



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Mr. Jeffrey Seltzer, Associate Director
Stormwater Management Division
District Department of the Environment
1200 First Street, N.E. 5th Floor
Washington, D.C. 20002

JAN 31 2012

Re: Clarification of Effective Dates of the Final District of Columbia Phase I Municipal Separate Storm Sewer System Permit, Subsequent to Notification of Stayed Permit Conditions
Permit Number DC0000221
EAB Appeal Nos. NPDES 11-05, NPDES 11-06

Dear Mr. Seltzer:

The U.S. Environmental Protection Agency (EPA) sent a letter dated December 20, 2011 to the District Department of the Environment (DDOE) outlining which conditions of the above-referenced DC MS4 Permit are stayed as a result of the pending petitions for review of that permit. This letter is to clarify the effective dates of the DC MS4 Permit, which may have been affected by the December 20, 2011 letter.

Pursuant to 40 C.F.R. Sections 124.16(a)(2), 124.20(d), and 124.60(b)(5), and as noted in the December 20, 2011 letter, all portions of the DC MS4 Permit that are not specifically identified in that letter as stayed will be effective thirty-three (33) days after the date of that letter. As thirty-three days from December 20, 2011 is January 22, 2012, all conditions of the DC MS4 Permit not specifically identified in the December 20, 2011 letter as stayed will become effective on January 22, 2012, and the deadlines contained in those conditions will run from that date. As a result, if a deadline in the DC MS4 Permit is triggered by the lapse of a certain amount of time (e.g., a permit deliverable is due "three months after the effective date of the permit"), then the due date for that provision will be calculated based on an effective date of January 22, 2012.

If you have any questions or comments regarding this letter, please do not hesitate to contact me or Jennifer Molloy of my staff at 214-837-8011.

Sincerely,


Evelyn S. MacKnight, Chief
NPDES Permits Branch

