on Exhibit 2, EPA anticipates an average of 19,434 responses each year for the information items in this ICR. In some cases, the number of responses for an information item depends on the number of NPDES permittees, which is summarized in Exhibits 3-A and 3-B. In most cases, the number of responses also depends on the number of states requesting new NPDES or sludge programs or on the number of states with existing programs. In calculating these numbers, the following was assumed:

- During the next 3 years, one state will request full NPDES program authority and one state will request partial NPDES program authority.
- During the next 3 years, the average number of states with NPDES authority will be 46. This number is calculated as follows:
  - Currently, 46 states have NPDES authority.
  - EPA estimates that two states will receive full or partial NPDES authority by 2009, bringing the total to 48. This would result in an average of 47 authorized (either fully or partially authorized) states in each year.

- o Although an average of 47 states would have approved programs, states with new programs would not submit all the information items, such as annual reports. Also, states with partial programs might not submit all the information items because they administer only part of the program. Therefore, this ICR assumes that the equivalent of 46 states per year administer the NPDES program.
- During the next 3 years, nine states will request a sewage sludge program. Because there are seven currently approved programs, the addition of three new programs each year will result in an average of 13 approved programs operating per year.

In most cases, the respondents to this information collection will be required to submit several of the items listed in Exhibit 2. The respondents include states requesting new NPDES or sludge programs, states that administer NPDES or sludge programs, and states that do not administer NPDES programs.

Because all states are required to respond to at least one information item, this ICR assumes an average of 618 respondents per year (all states plus six U.S. territories, the District of Columbia and 561 Federally Recognized Indian tribes).<sup>3</sup>

#### Exhibit 2. Annual Number of Responses

Type of Response (Regulation)	Responses Per Year
1 Request for NPDES program approval (40 CFR § 123.21)	0
2 Request for partial NPDES program approval (CWA § 402(n))	0
3 Request for NPDES program modification (40 CFR § 123.62)	1
4 Request for program transfers/withdrawals (40 CFR § 123.64)	3
5 Request for sewage sludge program approval (40 CFR § 501.11)	3
6 Report on compliance evaluation (40 CFR § 123.26(b)(1))	0
7 Recordkeeping of NPDES program information (40 CFR § 123.26(e))	46
8 Recordkeeping for sewage sludge program information (40 CFR § 501.16)	13
9 Inspection and investigation of NPDES permittees (40 CFR §§ 123.26(b)(2) and (3))	18,805
10 Certification of EPA - issued permits (40 CFR §§ 124.53 and 124.54)	260
11 Submittal of NPDES permit information (40 CFR §§ 123.43 and 123.44(j))	46
12 Submittal of sludge permit information (40 CFR § 501.14(b))	13
13 Quarterly, semi-annual, and annual reports (40 CFR § 123.45)	230
14 Annual sewage sludge program reports from authorized states(40 CFR § 501.21)	13
<b>Total Number of Responses</b>	<b>19,434</b>

<sup>3</sup> As discussed previously, Federally Recognized American Indian Tribes are considered states in this ICR. The burden and costs will be included in the total burden and costs for this ICR.

**Exhibit 3-A. Number of NPDES and Sludge Permits Administered by EPA and the States**

Type of permittee	States	EPA	Total
<b>Major NPDES permits</b>			
Municipal	3,991	249	4,240
Non-municipal	2,114	137	2,251
<i>Federal</i>	84	11	
<b>Subtotal (not including federal)</b>	<b>6,105</b>	<b>386</b>	<b>6,491</b>
<b>Minor NPDES permits</b>			
Municipal	10,543	229	10,772
Non-municipal	32,138	596	32,734
<i>Federal</i>	547	89	
<b>Subtotal (not including federal)</b>	<b>42,681</b>	<b>825</b>	<b>43,506</b>
<b>General NPDES permits (approx.)</b>	<b>400</b>	<b>40</b>	<b>440</b>
<b>Total (not including federal)</b>	<b>49,186</b>	<b>1,251</b>	<b>50,437</b>
<b>Sludge permits</b>	<b>1,606</b>	<b>3,193</b>	<b>4,799</b>

Source: Permit Compliance System (PCS), July 2006.

**Exhibit 3-B. Number of Local Pretreatment Programs**

	States	EPA	Total
Number of local pretreatment programs	1,064	400	1,464

Source:

Revision of the Information Collection Request for the National Pretreatment Program (40 CFR Part 403). OMB Control No. 2040-0009; EPA ICR No. 0002.12. September 20, 2005

**4(b). Information Requested****4(b)(i). State Program Requests****4(b)(i)(a). Request for NPDES Program Authorization**

States requesting NPDES program authorization must submit three copies of a program submission (40 CFR 123.21). Each submission must contain all the following:

- A letter from the state's Governor (or Tribal Authority) requesting program authorization.
- A complete program description that summarizes the structure, scope, coverage, and processes of the proposed state program and outlines the state's permitting and review procedures. In addition, copies of all relevant permit forms, application forms, and reporting forms must be submitted.
- A statement from the state attorney general certifying that the state laws provide adequate authority to carry out the program requirements as outlined in the program description.
- An MOA between the state Director and the EPA Regional Administrator. The MOA must clarify the division of responsibilities between the state agency and EPA. It also must specify the procedures that will ensure adequate coordination between EPA and the state, and it must discuss this coordination in detail. In particular, it must address compliance activities, enforcement activities, and the transfer of information between the state and EPA. It must also describe which classes and categories of permits the Regional Administrator must review before



a permit is issued by the state and further specify those classes for which the Regional Administrator will waive review.

- Copies of all relevant state regulations and statutes.

As mentioned previously, one state is expected to request full program authorization during the life of the ICR (an average of 0.33 states per year). The estimated average time to prepare a state NPDES program application can vary from a relatively small burden (predominately reflecting copying time) to several work years where complete regulatory and statutory changes are necessary. In most cases, at least some regulatory changes are necessary. It is impossible to determine the “average” burden for this reporting requirement because the burden depends on many different factors. For the purposes of this ICR, one work year (2,080 hours) is estimated to reflect the burden for states requesting program authorization. The average federal government burden for the review of state program requests is 1,248 hours.

#### **4(b)(i)(b). Request for Partial NPDES Program Authorization**

The 1987 WQA authorizes EPA to approve states for two types of partial programs (CWA ' 402(n)): (1) major category partial programs and (2) phased partial programs.

States apply for major category partial program authority if more than one state agency has jurisdiction over discharges. Any state applying for a major category partial program must comply with existing 40 CFR Part 123, Subpart B, State Program Submission requirements. Under the phased partial program, states obtain authority for the entire NPDES program over a 5-year period. The requirements for submittal of major category partial program and phased partial program requests are essentially the same as the requirements for the submittal of a full NPDES program request, as discussed above.

EPA anticipates that one state will seek partial program authorization during the life of this ICR (an average of 0.33 state per year). Because the elements of the partial program application are expected to be the same as those for program authorization, it is assumed that the burden for partial programs equals the burden for a full program (one work year, or 2,080 hours). Like full NPDES program requests, the average federal government burden for the review of state program requests is 1,248 hours.

#### **4(b)(i)(c). Request for NPDES Program Modifications**

EPA or an authorized state may initiate a program revision. A program revision might be necessary when the controlling federal statutes or regulations are modified. When necessary, the state is required to submit a modified program description, an attorney general’s statement, an MOA, or other documents necessary to describe and evaluate whether the program revision is substantial and requires public notice. States may modify their programs to obtain pretreatment authority (covered by a separate ICR), authority to issue general permits, or authority to issue permits to federal facilities. They must also update other areas of their programs as necessary.

- *Request for Authority to Issue General Permits.* General permits cover a class of similar dischargers with similar effluent limitations in a defined geographic area. Authority to issue general permits is an optional component of the NPDES program. Currently, 45 states have general permit authority. EPA intends to increase its use of general permits and is encouraging states without general permit authority to obtain it. States seeking to modify their NPDES programs to obtain general permit authority must revise their attorney general’s statement,

program description, and MOA. In some cases, they must also revise their statutes and regulations.

- *Request for Authority to Issue Permits to Federal Facilities.* NPDES-authorized states are required to obtain authority to issue NPDES permits to federal facilities. Currently 41 states are authorized to regulate federal facilities. States seeking to modify their NPDES programs to obtain this authority in most cases revise their attorney general's statement, program description, and MOA. In some cases, they must also revise their statutes and regulations.
- *Request to Update Legal Authority in Other Areas.* Under 40 CFR 123.62(e), state NPDES and sludge programs must be in compliance with federal regulations at all times. If new federal requirements are enacted, states have 1 year to update their regulations to meet the federal requirements. States have 2 years if they must also update statutes. States seeking to modify their NPDES programs to update their authority must normally revise their statutes or regulations. In some cases, they must also revise their attorney general's statement, program description, or MOA.

As discussed previously, 1 of the 46 authorized NPDES-authorized states does not have authority to issue general permits, and 5 do not have authority to issue permits to federal facilities. It is not expected that these states will request such authorities during the next 3 years. It is anticipated that four states will revise their programs to update their authorities. Therefore, the number of requests for program modification expected during the next 3 years is four. This number results in an average of 1.33 states per year.

For the purposes of this ICR, a burden estimate of 250 hours is used for program modifications. EPA staff will require 50 hours to review each request for program modification.

#### **4(b)(i)(d). Request for Program Transfers**

A state may request that an approved program be transferred back to EPA. Transfers back to EPA require 180 days' notice by the state, as well as a plan for the orderly transfer of all relevant program information. If necessary, EPA may require that the state provide further information. In addition, EPA may initiate proceedings to determine whether an authorized state program should be withdrawn because of the state's failure to administer its program in accordance with federal requirements.

Withdrawal proceedings may be initiated not only unilaterally by EPA but also in response to a petition submitted by an interested party. On the basis of the analysis for the active ICR, EPA estimates that an average of three petitions per year will be submitted in the next several years. It is estimated that on average, the review of each petition will require 480 state hours and 240 EPA hours. EPA has never withdrawn a program, and does not anticipate doing so in the next 3 years.

