

§ 130.12

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pursuant to the provisions of 40 CFR part 35, subpart J. A State may also use part of the 205(g) funds to administer approved permit programs under sections 402 and 404, to administer a statewide waste treatment management program under section 208(b)(4) and to manage waste treatment construction grants for small communities.

(c) Grant work programs for water quality planning and management shall describe geographic and functional priorities for use of grant funds in a manner which will facilitate EPA review of the grant application and subsequent evaluation of work accomplished with the grant funds. A State's 305(b) Report, WQM plan and other water quality assessments shall identify the State's priority water quality problems and areas. The WQM plan shall contain an analysis of alternative control measures and recommendations to control specific problems. Work programs shall specify the activities to be carried out during the period of the grant; the cost of specific activities; the outputs, for example, permits issued, intensive surveys, wasteload allocations, to be produced by each activity; and where applicable, schedules indicating when activities are to be completed.

(d) State work programs under sections 106, 205(j) and 205(g) shall be coordinated in a manner which indicates the funding from these grants dedicated to major functions, such as permitting, enforcement, monitoring, planning and standards, nonpoint source implementation, management of construction grants, operation and maintenance of treatment works, ground-water, emergency response and program management. States shall also describe how the activities funded by these grants are used in a coordinated manner to address the priority water quality problems identified in the State's water quality assessment under section 305(b).

(e) EPA, States, areawide agencies, interstate agencies, local and Regional governments, and designated management agencies (DMAs) are joint participants in the water pollution control program. States may enter into contractual arrangements or inter-

governmental agreements with other agencies concerning the performance of water quality planning and management tasks. Such arrangements shall reflect the capabilities of the respective agencies and shall efficiently utilize available funds and funding eligibilities to meet Federal requirements commensurate with State and local priorities. State work programs under section 205(j) shall be developed jointly with local, Regional and other comprehensive planning organizations.

EFFECTIVE DATE NOTE: At 65 FR 43662, July 13, 2000, §130.11 was redesignated as §130.62, effective 30 days after the date that Congress allows EPA to implement this regulation. At 66 FR 53048, Oct. 18, 2001 this amendment was made effective April 30, 2003.

§ 130.12 Coordination with other programs.

(a) Relationship to the National Pollutant Discharge Elimination System (NPDES) program. In accordance with section 208(e) of the Act, no NPDES permit may be issued which is in conflict with an approved Water Quality Management (WQM) plan. Where a State has assumed responsibility for the administration of the permit program under section 402, it shall assure consistency with the WQM plan.

(b) Relationship to the municipal construction grants program. In accordance with sections 205(j), 216 and 303(e)(3)(H) of the Act, each State shall develop a system for setting priorities for funding construction of municipal wastewater treatment facilities under section 201 of the Act. The State, or the agency to which the State has delegated WQM planning functions, shall review each facility plan in its area for consistency with the approved WQM plan. Under section 208(d) of the Act, after a waste treatment management agency has been designated and a WQM plan approved, section 201 construction grant funds may be awarded only to those agencies for construction of treatment works in conformity with the approved WQM plan.

(c) Relationship to Federal activities—Each department, agency or instrumentality of the executive, legislative and judicial branches of the Federal Government having jurisdiction

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over any property or facility or engaged in any activity resulting, or which may result, in the discharge or runoff of pollutants shall comply with all Federal, State, interstate and local requirements, administrative authority, and process and sanctions respecting the control and abatement of water pollution in the same manner and extent as any non-governmental entity in accordance with section 313 of the CWA.

EFFECTIVE DATE NOTE: At 65 FR 43662, July 13, 2000, §130.12 was redesignated as §130.63, effective 30 days after the date that Congress allows EPA to implement this regulation. At 66 FR 53048, Oct. 18, 2001 this amendment was made effective April 30, 2003.

§ 130.15 Processing application for Indian tribes.

The Regional Administrator shall process an application of an Indian Tribe submitted under §130.6(d) in a timely manner. He shall promptly notify the Indian Tribe of receipt of the application.

[54 FR 14360, Apr. 11, 1989, as amended at 59 FR 13818, Mar. 23, 1994]

EFFECTIVE DATE NOTE: At 65 FR 43662, July 13, 2000, §130.15 was redesignated as §130.64, and at 65 FR 43670, July 13, 2000, newly redesignated §130.64 was revised, effective 30 days after the date that Congress allows EPA to implement this regulation. At 66 FR 53048, Oct. 18, 2001 these amendments were made effective April 30, 2003. For the convenience of the user, the revised text is set forth as follows:

§ 130.64 Processing application for Indian Tribes

The Regional Administrator shall process an application of an Indian Tribe submitted under §130.51(d) in a timely manner. He shall promptly notify the Indian Tribe of receipt of the application.

Subpart C—Identifying Impaired Waterbodies And Establishing Total Maximum Daily Loads (TMDLs)

WHAT THIS SUBPART COVERS

Sec.

130.20 Who must comply with subpart C of this part?

130.21 What is the purpose of this subpart?

LISTING IMPAIRED WATERBODIES, AND DOCUMENTING YOUR METHODOLOGY FOR MAKING LISTING DECISIONS

130.22 What data and information do you need to assemble and consider to identify and list impaired waterbodies?

130.23 How do you develop and document your methodology for considering and evaluating all existing and readily available data and information to develop your list?

130.24 When must you provide your methodology to EPA?

130.25 What is the scope of your list of impaired waterbodies?

130.26 How do you apply your water quality standards antidegradation policy to the listing of impaired waterbodies?

130.27 How must you format your list of impaired waterbodies?

130.28 What must your prioritized schedule for submitting TMDLs to EPA contain?

130.29 Can you modify your list?

130.30 When must you submit your list of impaired waterbodies to EPA and what will EPA do with it?

ESTABLISHMENT AND EPA REVIEW OF TMDLS

130.31 Which waterbodies need TMDLs?

130.32 What are the minimum elements of a TMDL submitted to EPA?

130.33 How are TMDLs expressed?

130.34 What actions must EPA take on TMDLs that are submitted for review?

130.35 How will EPA assure that TMDLs are established?

PUBLIC PARTICIPATION

130.36 What public participation requirements apply to your lists and TMDLs?

TMDLS ESTABLISHED DURING THE TRANSITION

130.37 What is the effect of this rule on TMDLs established during the transition?

SOURCE: 65 FR 43664, July 13, 2000, unless otherwise noted.

EFFECTIVE DATE NOTE: At 65 FR 43664, July 13, 2000, Subpart C was added consisting of §§130.20 through 130.37, effective 30 days after the date that Congress allows EPA to implement this regulation. At 66 FR 53048, Oct. 18, 2001 this amendment was made effective April 30, 2003.