



August 27, 2010

Peter Silva
Assistant Administrator, Office of Water
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Mr. Silva:

The undersigned municipal organizations write in response to the Information Collection Request (ICR) recently disseminated by the U.S. Environmental Protection Agency (EPA) to a significant number of municipal separate storm sewer system (MS4) utilities to gather information for the Agency's proposed stormwater rulemaking. We represent a diverse group of municipal stakeholders that have a significant interest in the ICR and EPA's rulemaking process, particularly because our organizations represent many of the municipal entities receiving the ICR. We write today to request the following: 1.) EPA extend the response window for MS4 utilities to complete the ICR questionnaire from 60 days to 90 days, and 2.) EPA publicly release the names of all of the MS4 utilities that received the ICR.

We believe EPA has significantly underestimated the time it will take MS4s to complete the ICR questionnaire and that the planned 60 day response window is not long enough. Given the extensive nature of the questionnaire, especially for regulated MS4s, and the fact that many municipal agencies are currently experiencing staffing shortfalls due to layoffs, furloughs, and hiring freezes, we request that EPA provide a minimum of 90 days for recipients to complete the ICR. This will benefit all ICR respondents, but particularly those suffering from a shortage of staff resources. It will also help to ensure that all ICR questionnaires are completed as thoroughly and accurately as possible.

We also believe it is critical for EPA to release the list of those MS4s receiving the ICR for two primary reasons. First, making the list public will assist our organizations and others in identifying those MS4s that have received the questionnaire and in providing any needed

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assistance to municipalities to complete the ICR. Such assistance will not only benefit the MS4s but also benefit EPA by increasing the quality and quantity of data collected by the Agency. Second, releasing the list will contribute to the overall transparency of the rulemaking process. Administrator Jackson has emphasized the importance of transparency in all EPA operations, and we believe that making the list of ICR respondents publicly available is a key component to a transparent rulemaking process. We strongly encourage EPA to publicly release the list.

This ICR process and the ultimate stormwater rule it will lead to is of critical importance to municipal utilities and stakeholders, especially those that have received the ICR questionnaires. Ensuring both sufficient time to complete the questionnaires by extending the response window to 90 days and transparency by publicly disclosing the list of ICR recipients will improve the overall value of the data collected. We look forward to hearing from you regarding this important request.

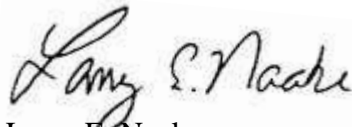
Sincerely,



Peter B. King
Executive Director
American Public Works Association



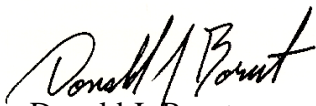
Ken Kirk
Executive Director
National Association of Clean Water
Agencies



Larry E. Naake
Executive Director
National Association of Counties



Susan Gilson
Executive Director
National Association of Flood &
Stormwater Management Agencies



Donald J. Borut
Executive Director
National League of Cities

CC: Jim Hanlon
Ephraim King