#### **4(b)(i)(e). Request for Sludge Program Authorization**

On August 24, 1998, EPA promulgated revised regulations setting forth minimum requirements for state sludge programs. These revisions specify that all state sludge management program submissions must be submitted under 40 CFR Part 501, regardless of whether the state seeks a revision to an NPDES program or a non-NPDES program. The requirements for a sewage sludge program are contained in 40 CFR Part 501.

The first requirement for submittal of a state sludge program is the program description, which contains the scope, structure, coverage, and processes of the state program. The state must also submit a

statement from the state attorney general outlining its legal authority to impose the sludge requirements. The program submission must also include an MOA between the state Director and the EPA Regional Administrator that, in part, sets forth the state's approach to administering the sludge program and EPA's role in overseeing the state's administration.

Nine states are expected to seek authorization of sludge management programs over the life of the ICR. This results in an average of three requests from states per year. States requesting authority to implement sludge programs will expend an estimated 750 hours per request per year. The federal government will be required to review and process each state program submission, expending approximately 400 hours per request per year.

#### **4(c). NPDES State Program Implementation**

##### **4(c)(i). Report on Compliance Evaluation**

40 CFR 123.26 requires states to have a program that is capable of making comprehensive surveys of all facilities and activities subject to the state Director's authority. The purpose of this survey is to identify persons subject to regulations who have failed to comply with permit application or other program requirements. States must make any compilation, index, or inventory of such facilities and activities available to the EPA Regional Administrator upon request. Comprehensive surveys and inspections are covered under "Inspection and Investigation of NPDES Permittees," discussed below. Surveys of any facilities and activities may be conducted, subject to NPDES program authority, to identify persons that are subject to regulation who have failed to comply with permit application or other program requirements. During the life of this ICR, EPA does not expect to request any of this information.

##### **4(c)(ii). Recordkeeping of NPDES Program Information**

40 CFR 123.41(a) requires that Any information obtained or used in the administration of a state program shall be available to EPA upon request without restriction. @ NPDES-authorized states are also required to keep such records and to submit such information as is reasonable to ascertain whether the state program complies with the requirements of the CWA and the NPDES regulations, consistent with 40 CFR 123.43(d). Recordkeeping must include all notices and reports required of permittees and other regulated persons.

The respondents to this information item are the 46 NPDES-authorized states. Although the burden for this activity can vary widely, the average burden to NPDES-authorized states has been determined to be 50 hours, based on past burden estimates. Because this requirement pertains to only the state program, there is no federal burden associated with this information requirement.

##### **4(c)(iii). Recordkeeping for Sludge Program Information**

States with EPA-authorized sludge management programs must retain information about program and permittee compliance with federal requirements. This information is the same as that required of states with authorized NPDES program, as noted above.

As discussed above, EPA expects nine requests for state sewage sludge programs over the next 3 years (three in the first year, with an additional three in each of the next 2 years). Thus, this requirement will affect an average of 13 states per year (the average of the existing 7 programs and the additional three new programs per year). The average burden to states with sludge programs is estimated to be the same

as the recordkeeping burden for NPDES-authorized states, 50 hours. Because this requirement pertains to only the state programs, there is no federal burden associated with this information requirement.

#### **4(c)(iv). Inspection and Investigation of NPDES Permittees**

The respondents to this item are the 46 NPDES-authorized states. As part of NPDES program implementation, inspections are performed on permitted facilities to assess compliance with permit requirements. The NPDES regulations at 40 CFR 123.26(e)(5) require major permittees to be inspected at least once annually. In addition, an estimated 20 percent of minor facilities are inspected each year.

When facilities are inspected, states must submit their findings to EPA. The information collected and reported by the state may include sampling data, status of compliance with permit requirements such as construction schedules and reports, and evaluation of a permittee's sample collection and analysis methodology. The information varies depending on the type of inspection conducted; it is used to assess compliance with NPDES permit requirements and to verify permittees' reporting. The various types of inspections<sup>4</sup> are:

- *Compliance Sampling Inspections (CSI)*. During the CSI, representative samples required by the permit are obtained. Chemical analyses are performed, and the results are used to verify the accuracy of the permittee's self-monitoring program and reports, determine the quantity and quality of effluents, develop permits, and provide evidence for enforcement proceedings where appropriate. In addition, CSIs include the same objections and tasks as a Compliance Evaluation Inspection, discussed below. The estimated burden for the inspection is 120 hours.
- *Compliance Evaluation Inspections (CEI)*. The CEI is a nonsampling inspection designed to verify the permittee's compliance with applicable permit self-monitoring requirements and compliance schedules. This inspection involves record reviews, visual observations, and evaluations of the treatment facilities, effluents, receiving waters, and so forth. The CEI examines both chemical and biological self-monitoring and forms the basis for all other inspection types except the Reconnaissance Inspection. The estimated burden for this inspection is 24 hours.
- *Performance Audit Inspections (PAI)*. The PAI is used to evaluate the permittee's self-monitoring program. Like a CEI, the PAI is used to verify the permittee's reported data and compliance through a records check. In a CEI, the inspector makes a cursory visual observation of the facility, effluents, and receiving waters. In a PAI, the inspector actually observes the permittee performing the self-monitoring process from sample collection and flow measurement through laboratory analyses, data workup, and reporting. The PAI inspector may leave a check sample for the permittee to analyze. Compared to a CSI, the PAI is less resource-intensive because sample collection and analyses by the state are not included. The estimated burden for this inspection is 96 hours.
- *Diagnostic Inspections (DI)*. The DI primarily focuses on POTWs that have not achieved permit compliance. POTWs that are having difficulty diagnosing their problems are targeted. The purpose of the DI is to identify the causes of noncompliance and to suggest immediate remedies that will help the POTW achieve compliance. Once the cause of noncompliance is defined, an administrative order that requires the permittee to conduct a detailed analysis and develop a

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<sup>4</sup> The descriptions of the inspections are taken from U.S. Environmental Protection Agency, Office of Enforcement and Compliance Assurance, *NPDES Compliance Inspection Manual*, July 2004.

composite correction plan is usually issued. The estimated burden for this inspection is 128 hours.

- *Compliance Biomonitoring Inspection (CBI)*. The CBI uses acute and chronic toxicity testing techniques to evaluate the biological effect of a permittee's effluent discharge(s) on test organisms. In addition, this inspection includes the same objectives and tasks as a CEI. The estimated burden for this inspection is 240 hours.
- *Toxic Sampling Inspection (XSI)*. The XSI has the same objectives as a conventional CSI; however, the XSI places increased emphasis on toxic substances regulated by the NPDES permit. The XSI covers priority pollutants other than heavy metals, phenols, and cyanide, which are typically included in a CSI. An XSI uses more resources than a CSI because highly sophisticated techniques are required to sample and analyze toxic pollutants. The estimated burden for this inspection is 280 hours.
- *Reconnaissance Inspection (RI)*. The RI is used to obtain a preliminary overview of a permittee's compliance program. The inspector conducts a brief visual inspection of the permittee's treatment facility, effluents, and receiving waters. The RI uses the inspector's experience and judgement to quickly summarize any potential compliance problems. The objective of the RI is to expand inspection coverage without increasing inspection resources. The RI is the briefest of all NPDES inspections: the estimated burden for this inspection is 8 hours.
- *Pretreatment Compliance Inspection (PCI)*. The PCI evaluates the POTW's implementation of its authorized pretreatment program. It includes a review of the POTW's records on monitoring, inspections, and enforcement activities for its industrial users. The PCI may be supplemented with industrial user inspections. The estimated burden for this inspection is 24 hours.

A Compliance Inspection Report (CIR) form was developed for inspectors to use when submitting the qualitative results of CSIs, CEIs, PAIs, and DIs. In most cases, the form is not used, but the information collected and reported is usually the same, except for those states that require and collect more information.

Exhibits 4-A and 4-B summarize the number of inspections, the burden associated with each type of inspection, and the total burden for this information activity. For this calculation, it is assumed that there are a total of 2,114 major and 32,138 minor non-municipal facilities and a total of 3,991 major and 10,543 minor municipal facilities (Exhibits 3-A and 3-B). Of the major facilities (non-municipal and municipal), 15 percent receive CSIs, 60 percent receive CEIs, 15 percent receive PAIs, 17 percent receive CBIs, four percent receive XSIs, and 40 percent receive RIs. In addition, 5 percent of municipal facilities receive DIs and 80 percent of POTWs with authorized pretreatment programs receive PCIs. Of the minor facilities (both non-municipal and municipal), 3 percent receive CSIs and 17 percent receive CEIs. Therefore, the total annual number of inspections conducted is estimated to be 18,805 (7,078 + 2,108 + 3,192 + 6,427) inspections at 996,528 (453,176 + 80,928 + 215,632 + 246,792) hours.

