

APPENDIX 13

Distribution List for State Regulatory Program and State/Tribal AMLR Plan Submissions and Amendments

1. Distribution.

The RD, with the FOD must:

- a. Distribute all formal submittals to the agencies indicated by an asterisk (*), except when the agency has otherwise requested, as noted below;
- b. Poll the agencies or offices without an asterisk to determine their interest in receiving and commenting on proposed regulatory programs, AMLR plans or amendments; and
- c. Query agencies on their distribution lists periodically to update names and addresses and determine whether those agencies without an asterisk want to remain on the comment solicitation list.

2. Agency Addresses.

Addresses are provided only for agencies which have centralized all or part of their nationwide amendment review functions. The RD, with the FOD, is responsible for obtaining the appropriate district, regional, area or field office address(es) for all other agencies or agency units listed below that service the State(s) and Tribe(s) within the RD's or FOD's area of responsibility.

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| * | Director, Office of Water
Enforcement and Permits
Environmental Protection Agency, EN 336
401 M Street, S.W.
Washington, DC 20160 | [Note: Send <u>only</u> State
program and State/Tribal
AMLR plan submissions.] |
| * | Regional Administrator
Environmental Protection Agency
(See Appendix 14 for addresses) | [Note: Send <u>only</u> State
program and State/Tribal
AMLR plan amendment
submissions] |
| * | Director, Office of Program Review
Advisory Council on Historic
Preservation
1100 Pennsylvania Avenue, N.W.
Room 809
Washington, DC 20004 | [for Iowa, Minnesota, Missouri,
and States east of the Mississippi
River] |

- * Director, Division of Project Review
Advisory Council on Historic Preservation
12136 W. Bayaud Avenue
Room 330
Lakewood, CO 80228
[for States west of the Mississippi River, except Iowa, Minnesota and Missouri]
- * State Historic Preservation Officer
- * Regional Director
Fish and Wildlife Service
Department of the Interior
- Director, Office of Standards, Regulations, and Variances
Mine Safety and Health Administration
Department of Labor
4015 Wilson Boulevard
Arlington, VA 22203
- * State Conservationist
Natural Resources Conservation Service
Department of Agriculture

Regional Forester
Forest Service
Department of Agriculture
- U.S. Army Corps of Engineers
General Engineering Branch (CECW-EP)
Engineering and Construction Division
Directorate of Civil Works
20 Massachusetts Avenue, N.W.
Washington, DC 20314-1000
[Note: Send only amendments concerning coal mine waste impounding structures.]
- State Director
Bureau of Land Management
Department of the Interior
- Chief, Policy and Regulation Branch
Geologic Resources Division
National Park Service
Department of the Interior
P.O. Box 25287
Denver, CO 80225-0287

Regional Director
National Park Service
Department of the Interior

Assistant Secretary for Environment, Safety and Health
Department of Energy
Forrestal Building
1000 Independence Ave., S.W.
Washington, DC 20585

APPENDIX 14

Environmental Protection Agency Concurrence Procedures

1. Proposed State Programs Submitted Under 30 CFR Part 731.

a. Within 5 days of receipt of a proposed State program, the FOD, in coordination with the RD, must provide a copy of the program or plan submission to the Director, Office of Water, Enforcement and Permits (OWEP), Environmental Protection Agency (EPA) in Washington, DC (see Item 2, Appendix 13 for complete address).

The FOD must request that, within 90 days, EPA either identify any issues concerning air or water quality standards or concur with approval of the proposed program. The letter to EPA must cite those portions of the program that OSM considers relevant to air or water quality standards adopted under the authority of the Clean Air Act or the Clean Water Act. [See 30 CFR 732.13(b)(2).]

b. The FOD, in coordination with the RD, must:

(1) Invite the Director, OWEP, to attend and participate in any public meeting or hearing held on a State program submission.

(2) Provide the Director, OWEP, with a copy of the meeting summary or hearing transcript.

c. Within 5 days of receipt, the FOD, in coordination with the RD, promptly provides the Director, OWEP, with a copy of any subsequent program modifications submitted by the State prior to program approval. The letter requests that EPA respond within 15 days or such other length of time as is provided for public comment in the FR document announcing receipt.

d. The RD must forward any concerns that cannot be eliminated through the cooperative efforts of the State, the FOD, the RD and the Director, OWEP, to the AD/PS for resolution with the Director of EPA's Office of Wastewater Enforcement and Compliance.

e. No State program may be approved until EPA concurrence is received.

