



Association of
Metropolitan
Sewerage Agencies

January 27, 2003

Water Docket
Docket ID No. OW-2002-0037
U.S. Environmental Protection Agency
Mailcode: 4010T
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Re: *Withdrawal of Revisions to the Water Quality Planning and Management
Regulation and Accompanying NPDES Program Revisions, 67 Fed. Reg. 79,020
(Dec. 27, 2002)*

Dear Sir or Madam:

The Association of Metropolitan Sewerage Agencies (AMSA) is pleased to comment on the U.S. Environmental Protection Agency's (EPA's) proposed withdrawal of the July 13, 2000 final revisions to the federal Total Maximum Daily Load (TMDL) regulations and the accompanying revisions to the National Pollutant Discharge Elimination System (NPDES) regulations (July 2000 rule). AMSA represents nearly 300 publicly owned treatment works (POTWs) nationwide, who every day treat over 18 billion gallons of wastewater and provide sewer service to more than 180 million Americans. AMSA members are directly impacted by the TMDL program, and are leaders in the program's implementation.

AMSA supports EPA's proposed withdrawal of the July 2000 rule. While AMSA endorsed elements of the July 2000 rule – such as increased accountability for nonpoint sources and strengthened implementation requirements – other rule provisions fell short of addressing widely acknowledged limitations in the program. Accordingly, we concur with EPA's plans to eliminate a regulation that continues to be distracting and the focus of litigation.

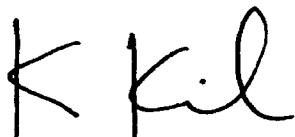
AMSA supports the withdrawal of the July 2000 rule fully expecting that EPA will expeditiously propose a new TMDL (watershed) rule that builds on the extensive information provided since July 2000 by AMSA, other stakeholders, the public, and key

organizations like the National Research Council. A workable watershed rule must promote a system that requires better water quality information and data; incorporates nonpoint sources in a meaningful manner; and provides a clear path toward TMDL implementation and accountability for all parties.

AMSA is troubled by recent reports that EPA may abandon the watershed rule development process. This is an unacceptable outcome. Continuing to run a core water program under widely criticized, outdated, and limited regulations fails to act on important congressionally requested TMDL studies, wastes over two years of public time and effort dedicated to providing EPA with information, and most importantly, will not improve the nation's water quality. AMSA strongly urges EPA to make the only environmentally beneficial choice available by proposing the watershed rule for public comment as soon as possible.

Thank you again for the opportunity to comment on this critical matter. AMSA remains committed to working with the Agency on these issues in the future. If you have any questions about our comments please do not hesitate to call me at 202/833-4653 or Alexandra Dunn at 202/533-1803.

Sincerely,

A handwritten signature in black ink, appearing to read "K Kirk". The "K" is large and stylized, followed by the first and last names.

Ken Kirk
Executive Director

Cc: The Honorable Christine Todd Whitman
Administrator, U.S. EPA

G. Tracy Mehan, Assistant Administrator
Office of Water, U.S. EPA

Thomas Gibson, Associate Administrator
Office of Policy, Economics, and Innovation, U.S. EPA