**Exhibit 4-A. Annual Burden for Compliance Inspections: Municipal Facilities**

Number of Major Facilities:	3,991	Percent covered (%)		Facilities Covered		Hours per Inspection		Total Hours	
	Number of Minor Facilities:								
Type of Inspection	Majors	Minors	Majors	Minors	Majors	Minors	Majors	Minors	
Compliance Sampling Inspection (CSI)	15	3	599	316	120	120	71,880	37,920	
Compliance Evaluation Inspection (CEI)	60	17	2,395	1,792	24	24	57,480	43,008	
Performance Audit (PAI)	15	0	599	-	96	96	57,504	0	
Diagnostic Inspection (DI)	5	0	200	-	128	128	25,600	0	
Compliance Biomonitoring Inspection (CBI)	17	0	678	-	240	240	162,720	0	
Toxics Sampling Inspection (XSI)	4	0	160	-	280	280	44,800	0	
Reconnaissance Inspection (RI)	40	0	1,596	-	8	8	12,768	0	
Pretreatment Compliance Inspection (PCI)	50		851		24		20,424		
<b>Total</b>	-	-	<b>7,078</b>	<b>2,108</b>	-	-	<b>453,176</b>	<b>80,928</b>	

**Exhibit 4-B. Annual Burden for Compliance Inspections: Non-Municipal Facilities**

Number of Major Facilities:	2,114	Percent covered (%)		Facilities Covered		Hours per Inspection		Total Hours	
	Number of Minor Facilities:								
Type of Inspection	Majors	Minors	Majors	Minors	Majors	Minors	Majors	Minors	
Compliance Sampling Inspection (CSI)	15	3	317	964	120	120	38,040	115,680	
Compliance Evaluation Inspection (CEI)	60	17	1268	5463	24	24	30,432	131,112	
Performance Audit (PAI)	15	0	317	0	96	96	30,432	0	
Compliance Biomonitoring Inspection (CBI)	17	0	359	0	240	240	86,160	0	
Toxics Sampling Inspection (XSI)	4	0	85	0	280	280	23,800	0	
Reconnaissance Inspection (RI)	40	0	846	0	8	8	6,768	0	
<b>Total</b>	<b>151</b>	<b>20</b>	<b>3,192</b>	<b>6,427</b>	-	-	<b>215,632</b>	<b>246,792</b>	

The burden for the federal government is based on the time required to review the CIRs or the pretreatment checklists.<sup>5</sup> Based on previous experience, 90 percent (16,924) of the inspection reports will require an initial review of 0.5 hour, while the remaining 10 percent (1,881) will require a more

<sup>5</sup> As discussed above, states are not required to use these forms. However, the federal burden is not likely to depend greatly on the format in which results are reported. Therefore, for simplicity, it is assumed that states use these forms.

intensive review of 5 hours. Thus, the total annual review time is estimated at 17,868 hours, calculated as follows:

Total burden for federal government to review CIR forms requiring only an initial review:	16,925 reports * 0.5 hour = 8,463 hours
Total burden for federal government to review CIR forms requiring an intensive review:	1,881 reports * 5 hours = 9,405 hours
Total annual federal burden for this information requirement:	17,868 hours

#### **4(c)(v). State Certification of EPA-issued Permits**

When EPA issues permits in non-NPDES-authorized states, the Agency must ensure that the permits are in compliance with state laws, including water quality standards. EPA may not issue a permit in an unauthorized state until the state certifies that the permit is in compliance with state laws. Certification is usually supplied by the state with the permittee's application form or at the time the draft permit is completed.

The regulations require that certifications be in writing and that they identify the conditions necessary to ensure compliance with applicable provisions of the CWA and state laws. When certification accompanies a draft permit, it must include any conditions more stringent than those in the draft permit that the state finds necessary to meet the CWA or state requirements. It must also list permit conditions that can be made less stringent without violating state law requirements, including water quality standards. States may waive their certification rights, and a certification is considered waived if the state does not specifically certify or deny certification within a reasonable period.

The respondents to this information item are the 572 states without NPDES programs.<sup>6</sup> As of July 2006, there were 1,211 EPA-issued permits, 386 major permits, and 825 minor permits. It is assumed that each year EPA reissues 20 percent of these permits, or an average of 242 permits each year. Based on new permits reported in PCS for years 2003, 2004 and 2005, EPA estimates that on average the number of new permits issued each year will be 18. The respondent burden for certifying these permits varies because of differing state procedures, level of involvement with EPA in developing the permit, and permit complexity. The average respondent burden is estimated to be 4 hours. The burden to the federal government is not applicable because the federal activities are part of the permitting process and impose no further burden.

#### **4(d). EPA Oversight of NPDES State Program Implementation**

##### **4(d)(i). Submittal of NPDES Permit Information**

Federal regulations require that "any information obtained or used in the administration of a state program shall be available to EPA upon request without restriction" (40 CFR 123.41(a)). Information submitted to EPA includes permit program forms and any other relevant information specified in the MOA between EPA and the state. At a minimum, the required information includes copies of completed permit application forms, draft and final permits, permit modifications, and related information (e.g., notices of state actions, public comments) unless EPA waives permit review.

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<sup>6</sup> As discussed in 4(a), this ICR assumes that an average of 46 states, tribes, or U.S. territories will have NPDES programs. Thus, 572 states, tribes, and U.S. territories will not have programs.

The respondents to this information item are the estimated 46 states with NPDES programs. It is assumed that the states treat this information collection as an ongoing activity, rather than as a set of discrete reports. The burden estimates for the remainder of this ICR are based on 46 states having program authorization.

The annual burden for these states is estimated to average 22.7 (1,045.3 hours for 46 states) hours per state, calculated as follows:

- States must submit all major permits, about 5 percent of minor permits, and all general permits.
- As of July 2006, there were 6,105 major, 42,681 minor, and approximately 400 general permits in the 46 NPDES-authorized states. Each permit can have a life span of 5 years, so an average of 1,221 major, 8,536 minor, and approximately 80 general permits are issued each year.
- In addition, EPA estimates that authorized states will issue 98 new major, 895 new minor, and 44 new general permits each year. Accordingly, the estimated number of major permits for each year of the ICR is 1,319 (1,221 + 98), the estimated number of minor permits is 9,431 (8,536 + 895), and the estimated number of general permits is 125 (80 + 45).
- Seventy percent of the major (923), 5 percent of the minor (472), and 100 percent of the general permits (125) require 10 minutes (0.17 hour) for transmittal to EPA. The remaining 30 percent of major permits (396) require 2 hours of transmittal time. The total number of NPDES certifications equals an average of 1,916 per year (923 + 472 + 125 + 396)).
- Thus, the total annual burden is as follows:
 

(923 majors + 472 minors + 125 general ) * 0.17 hours =	253.3 hours
396 majors * 2 hours =	792.0 hours
Total =	1045.3hours

#### **4(d)(i)(a). Submittal of Sludge Permit Information**

EPA expects to receive 45 reports of sludge permits over a 3-year period, yielding an average of 15 permits per year (EPA ICR No. 0168.08). Each permit will require 10 minutes (0.17 hour) to be transmitted to EPA. The total burden for this reporting requirement is 2.5 hours (14.7 reports x 0.17 hour), or 0.19 hour per state. There is no federal burden associated with this information item.

#### **4(d)(i)(b). Quarterly, Semi-annual, and Annual Reports**

NPDES regulations require that each EPA region and authorized state prepare quarterly, semiannual, and annual noncompliance reports. These reports are:

- *Quarterly Noncompliance Reports (QNCRs—40 CFR 123.45*. Authorized states must submit to EPA quarterly reports of noncompliance by major permittees. These reports include the name, location, and permit number of the facility; the date and a brief description of each instance of noncompliance; the date and a brief description of action taken by the state; the status of noncompliance or the date noncompliance was resolved; and any details that explain or mitigate the noncompliance.
- *Semiannual Statistical Summary Reports—40 CFR 123.45*. Each semiannual report must indicate the number of major permittees with two or more violations of the same monthly average limitation during the past six months. Authorized states must submit these reports along with the first and third QNCRs.



- *Annual Statistical Summary Reports—40 CFR 123.45.* These reports must indicate the number of all non-major permittees reviewed, the number in noncompliance, the number of enforcement actions taken, and the number of permits modified to extend compliance deadlines. A list of non-majors that are one or more years behind the construction phases of the compliance schedule is also required.

The respondents to this information item are the estimated 46 NPDES-authorized states. Each year, these 46 states must develop four QNCRs, two semiannual summary reports, and one annual summary report. Because the semiannual and annual summary reports are normally prepared along with the QNCRs, and because states have indicated that the burden for these reports has lessened, this ICR assumes (for simplicity) that each NPDES state prepares the equivalent of five QNCRs each year. The work involved ranges from manually preparing reports, which includes reviewing individual inspection reports, to copying data generated by the EPA Permit Compliance System (PCS) onto QNCR forms.<sup>7</sup> This results in 230 annual responses (46 states x 5). EPA estimates an average respondent burden of 25 hours per report. The government burden for this information item is estimated at 15 hours, including 8 hours of review by EPA regions and 7 hours of review by EPA headquarters.

#### **4(d)(ii). Submittal of Noncompliance Information for Sludge Management Programs**

##### **Annual Sewage Sludge Program Reports—40 CFR 501.21**

Under 40 CFR 501.21, annual reports must provide, at a minimum, updated inventory information of all sewage sludge generators and sludge disposal facilities and a summary of all instances of noncompliance over the previous year.

The respondents for this item are the average of 13 states with sewage sludge programs. The estimated burden for completing this report is 84 hours, and the federal review time is estimated at 55 hours per report.

## **5. THE INFORMATION COLLECTED AGENCY ACTIVITIES, COLLECTION METHODOLOGY, AND INFORMATION MANAGEMENT**

### **5(a). Agency Activities**

This ICR includes all the reporting requirements related to state program requests, state NPDES and sludge program implementation, and EPA overview of state NPDES and sludge programs. Under CWA section 402(c) and (d), EPA must ensure that state program requests and state program modification requests meet all the necessary federal requirements. Thus, EPA must review state program submissions to ensure that all the necessary requirements are met. EPA's review includes an analysis of the state's statutes and regulations, as well as an in-depth examination of the program description, attorney general's statement, and MOA. All the information submitted by states is filed in the state program files at EPA headquarters.

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<sup>7</sup> The goal of the new data system (see section 5(b)) ICIS-NPDES is to maintain the data necessary to provide for required management and oversight of the NPDES program and produce the QNCR. It is too early to quantify the impacts that ICIS will have on the burden for these activities, but as more states migrate from PCS to ICIS and those states in ICIS use the system efficiently, there should be significant burden reductions for some of the NPDES program maintenance activities.

Once a state acquires NPDES authorization, EPA must oversee the program to ensure that it meets the requirements set forth in the federal regulations. Consequently, EPA is required to regularly review state-issued permits, state compliance reports, and state inspection forms. Most of these tasks are delegated to the individual EPA regions. Lists of the reporting requirements imposed on states related to the CWA provisions and NPDES and sludge regulations, with statutory and regulatory citations, are provided in Exhibit 1 of this ICR.