2. Proposed (Formal) State Program Amendments Submitted under 30 CFR 732.17.

a. Within 5 days of receipt of a proposed State program amendment (formal submittal), the FOD, in coordination with the RD, must provide a copy of the amendment to the Director, Water Management Division (or other office with similar responsibilities), for the EPA region within which the State is located (see Item 4 of this Appendix for names and addresses of reviewing offices) with a request to provide any comments within 30 days. If the proposed amendment contains any provisions concerning air or water quality standards adopted under the Clean Air Act or the Clean Water Act, the letter to the EPA must identify those provisions and request concurrence with approval.

b. Within 5 days of receipt, the FOD, in coordination with the RD, must provide the Director, Water Management Division (or similar office), with a copy of any subsequent modifications of the amendment submitted by the State. The letter must request that EPA respond within 15 days or such other length of time as provided for public comment in the FR document announcing receipt.

c. Any concerns not eliminated through the cooperative efforts of the State, the FOD, the RD and the Director, Water Management Division (or similar office), are forwarded by the RD to the AD/PS for resolution with the Director of EPA's Office of Wastewater Enforcement and Compliance.

d. In accordance with 30 CFR 732.17(h)(11)(ii), no State program amendment concerning air or water quality standards adopted under the authority of the Clean Air Act or the Clean Water Act may be approved until EPA concurrence is received. However, when such concurrence is not received in a timely fashion, the remaining provisions of the amendment will be processed without delay.

3. Proposed AMLR Plans or (Formal) AMLR Plan Amendments Submitted Under 30 CFR 884.14 and 884.15, Respectively.

a. Within 5 days of receipt of a proposed State/Tribe plan or (formal) plan amendment containing provisions that concern air or water quality standards, the FOD, in coordination with the RD, must prepare and transmit a request for EPA concurrence on the proposed plan.

b. The request must provide a date for EPA to respond and either identify any issues concerning air or water quality standards, or concur with the proposed plan.

4. Addresses of EPA Offices.

Director, Office of Eco-System Protection
U.S. EPA, Region I
John F. Kennedy Bldg. (CAA)
Boston, MA 02203

[New England]

Director, Water Management Division
U.S. EPA, Region II
290 Broadway
New York, New York 10007-1866

[New York, New Jersey]

Director, Water Management Division
U.S. EPA, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

[Pennsylvania, Maryland,
Delaware, Virginia, West
Virginia]

Director, Water Management Division
U.S. EPA, Region IV
61 Forsyth Street, S.W.
Atlanta, GA 30303

[Kentucky, Tennessee, North
and South Carolina, Mississippi,
Alabama, Georgia, Florida]

Chief, NPDES Support and Technical
Assistance Branch
U.S. EPA, Region V
77 West Jackson Blvd., WN-16J
Chicago, IL 60604

[Ohio, Indiana, Illinois,
Wisconsin, Michigan,
Minnesota]

Director, Water Management Division
U.S. EPA, Region VI
Fountain Place
1445 Ross Avenue
Dallas, TX 75202

[Arkansas, Oklahoma, Texas,
Louisiana, New Mexico]

Director, Water, Wetlands and Pesticides Division
U.S. EPA, Region VII
901 N. 5th Street
Kansas City, KS 66101

[Iowa, Missouri, Kansas,
Nebraska]

Director, Water Management Division
Mining Waste Branch - 8WQ
U.S. EPA, Region VIII
One Denver Place
999 18th Street, Suite 500
Denver, CO 80202-2413

[Montana, North and South
Dakota, Wyoming, Utah,
Colorado]

Director, Water Management Division
U.S. EPA, Region IX
75 Hawthorne Street
San Francisco, CA 94105

[California, Nevada, Hawaii,
Arizona]

Director, Water Management Division
U.S. EPA, Region X
1200 Sixth Avenue
Seattle, WA 981010

[Washington, Oregon, Alaska,
Idaho]