### 5(b). Collection Methodology and Management

The information reported in this ICR is limited to state efforts, including EPA review of state information; it does not reflect the burden on the permittee. For general reports, EPA and states are moving toward greater automation—for example, computer-generated QNCRs. Much of the information is day-to-day, ongoing program information, some of which is case-specific.

EPA has an automated data management system known as PCS and is implementing a modernized system called ICIS. These systems provide the Agency with a nationwide inventory of all permit holders. EPA headquarters uses this information to assess permit compliance.

### 5(c). Small Entity Flexibility

Small businesses are not affected by this ICR; all respondents are state governments.

### 5(d). Collection Schedule

The reporting requirements and reporting frequencies are outlined in Exhibit 5.

**Exhibit 5. Reporting Frequency**

Reporting Requirements	Citation	Frequency of Response
<b>State Program Requests</b>		
Request for NPDES Program Authorization	40 CFR Part 123, Subpart B	One time only
Request for NPDES Partial Program Authorization	CWA ' 402(n)	One time only
Request for NPDES Program Modification	40 CFR 123.62	As needed or one time only
Request for Program Transfer/Withdrawal	40 CFR 123.63, 123.64, 501.34	As needed or one time only
Request for Sewage Sludge Program Authorization	40 CFR Part 501.11	One time only
<b>State Program Implementation</b>		
Report on Compliance Evaluation	40 CFR 123.26(b)(1)	As needed
Recordkeeping of NPDES Program Information	40 CFR 123.26(e)	Ongoing
Recordkeeping for Sludge Program Information	40 CFR 501.16	Ongoing
Inspection and Investigation of NPDES permittees	40 CFR 123.26(b)(2) & (3)	Upon inspection completion
Certification of EPA-Issued Permits	40 CFR 124.53 & 124.54	Every 5 years or as permits are reissued
<b>State Program Oversight</b>		
Submittal of NPDES Permit Information	40 CFR 123.43 & 123.44(j)	Every 5 years or as permits are issued

Reporting Requirements	Citation	Frequency of Response
Submittal of Sewage Sludge Permit Information	40 CFR 501.14(b)	Every 5 years or as permits are issued
NPDES Quarterly, Semiannual, and Annual Reports	40 CFR 123.45	Quarterly, semiannually, and annually
Sewage Sludge Noncompliance Reports	40 CFR 501.21	Annually

## 6. ESTIMATING THE BURDEN AND COST OF THE COLLECTION

### 6(a). Estimating Respondent Burden

The annual burden for state NPDES and sludge programs is a function of the number of states responding to the collection and the average time required for states to complete each information item. The assumptions and calculations used to derive the burdens for the individual information items are summarized in section 4(b).

Exhibit 6 summarizes the average burden for the information items in this ICR. To determine the average burden hours for the ICR, a cumulative total for each reporting item was calculated. The estimated annual burden is 1,013,802 hours. Approximately 98 percent of this burden (996,528 hours) is associated with the inspecting and investigating NPDES permittees.

As discussed above, the total number of respondents is 618. However, 572 of these 618 states respond to only one information item (certification of EPA-issued permits). The average burden per respondent varies, depending on whether the state has NPDES authority, the number of permitted facilities in the state, and other factors.

**Exhibit 6. Annual Respondent Burden and Costs**

Reporting Requirement/Citation	Responses per Year	Hours per Response	Total Hours	Respondent Labor Cost (\$ per Hour)	Total Respondent Cost (\$)
<b>State Program Requests</b>					
Request for NPDES Program Authorization (40 CFR Part 123, Subpart B)	0.33	2,080	686	36.96	25,369
Request for NPDES Partial Program Authorization (CWA ' 402(n))	0.33	2,080	686	36.96	25,369
Request for NPDES Program Modification (40 CFR 123.62)	1.33	250	333	36.96	12,289
Request for Program Transfer/Withdrawal (40 CFR 123.63, 123.64, 501.34)	3	480	1,440	36.96	53,222
Request for Sewage Sludge Program Authorization under 40 CFR Part 501 (40 CFR 501.11)	3	750	2,250	36.96	83,160
<b>State Program Implementation</b>					
Report on Compliance Evaluation (40 CFR 123.26(b)(1))	0	0	-	36.96	0
Recordkeeping of NPDES Program Information (40 CFR 123.26(e))	46	50	2,300	36.96	85,008

Reporting Requirement/Citation	Responses per Year	Hours per Response	Total Hours	Respondent Labor Cost (\$ per Hour)	Total Respondent Cost (\$)
Recordkeeping for Sludge Program Information (40 CFR 501.16)	13	50	650	36.96	24,024
Inspection and Investigation of NPDES permittees (40 CFR 123.26(b)(2) & (3))	18,805	varies <sup>a</sup>	996,528	36.96	36,831,675
Certification of EPA-issued Permits (40 CFR 124.53 & 124.54)	260	4	1,040	36.96	38,438
<b>State Program Oversight</b>					
Submittal of NPDES Permit Information (40 CFR 123.43 and 123.44(j))	46	22.7	1,044	36.96	38,594
Submittal of Sewage Sludge Permit Information (40 CFR 501.14(b))	13	0.17	2	36.96	82
NPDES Quarterly, Semiannual, and Annual Reports (40 CFR 123.45)	230	25	5,750	36.96	212,520
Annual Sewage Sludge Noncompliance Reports (40 CFR 501.21)	13	84	1,092	36.96	40,360
<b>Total Burden and Costs</b>	<b>19,434</b>		<b>1,013,802</b>		<b>37,470,111</b>

<sup>a</sup> See section 4(c)(iv), Inspection and Investigation of NPDES Permittees.

## 6(b). Estimating Respondent Cost

The cost imposed on the states as respondents to the information requirement discussed in this ICR is a function of the burden placed on them in collecting, compiling, and reporting the information described above and the wages of the typical state worker performing these activities. No respondent capital/startup costs and no operation and maintenance (O&M) costs are associated with this ICR.

A labor rate of \$36.96 an hour was used for all NPDES-authorized state and territory respondent activities defined in this ICR. This rate is based on the mean hourly cost of employment for all occupations, including benefits. This hourly rate was based on the average hourly wage for state and municipal employees as determined by the U.S. Department of Labor. It is based on U.S. Department of Labor, Bureau of Labor Statistics, *Employer Costs for Employee Compensation*, Table 3, "Employer costs per hour worked for employee compensation and costs as a percent of total compensation: state and local government, by selected characteristics, March 2006."

As shown in Exhibit 6, the total respondent cost is \$37,470,111.

## 6(c). Estimating the Agency Burden and Cost

In general, federal government burden and costs arise from reviewing, analyzing, and processing reports and information provided by the states. Section 4(b) of this document details the level of effort expended by the federal government as the recipient and user of this information.

All cost calculations in this ICR account for labor costs only. The hourly labor rate for the federal government is based on an average annual salary for federal employees of \$49,632, which is equivalent to the salary of a GS-9, Step 10, federal employee.<sup>8</sup> At 2,080 hours per year, the hourly wage is \$23.86. Assuming overhead costs of 50 percent, or \$11.93 per hour, the fully loaded cost of employment for a

<sup>8</sup> Source: U.S. Office of Personnel Management, 2006 General Schedule.

federal employee is \$35.79. The hourly rate of \$35.79 was used for all Agency activities defined in this ICR.

Exhibit 7 summarizes the annual burden and cost to the federal government associated with NPDES and sludge requirements on state programs. The annual government burden equals 24,843 hours, and the average annual cost is \$889,120.

#### Exhibit 7. Annual Federal Burden and Costs

Reporting Requirement/Citation	Responses per Year	Hours per Response	Total Hours	Federal Hour Labor Cost (\$/hr)	Total Federal Cost (\$)
<b>State Program Requests</b>					
Request for NPDES Program Authorization (40 CFR Part 123, Subpart B)	0.33	1,248	412	35.79	14,740
Request for NPDES Partial Program Authorization (CWA ' 402(n))	0.33	1,248	412	35.79	14,740
Request for NPDES Program Modification (40 CFR 123.62)	1.33	50	67	35.79	2,380
Request for Program Transfer/Withdrawal (40 CFR 123.63, 123.64, 501.34)	3	240	720	35.79	25,769
Request for Sewage Sludge Program Authorization under 40 CFR Part 501 (40 CFR 501.11)	3	400	1200	35.79	42,948
<b>State Program Implementation</b>					
Report on Compliance Evaluation (40 CFR 123.26(b)(1))	0	0	0	35.79	0
Recordkeeping of NPDES Program Information (40 CFR 123.26(e))	46	0	0	35.79	0
Recordkeeping for Sewage Program Information (40 CFR 501.16)	13	0	0	35.79	0
Inspection and Investigation of NPDES permittees (40 CFR 123.26(b)(2) & (3))	18,805	varies <sup>a</sup>	17,868	35.79	639,478
Certification of EPA-Issued Permits (40 CFR 124.53 & 124.54)	260	0	0	35.79	0
<b>State Program Oversight</b>					
Submittal of NPDES Permit Information (40 CFR 123.43 and 123.44(j))	46	0	0	35.79	0
Submittal of Sewage Sludge Permit Information (40 CFR 501.14(b))	13	0	0	35.79	0
NPDES Quarterly, Semiannual, and Annual Reports (40 CFR 123.45)	230	15	3450	35.79	123,476
Annual Sludge Noncompliance Reports (40 CFR 501.21)	13	55	715	35.79	25,590
<b>Total Burden and Costs</b>	<b>19,434</b>		<b>24,843</b>		<b>889,120</b>

<sup>a</sup> See section 4(c)(iv), Inspection and Investigation of NPDES Permittees.

#### 6(d). Total Burden Hours and Costs

Exhibit 8 displays the total burden (1,038,644 hours) and cost (\$38,359,231) for the respondents and the federal government.

**Exhibit 8. Total Annual Burden and Costs**

Reporting Requirement/Citation	Total Respondent Hours	Total Respondent Cost (\$)	Total Federal Hours	Total Federal Cost (\$)	Total Burden (Hours)	Total Cost (\$)
<b>State Program Requests</b>						
Request for NPDES Program Authorization (40 CFR Part 123, Subpart B)	686	25,369	412	14,740	1,098	40,109
Request for NPDES Partial Program Authorization (CWA ' 402(n))	686	25,369	412	14,740	1,098	40,109
Request for NPDES Program Modification (40 CFR 123.62)	333	12,289	67	2,380	399	14,669
Request for Program Transfer/Withdrawal (40 CFR 123.63, 123.64, 501.34)	1,440	53,222	720	25,769	2,160	78,991
Request for Sewage Sludge Program Authorization under 40 CFR Part 501 (40 CFR 501.11)	2,250	83,160	1,200	42,948	3,450	126,108
<b>State Program Implementation</b>						
Report on Compliance Evaluation (40 CFR 123.26(b)(1))	-	-	-	-	-	-
Recordkeeping of NPDES Program Information (40 CFR 123.26(e))	2,300	85,008	-	-	2,300	85,008
Recordkeeping for Sludge Program Information (40 CFR 501.16)	650	24,024	-	-	650	24,024
Inspection and Investigation of NPDES permittees (40 CFR 123.26(b)(2) & (3))	996,528	36,831,675	17,868	639,478	1,014,396	37,471,153
Certification of EPA-Issued Permits (40 CFR 124.53 & 124.54)	1,040	38,438	-	-	1,040	38,438
<b>State Program Oversight</b>						
Submittal of NPDES Permit Information (40 CFR 123.43 and 123.44(j))	1,044	38,594	-	-	1,044	38,594
Submittal of Sewage Sludge Permit Information (40 CFR 501.14(b))	2	82	-	-	2	82
NPDES Quarterly, Semiannual, and Annual Reports (40 CFR 123.45)	5,750	212,520	3,450	123,476	9,200	335,996
Annual Sewage Sludge Noncompliance Reports (40 CFR 501.21)	1,092	40,360	715	25,590	1,807	65,950
<b>Total Burden and Costs</b>	<b>1,013,802</b>	<b>37,470,111</b>	<b>24,843</b>	<b>889,120</b>	<b>1,038,644</b>	<b>38,359,231</b>

## 6(e). Reasons for Changes in Burden

Exhibit 9 outlines the changes in the respondent burden estimates between the previous NPDES and Sewage Sludge Management State Program Requirements ICR and this revised ICR. The current burden is 966,966 hours. The estimate for this revised ICR is 1,013,802 hours, an increase of 46,836 hours or 4.8 percent over the current inventory. It should be noted that the burden for some of the activities has increased while others have seen their burden decreased; this may be explained by the asymmetrical impact that the changes below may have on each activity:

- EPA's continuous effort to improve the quality of data in its PCS database. This change may reflect more accurate data rather than a significant change in the number of permits actually administered. The total number of permits in PCS has decreased, but the number of major facilities has increased.
- Changes and adjustments in the number and types of permits administered by the states and EPA under the NPDES program. Non-NPDES authorized states continue to apply for NPDES program and sludge program authorization, impacting recordkeeping and reporting, resulting in a shift of burden from federal to state governments.
- The shift toward the use of general permits to cover certain categories of dischargers, reducing the number of standard permits.

**Exhibit 9. Changes in Respondent Burden**

Regulation/Type of Response	Previous ICR (hours)	Revised ICR (hours)	Change	% Change	Change
<b>State Program Requests</b>					
Request for NPDES Program Authorization (40 CFR Part 123, Subpart B)	686	686	0	0%	No change
Request for NPDES Partial Program Authorization (CWA 402(n))	686	686	0	0%	No change
Request for NPDES Program Modification (40 CFR 123.62)	333	333	0	0%	No change
Request for Program Transfer/Withdrawal (40 CFR 123.63, 123.64, 501.34)	1,440	1,440	-	0%	No change
Request for Sewage Sludge Program Authorization under 40 CFR Part 501 (40 CFR 501.11)	2,250	2,250	-	0%	No change
<b>State Program Implementation</b>					
Report on Compliance Evaluation (40 CFR 123.26(b)(1))	-	-	-	-	
Recordkeeping of NPDES Program Information (40 CFR 123.26(e))	2,250	2,300	50	2%	Adjustment
Recordkeeping for Sludge Program Information (40 CFR 501.16)	550	650	100	18%	Adjustment
Inspection and Investigation of NPDES permittees (40 CFR 123.26(b)(2) & (3))	947,897	996,528	48,631	5%	Adjustment
Certification of EPA-Issued Permits (40 CFR 124.53 & 124.54)	3,200	1,040	(2,160)	-68%	Adjustment <sup>a</sup>
<b>State Program Oversight</b>					

Submittal of NPDES Permit Information (40 CFR 123.43 and 123.44(j))	1,125	1,044	(81)	-7%	Adjustment
Submittal of Sewage Sludge Permit Information (40 CFR 501.14(b))	-	2	2	-	Correction
NPDES Quarterly, Semiannual, and Annual Reports (40 CFR 123.45)	5,625	5,750	125	2%	Adjustment
Annual Sewage Sludge Noncompliance Reports (40 CFR 501.21)	924	1,092	168	18%	Adjustment
<b>Totals</b>	<b>966,966</b>	<b>1,013,802</b>	<b>46,836</b>	<b>4.8%</b>	

<sup>a</sup> This change may be the result of more accurate data rather than a significant change in the number of permits actually administered by EPA and certified by the states.

Exhibit 10 outlines the changes in the total burden estimates between the previous *NPDES and Sewage Sludge Management State Program Requirements ICR* and this revised ICR. The total estimate for this ICR is 1,038,644 hours, an increase of 43,862 hours or 4.4 percent over the current inventory. Reasons for the changes are discussed above.

**Exhibit 10. Changes in Total Burden**

Regulation/Type of Response	Previous ICR (hours)	Revised ICR (hours)	Change	% Change	Change
<b>State Program Requests</b>					
Request for NPDES Program Authorization (40 CFR Part 123, Subpart B)	1,098	1,098	0	0%	No Change
Request for NPDES Partial Program Authorization (CWA 402(n))	1,098	1,098	0	0%	No Change
Request for NPDES Program Modification (40 CFR 123.62)	400	399	(1)	0%	Correction
Request for Program Transfer/Withdrawal (40 CFR 123.63, 123.64, 501.34)	2,160	2,160	-	0%	No Change
Request for Sewage Sludge Program Authorization under 40 CFR Part 501 (40 CFR 501.11)	3,450	3,450	-	0%	No Change
<b>State Program Implementation</b>					
Report on Compliance Evaluation (40 CFR 123.26(b)(1))	-	-	-	-	
Recordkeeping of NPDES Program Information (40 CFR 123.26(e))	2,250	2,300	50	2%	Adjustment
Recordkeeping for Sludge Program Information (40 CFR 501.16)	550	650	100	18%	Adjustment
Inspection and investigation of NPDES Permittees (40 CFR 123.26(b)(2) & (3))	968,919	1,014,396	45,477	5%	Adjustment
Certification of EPA-Issued Permits (40 CFR 124.53 & 124.54)	3,200	1,040	(2,160)	-68%	Adjustment <sup>a</sup>
<b>State Program Oversight</b>					
Submittal of NPDES Permit Information (40 CFR 123.43 and 123.44(j))	1,125	1,044	(81)	-7%	Adjustment
Submittal of Sewage Sludge Permit Information (40 CFR 501.14(b))	-	2	2	-	Correction
NPDES Quarterly, Semiannual, and Annual Reports (40 CFR 123.45)	9,000	9,200	200	2%	Adjustment



Annual Sewage Sludge Noncompliance Reports (40 CFR ' 501.21)	1,529	1,807	278	18%	Adjustment
<b>Totals</b>	994,779	1,038,644	43,865	4.4%	

<sup>a</sup> This change may be the result of more accurate data rather than a significant change in the number of permits actually administered by EPA and certified by the states.

## 6(f). Burden Statement

The public reporting and burden for collecting information is estimated to average 1,013,802 hours annually. This estimate includes the time required to review the instructions, search existing data sources, gather and maintain all necessary data, and complete and review the information collected. The respondents are the 618 states, tribes, U.S. territories, and the District of Columbia defined under the NPDES program; the burden per respondent is variable.

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purpose of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15.

To comment on EPA's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, the Agency has established a public docket for this ICR under Docket ID No. EPA-HQ-OW-2006-0139, which is available for public viewing at the Water Docket in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave., NW, Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is 202-566-1744, and the telephone number for the Water Docket is 202-566-2426. An electronic version of the public docket is available through the Federal Docket Management System (FDMS) at <http://www.regulations.gov/>. Use FDMS to submit or view public comments, to access the index listing of the contents of the public docket, and to access documents in the public docket that are available electronically. Once in the system, key in the docket ID number identified above. You can also send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention: Desk Office for EPA. Please include the EPA Docket ID No. EPA-HQ-OW-2006-0139 and OMB control number 2040-0057 in any correspondence.

## Attachment 1. Indian Tribal Entities Within the Contiguous 48 States Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs

This table lists Federally Recognized American Indian Tribes in the contiguous 48 states and in Alaska at the end of fiscal year 2005. The listed entities are acknowledged to have the immunities and privileges available to federally acknowledged Indian tribes by virtue of their government-to-government relationship with the United States, as well as the responsibilities, powers, limitations, and obligations of such tribes. (Source: Bureau of Indian Affairs, *2005 BIA Performance and Accountability Report*, [http://www.doi.gov/bia/BIA\\_PAR\\_2005\\_FINAL\\_02242006\\_web.pdf](http://www.doi.gov/bia/BIA_PAR_2005_FINAL_02242006_web.pdf))

Contiguous 48 States
Absentee-Shawnee Tribe of Indians of Oklahoma
Agua Caliente Band of Cahuilla Indians of the Agua Caliente Indian Reservation, California
Ak Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation, Arizona
Alabama-Coushatta Tribes of Texas
Alabama-Quassarte Tribal Town, Oklahoma
Alturas Indian Rancheria, California
Apache Tribe of Oklahoma
Arapahoe Tribe of the Wind River Reservation, Wyoming
Aroostook Band of Micmac Indians of Maine
Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation, Montana
Augustine Band of Cahuilla Mission Indians of the Augustine Reservation, California
River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Wisconsin
Bay Mills Indian Community of the Sault Ste. Marie Band of Chippewa Indians, Bay Mills Reservation, Michigan
Bear River Band of the Rohnerville Rancheria, California
Berry Creek Rancheria of Maidu Indians of California
Big Lagoon Rancheria, California
Big Pine Band of Owens Valley Paiute Shoshone Indians of the Big Pine Reservation, California
Big Sandy Rancheria of Mono Indians of California
Big Valley Band of Pomo Indians of the Big Valley Rancheria, California
Blackfeet Tribe of the Blackfeet Indian Reservation of Montana
Blue Lake Rancheria, California
Bridgeport Paiute Indian Colony of California
Buena Vista Rancheria of Me-Wuk Indians of California
Burns Paiute Tribe of the Burns Paiute Indian Colony of Oregon
Cabazon Band of Cahuilla Mission Indians of the Cabazon Reservation, California
Cachil DeHe Band of Wintun Indians of the Colusa Indian Community of the Colusa Rancheria, California
Caddo Indian Tribe of Oklahoma
Cahuilla Band of Mission Indians of the Cahuilla Reservation, California
Cahto Indian Tribe of the Laytonville Rancheria, California
Campo Band of Diegueno Mission Indians of the Campo Indian Reservation, California
Capitan Grande Band of Diegueno Mission Indians of California
Barona Group of Capitan Grande Band of Mission Indians of the Barona Reservation, California
Viejas (Baron Long) Group of Capitan Grande Band of Mission Indians of the Viejas Reservation, California

Catawba Indian Nation (aka Catawba Tribe of South Carolina)
Cayuga Nation of New York
Cedarville Rancheria, California
Chemehuevi Indian Tribe of the Chemehuevi Reservation, California
Cher-Ae Heights Indian Community of the Trinidad Rancheria, California
Cherokee Nation of Oklahoma
Cheyenne-Arapaho Tribes of Oklahoma
Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota
Chickasaw Nation, Oklahoma
Chicken Ranch Rancheria of Me-Wuk Indians of California
Chippewa-Cree Indians of the Rocky Boy's Reservation, Montana
Chitimacha Tribe of Louisiana
Choctaw Nation of Oklahoma
Citizen Potawatomi Nation, Oklahoma
Cloverdale Rancheria of Pomo Indians of California
Cocopah Tribe of Arizona
Coeur D'Alene Tribe of the Coeur D'Alene Reservation, Idaho
Cold Springs Rancheria of Mono Indians of California
Colorado River Indian Tribes of the Colorado River Indian Reservation, Arizona and California
Comanche Indian Tribe, Oklahoma
Confederated Salish & Kootenai Tribes of the Flathead Reservation, Montana
Confederated Tribes of the Chehalis Reservation, Washington
Confederated Tribes of the Colville Reservation, Washington
Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians of Oregon
Confederated Tribes of the Goshute Reservation, Nevada and Utah
Confederated Tribes of the Grand Ronde Community of Oregon
Confederated Tribes of the Siletz Reservation, Oregon
Confederated Tribes of the Umatilla Reservation, Oregon
Confederated Tribes of the Warm Springs Reservation of Oregon
Confederated Tribes and Bands of the Yakama Indian Nation of the Yakama Reservation, Washington
Coquille Tribe of Oregon
Cortina Indian Rancheria of Wintun Indians of California
Coushatta Tribe of Louisiana
Cow Creek Band of Umpqua Indians of Oregon
Coyote Valley Band of Pomo Indians of California
Crow Tribe of Montana
Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota
Cuyapaipe Community of Diegueno Mission Indians of the Cuyapaipe Reservation, California
Death Valley Timbi-Sha Shoshone Band of California
Delaware Tribe of Western Oklahoma
Dry Creek Rancheria of Pomo Indians of California
Duckwater Shoshone Tribe of the Duckwater Reservation, Nevada
Estern Band of Cherokee Indians of North Carolina
Eastern Shawnee Tribe of Oklahoma
Elem Indian Colony of Pomo Indians of the Sulphur Bank Rancheria, California
Elk Valley Rancheria, California
Ely Shoshone Tribe of Nevada
Enterprise Rancheria of Maidu Indians of California

Flandreau Santee Sioux Tribe of South Dakota
Forest County Potawatomi Community of Wisconsin Potawatomi Indians, Wisconsin
Fort Belknap Indian Community of the Fort Belknap Reservation of Montana
Fort Bidwell Indian Community of the Fort Bidwell Reservation of California
Fort Independence Indian Community of Paiute Indians of the Fort Independence Reservation, California
Fort McDermitt Paiute and Shoshone Tribes of the Fort McDermitt Indian Reservation, Nevada and Oregon
Fort McDowell Mohave-Apache Community of the Fort McDowell Indian Reservation, Arizona
Fort Mojave Indian Tribe of Arizona, California & Nevada
Fort Sill Apache Tribe of Oklahoma
Gila River Indian Community of the Gila River Indian Reservation, Arizona
Grand Traverse Band of Ottawa & Chippewa Indians of Michigan
Greenville Rancheria of Maidu Indians of California
Grindstone Indian Rancheria of Wintun-Wailaki Indians of California
Guidiville Rancheria of California
Graton Rancheria
Hannahville Indian Community of Wisconsin
Havasupai Tribe of the Havasupai Reservation, Arizona
Ho-Chunk Nation of Wisconsin (formerly known as the Wisconsin Winnebago Tribe)
Hoh Indian Tribe of the Hoh Indian Reservation, Washington
Hoopa Valley Tribe, California
Hopi Tribe of Arizona
Hopland Band of Pomo Indians of the Hopland Rancheria, California
Houlton Band of Maliseet Indians of Maine
Hualapai Indian Tribe of the Hualapai Indian Reservation, Arizona
Huron Potawatomi, Inc., Michigan
Inaja Band of Diegueno Mission Indians of the Inaja and Cosmit Reservation, California
Ione Band of Miwok Indians of California
Iowa Tribe of Kansas and Nebraska
Iowa Tribe of Oklahoma
Jackson Rancheria of Me-Wuk Indians of California
Jamestown S'Klallam Tribe of Washington
Jamul Indian Village of California
Jena Band of Choctaw Indians, Louisiana
Jicarilla Apache Tribe of the Jicarilla Apache Indian Reservation, New Mexico
Kaibab Band of Paiute Indians of the Kaibab Indian Reservation, Arizona
Kalispel Indian Community of the Kalispel Reservation, Washington
Karuk Tribe of California
Kashia Band of Pomo Indians of the Stewarts Point Rancheria, California
Kaw Nation, Oklahoma
Keweenaw Bay Indian Community of L'Anse and Ontonagon Bands of Chippewa Indians of the L'Anse Reservation, Michigan
Kialegee Tribal Town, Oklahoma
Kickapoo Tribe of Indians of the Kickapoo Reservation in Kansas
Kickapoo Tribe of Oklahoma

Kickapoo Traditional Tribe of Texas
Kiowa Indian Tribe of Oklahoma
Klamath Indian Tribe of Oregon
Kootenai Tribe of Idaho
LA Jolla Band of Luiseno Mission Indians of the La Jolla Reservation, California
La Posta Band of Diegueno Mission Indians of the La Posta Indian Reservation, California
Lac Courte Oreilles Band of Lake Superior Chippewa Indians of the Lac Courte Oreilles Reservation of Wisconsin
Lac du Flambeau Band of Lake Superior Chippewa Indians of the Lac du Flambeau Reservation of Wisconsin
Lac Vieux Desert Band of Lake Superior Chippewa Indians of Michigan
Las Vegas Tribe of Paiute Indians of the Las Vegas Indian Colony, Nevada
Little River Band of Ottawa Indians of Michigan
Little Traverse Bay Bands of Odawa Indians of Michigan
Los Coyotes Band of Cahuilla Mission Indians of the Los Coyotes Reservation, California
Lovelock Paiute Tribe of the Lovelock Indian Colony, Nevada
Lower Brule Sioux Tribe of the Lower Brule Reservation, South Dakota
Lower Elwha Tribal Community of the Lower Elwha Reservation, Washington
Lower Lake, California
Lower Sioux Indian Community of Minnesota Mdewakanton Sioux Indians of the Lower Sioux Reservation in Minnesota
Lummi Tribe of the Lummi Reservation, Washington
Lytton Rancheria of California
Makah Indian Tribe of the Makah Indian Reservation, Washington
Manchester Band of Pomo Indians of the Manchester-Point Arena Rancheria, California
Manzanita Band of Diegueno Mission Indians of the Manzanita Reservation, California
Mashantucket Pequot Tribe of Connecticut
Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians of Michigan (Gun Lake Band)
Mechoopda Indian Tribe of Chico Rancheria, California
Menominee Indian Tribe of Wisconsin
Mesa Grande Band of Diegueno Mission Indians of the Mesa Grande Reservation, California
Mescalero Apache Tribe of the Mescalero Reservation, New Mexico
Miami Tribe of Oklahoma
Miccosukee Tribe of Indians of Florida
Middletown Rancheria of Pomo Indians of California
Minnesota Chippewa Tribe, Minnesota (Six component reservations): Bois Forte Band (Nett Lake); Fond du Lac Band; Grand Portage Band; Leech Lake Band; Mille Lacs Band; White Earth Band
Mississippi Band of Choctaw Indians, Mississippi
Moapa Band of Paiute Indians of the Moapa River Indian Reservation, Nevada
Modoc Tribe of Oklahoma
Mohegan Indian Tribe of Connecticut
Mooretown Rancheria of Maidu Indians of California
Morongo Band of Cahuilla Mission Indians of the Morongo Reservation, California
Muckleshoot Indian Tribe of the Muckleshoot Reservation, Washington
Muscogee (Creek) Nation, Oklahoma
Narragansett Indian Tribe of Rhode Island
Navajo Nation of Arizona, New Mexico & UTA
Nez Perce Tribe of Idaho
Nisqually Indian Tribe of the Nisqually Reservation, Washington

Nooksack Indian Tribe of Washington
Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana
Northfork Rancheria of Mono Indians of California
Northwestern Band of Shoshoni Nation of Utah (Washakie)
Oglala Sioux Tribe of the Pine Ridge Reservation, South Dakota
Omaha Tribe of Nebraska
Oneida Nation of New York
Oneida Tribe of Wisconsin
Onondaga Nation of New York
Osage Tribe, Oklahoma
Ottawa Tribe of Oklahoma
Otoe-Missouria Tribe of Indians, Oklahoma
Paiute Indian Tribe of Utah
Paiute-Shoshone Indians of the Bishop Community of the Bishop Colony, California
Paiute-Shoshone Tribe of the Fallon Reservation and Colony, Nevada
Paiute-Shoshone Indians of the Lone Pine Community of the Lone Pine Reservation, California
Pala Band of Luiseno Mission Indians of the Pala Reservation, California
Pascua Yaqui Tribe of Arizona
Paskenta Band of Nomlaki Indians of California
Passamaquoddy Tribe of Maine
Pauma Band of Luiseno Mission Indians of the Pauma & Yuima Reservation, California
Pawnee Nation of Oklahoma
Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation, California
Penobscot Tribe of Maine
Peoria Tribe of Indians of Oklahoma
Picayune Rancheria of Chukchansi Indians of California
Pinoleville Rancheria of Pomo Indians of California
Pit River Tribe, California (includes Big Bend, Lookout, Montgomery Creek & Roaring Creek Rancherias & XL Ranch)
Poarch Band of Creek Indians of Alabama
Pokagon Band of Potawatomi Indians of Michigan
Ponca Tribe of Indians of Oklahoma
Ponca Tribe of Nebraska
Port Gamble Indian Community of the Port Gamble Reservation, Washington
Potawatomie Indians of Michigan
Potter Valley Rancheria of Pomo Indians of California
Prairie Band of Potawatomi Indians, Kansas
Prairie Island Indian Community of Minnesota Mdewakanton Sioux Indians of the Prairie Island Reservation, Minnesota
Pueblo of Acoma, New Mexico
Pueblo of Cochiti, New Mexico
Pueblo of Jemez, New Mexico
Pueblo of Isleta, New Mexico
Pueblo of Laguna, New Mexico
Pueblo of Nambe, New Mexico
Pueblo of Picuris, New Mexico
Pueblo of Pojoaque, New Mexico
Pueblo of San Felipe, New Mexico
Pueblo of San Juan, New Mexico

Pueblo of San Ildefonso, New Mexico
Pueblo of Sandia, New Mexico
Pueblo of Santa Ana, New Mexico
Pueblo of Santa Clara, New Mexico
Pueblo of Santo Domingo, New Mexico
Pueblo of Taos, New Mexico
Pueblo of Tesuque, New Mexico
Pueblo of Zia, New Mexico
Puyallup Tribe of the Puyallup Reservation, Washington
Pyramid Lake Paiute Tribe of the Pyramid Lake Reservation, Nevada
Quapaw Tribe of Indians, Oklahoma
Quartz Valley Indian Community of the Quartz Valley Reservation of California
Quechan Tribe of the Fort Yuma Indian Reservation, California & Arizona
Quileute Tribe of the Quileute Reservation, Washington
Quinault Tribe of the Quinault Reservation, Washington
Ramona Band or Village of Cahuilla Mission Indians of California
Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin
Red Lake Band of Chippewa Indians of the Red Lake Reservation, Minnesota
Redding Rancheria, California
Redwood Valley Rancheria of Pomo Indians of California
Reno-Sparks Indian Colony, Nevada
Resighini Rancheria, California (formerly known as the Coast Indian Community of Yurok Indians of the Resighini Rancheria)
Rincon Band of Luiseno Mission Indians of the Rincon Reservation, California
Robinson Rancheria of Pomo Indians of California
Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota
Round Valley Indian Tribes of the Round Valley Reservation, California (formerly known as the Covelo Indian Community)
Rumsey Indian Rancheria of Wintun Indians of California
Sac & Fox Tribe of the Mississippi in Iowa
Sac & Fox Nation of Missouri in Kansas and Nebraska
Sac & Fox Nation, Oklahoma
Saginaw Chippewa Indian Tribe of Michigan, Isabella Reservation
Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona
Samish Indian Tribe, Washington
San Carlos Apache Tribe of the San Carlos Reservation, Arizona
San Juan Southern Paiute Tribe of Arizona
San Manuel Band of Serrano Mission Indians of the San Manuel Reservation, California
San Pasqual Band of Diegueno Mission Indians of California
Santa Rosa Indian Community of the Santa Rosa Rancheria, California
Santa Rosa Band of Cahuilla Mission Indians of the Santa Rosa Reservation, California
Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation, California
Santa Ysabel Band of Diegueno Mission Indians of the Santa Ysabel Reservation, California
Santee Sioux Tribe of the Santee Reservation of Nebraska
Sauk-Suiattle Indian Tribe of Washington
Sault Ste. Marie Tribe of Chippewa Indians of Michigan
Scotts Valley Band of Pomo Indians of California
Seminole Nation of Oklahoma

Seminole Tribe of Florida, Dania, Big Cypress, Brighton, Hollywood & Tampa Reservations
Seneca Nation of New York
Seneca-Cayuga Tribe of Oklahoma
Shakopee Mdewakanton Sioux Community of Minnesota (Prior Lake)
Shawnee Tribe of Oklahoma
Sheep Ranch Rancheria of Me-Wuk Indians of California
Sherwood Valley Rancheria of Pomo Indians of California
Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria (Verona Tract), California
Shoalwater Bay Tribe of the Shoalwater Bay Indian Reservation, Washington
Shoshone Tribe of the Wind River Reservation, Wyoming
Shoshone-Bannock Tribes of the Fort Hall Reservation of Idaho
Shoshone-Paiute Tribes of the Duck Valley Reservation, Nevada
Sisseton-Wahpeton Sioux Tribe of the Lake Traverse Reservation, South Dakota
Skokomish Indian Tribe of the Skokomish Reservation, Washington
Skull Valley Band of Goshute Indians of Utah
Smith River Rancheria, California
Snoqualmie Tribe, Washington
Soboba Band of Luiseno Mission Indians of the Soboba Reservation, California
Sokaogon Chippewa Community of the Mole Lake Band of Chippewa Indians, Wisconsin
Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado
Spirit Lake Tribe, North Dakota (formerly known as the Devils Lake Sioux Tribe)
Spokane Tribe of the Spokane Reservation, Washington
Squaxin Island Tribe of the Squaxin Island Reservation, Washington
St. Croix Chippewa Indians of Wisconsin, St. Croix Reservation
St. Regis Band of Mohawk Indians of New York
Standing Rock Sioux Tribe of North & South Dakota
Stockbridge-Munsee Community of Mohican Indians of Wisconsin
Stillaguamish Tribe of Washington
Summit Lake Paiute Tribe of Nevada
Suquamish Indian Tribe of the Port Madison Reservation, Washington
Susanville Indian Rancheria, California
Swinomish Indians of the Swinomish Reservation, Washington
Sycuan Band of Diegueno Mission Indians of California
Table Bluff Reservation - Wiyot Tribe, California
Table Mountain Rancheria of California
Te-Moak Tribes of Western Shoshone Indians of Nevada (Four constituent bands: Battle Mountain Band; South Fork Band and Wells Band)
Thlopthlocco Tribal Town, Oklahoma
Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota
Tohono O'odham Nation of Arizona
Tonawanda Band of Seneca Indians of New York
Tonkawa Tribe of Indians of Oklahoma
Tonto Apache Tribe of Arizona
Torres-Martinez Band of Cahuilla Mission Indians of California
Tule River Indian Tribe of the Tule River Reservation, California
Tulalip Tribes of the Tulalip Reservation, Washington
Tunica-Biloxi Indian Tribe of Louisiana
Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California
Turtle Mountain Band of Chippewa Indians of North Dakota



Tuscarora Nation of New York
Twenty-Nine Palms Band of Luiseno Mission Indians of California
United Auburn Indian Community of the Auburn Rancheria of California
United Keetoowah Band of Cherokee Indians of Oklahoma
Upper Lake Band of Pomo Indians of Upper Lake Rancheria of California
Upper Sioux Indian Community of the Upper Sioux Reservation, Minnesota
Upper Skagit Indian Tribe of Washington
Ute Indian Tribe of the Uintah & Ouray Reservation, Utah
Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico & Utah
Utu Utu Gwaitu Paiute Tribe of the Benton Paiute Reservation, California
Walker River Paiute Tribe of the Walker River Reservation, Nevada
Wampanoag Tribe of Gay Head (Aquinnah) of Massachusetts
Washoe Tribe of Nevada & California (Carson Colony, Dresslerville Colony, Woodfords Community, Stewart Community, & Washoe Ranches)
White Mountain Apache Tribe of the Fort Apache Reservation, Arizona
Wichita and Affiliated Tribes (Wichita, Keechi, Waco & Tawakonie), Oklahoma
Winnebago Tribe of Nebraska
Winnemucca Indian Colony of Nevada
Wyandotte Tribe of Oklahoma
Yankton Sioux Tribe of South Dakota
Yavapai-Apache Nation of the Camp Verde Indian Reservation, Arizona
Yavapai-Prescott Tribe of the Yavapai Reservation, Arizona
Yerington Paiute Tribe of the Yerington Colony & Campbell Ranch, Nevada
Yomba Shoshone Tribe of the Yomba Reservation, Nevada
Ysleta Del Sur Pueblo of Texas
Yurok Tribe of the Yurok Reservation, California
Zuni Tribe of the Zuni Reservation, New Mexico
<b>Alaska</b>
Village of Afognak
Native Village of Akhiok
Akiachak Native Community
Akiak Native Community
Native Village of Akutan
Village of Alakanuk
Alatna Village
Native Village of Aleknagik
Algaaciq Native Village (St. Mary's)
Allakaket Village
Native Village of Ambler
Village of Anaktuvuk Pass
Yupiit of Andreafski
Angoon Community Association
Village of Aniak
Anvik Village
Arctic Village (See Native Village of Venetie Tribal Government)

Native Village of Atka
Asa'carsarmiut Tribe (formerly Native Village of Mountain Village)
Atqasuk Village (Atkasook)
Village of Atmautluak
Native Village of Barrow Inupiat Traditional Government (formerly Native Village of Barrow)
Beaver Village
Native Village of Belkofski
Village of Bill Moore's Slough
Birch Creek Village
Native Village of Brevig Mission
Native Village of Buckland
Native Village of Cantwell
Native Village of Chanega (aka Chenega)
Chalkyitsik Village
Village of Chefornak
Chevak Native Village
Chickaloon Native Village
Native Village of Chignik
Native Village of Chignik Lagoon
Chignik Lake Village
Chilkat Indian Village (Kluckwan)
Chilkoot Indian Association (Haines)
Chinik Eskimo Community (Golovin)
Native Village of Chistochina
Native Village of Chitina
Native Village of Chuathbaluk (Russian Mission, Kuskokwim)
Chuloonawick Native Village
Circle Native Community
Village of Clark's Point
Native Village of Council
Craig Community Association
Village of Crooked Creek
Curyung Tribal Council (formerly Native Village of Dillingham)
Native Village of Deering
Native Village of Diomedede (aka Inalik)
Village of Dot Lake
Douglas Indian Association
Native Village of Eagle
Native Village of Eek
Egegik Village
Eklutna Native Village
Native Village of Ekuk
Ekwok Village
Native Village of Elim
Emmonak Village
Evansville Village (aka Bettles Field)
Native Village of Eyak (Cordova)
Native Village of False Pass
Native Village of Fort Yukon
Native Village of Gakona

Galena Village (aka Louden Village)
Native Village of Gambell
Native Village of Georgetown
Native Village of Goodnews Bay
Organized Village of Grayling (aka Holikachuk)
Gulkana Village
Native Village of Hamilton
Healy Lake Village
Holy Cross Village
Hoonah Indian Association
Native Village of Hooper Bay
Hughes Village
Huslia Village
Hydaburg Cooperative Association
Igiugig Village
Village of Iliamna
Inupiat Community of the Arctic Slope
Iqurmuit Traditional Council (formerly Native Village of Russian Mission)
Ivanoff Bay Village
Kaguyak Village
Organized Village of Kake
Kaktovik Village (aka Barter Island)
Village of Kalskag
Village of Kaltag
Native Village of Kanatak
Native Village of Karluk
Organized Village of Kasaan
Native Village of Kasigluk
Kenaitze Indian Tribe
Ketchikan Indian Corporation
Native Village of Kiana
Agdaagux Tribe of King Cove
King Island Native Community
King Salmon Tribe
Native Village of Kipnuk
Native Village of Kivalina
Klawock Cooperative Association
Native Village of Kluti Kaah (aka Copper Center)
Knik Tribe
Native Village of Kobuk
Kokhanok Village
New Koliganek Village Council (formerly Koliganek Village)
Native Village of Kongiganak
Village of Kotlik
Native Village of Kotzebue
Native Village of Koyuk
Koyukuk Native Village
Organized Village of Kwethluk
Native Village of Kwigillingok
Native Village of Kwinhagak (aka Quinhagak)

Native Village of Larsen Bay
Levelock Village
Lesnoi Village (aka Woody Island)
Lime Village
Village of Lower Kalskag
Manley Hot Springs Village
Manokotak Village
Native Village of Marshall (aka Fortuna Ledge)
Native Village of Mary's Igloo
McGrath Native Village
Native Village of Mekoryuk
Mentasta Traditional Council (formerly Mentasta Lake Village)
Metlakatla Indian Community, Annette Island Reserve
Native Village of Minto
Naknek Native Village
Native Village of Nanwalek (aka English Bay)
Native Village of Napaimute
Native Village of Napakiak
Native Village of Napaskiak
Native Village of Nelson Lagoon
Nenana Native Association
New Stuyahok Village
Newhalen Village
Newtok Village
Native Village of Nightmute
Nikolai Village
Native Village of Nikolski
Ninilchik Village
Native Village of Noatak
Nome Eskimo Community
Nondalton Village
Noorvik Native Community
Northway Village
Native Village of Nuiqsut (aka Nooiksut)
Nulato Village
Nunakauyarmiut Tribe (formerly the Native Village of Toksook Bay)
Native Village of Nunapitchuk
Village of Ohogamiut
Village of Old Harbor
Orutsararmuit Native Village (aka Bethel)
Oscarville Traditional Village
Native Village of Ouzinkie
Native Village of Paimiut
Pauloff Harbor Village
Pedro Bay Village
Native Village of Perryville
Petersburg Indian Association
Native Village of Pilot Point
Pilot Station Traditional Village
Native Village of Pitka's Point

Platinum Traditional Village
Native Village of Point Hope
Native Village of Point Lay
Native Village of Port Graham
Native Village of Port Heiden
Native Village of Port Lions
Portage Creek Village (aka Ohgsenakale)
Pribilof Islands Aleut Communities of St. Paul & St. George Islands
Qagan Toyagungin Tribe of Sand Point Village
Rampart Village
Village of Red Devil
Native Village of Ruby
Village of Salamatoff
Organized Village of Saxman
Native Village of Savoonga
Saint George (See Pribilof Islands Aleut Communities of St. Paul & St. George Islands)
Native Village of Saint Michael
Saint Paul (See Pribilof Islands Aleut Communities of St. Paul & St. George Islands)
Native Village of Scammon Bay
Native Village of Selawik
Seldovia Village Tribe
Shageluk Native Village
Native Village of Shaktoolik
Native Village of Sheldon's Point
Native Village of Shishmaref
Shoonaq Tribe of Kodiak
Native Village of Shungnak
Sitka Tribe of Alaska
Skagway Village
Village of Sleetmute
Village of Solomon
South Naknek Village
Stebbins Community Association
Native Village of Stevens
Village of Stony River
Takotna Village
Native Village of Tanacross
Native Village of Tanana
Native Village of Tatitlek
Native Village of Tazlina
Telida Village
Native Village of Teller
Native Village of Tetlin
Central Council of the Tlingit & Haida Indian Tribes
Traditional Village of Togiak
Tuluksak Native Community
Native Village of Tuntutuliak
Native Village of Tununak
Twin Hills Village
Native Village of Tyonek

Ugashik Village
Umkumiute Native Village
Native Village of Unalakleet
Qawalangin Tribe of Unalaska
Native Village of Unga
Village of Venetie (See Native Village of Venetie Tribal Government)
Native Village of Venetie Tribal Government (Arctic Village and Village of Venetie)
Village of Wainwright
Native Village of Wales
Native Village of White Mountain
Wrangell Cooperative Association
Yakutat Tlingit Tribe

## Attachment 2. NPDES/Sludge Program Status of State, Tribes, and U.S. Territories

State	Approved State NPDES Permit Program	Approved to Regulate Federal Facilities	Approved State Pretreatment Program	Approved General Permits Program	Approved Biosolids (Sludge) Program
Alabama	✓	✓	✓	✓	
Alaska					
American Samoa					
Arizona	✓	✓	✓	✓	✓
Arkansas	✓	✓	✓	✓	
California	✓	✓	✓	✓	
Colorado	✓			✓	
Connecticut	✓	✓	✓	✓	
Delaware	✓			✓	
District of Columbia					
Florida	✓	✓	✓	✓	
Georgia	✓	✓	✓	✓	
Guam					
Hawaii	✓	✓	✓	✓	
Idaho					
Illinois	✓	✓		✓	
Indiana	✓	✓		✓	
Iowa	✓	✓	✓	✓	
Johnston Atoll					
Kansas	✓	✓		✓	
Kentucky	✓	✓	✓	✓	
Louisiana	✓	✓	✓	✓	
Maine	✓	✓	✓	✓	
Maryland	✓	✓	✓	✓	
Massachusetts					
Michigan	✓	✓	✓	✓	
Midway Island					
Minnesota	✓	✓	✓	✓	
Mississippi	✓	✓	✓	✓	
Missouri	✓	✓	✓	✓	
Montana	✓	✓		✓	
Nebraska	✓	✓	✓	✓	
Nevada	✓	✓		✓	
New Hampshire					
New Jersey	✓	✓	✓	✓	
New Mexico					
New York	✓	✓		✓	
North Carolina	✓	✓	✓	✓	
North Dakota	✓	✓	✓	✓	
Northern Mariana Islands					
Ohio	✓	✓	✓	✓	✓
Oklahoma	✓	✓	✓	✓	✓
Oregon	✓	✓	✓	✓	
Pennsylvania	✓	✓		✓	
Puerto Rico					

Rhode Island	✓	✓	✓	✓	
South Carolina	✓	✓	✓	✓	
South Dakota	✓	✓	✓	✓	✓
Tennessee	✓	✓	✓	✓	
Texas	✓	✓	✓	✓	✓
Trust Territories					
Utah	✓	✓	✓	✓	✓
Vermont	✓		✓	✓	
Virgin Islands	✓				
Virginia	✓	✓	✓	✓	
Wake Island					
Washington	✓		✓	✓	
West Virginia	✓	✓	✓	✓	
Wisconsin	✓	✓	✓	✓	✓
Wyoming	✓	✓		✓	

Source:

[http://cfpub.epa.gov/npdes/statestats.cfm?program\\_id=45&view=specific](http://cfpub.epa.gov/npdes/statestats.cfm?program_id=45&view=specific). Accessed 07/24/2006.