



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

DEC 15 2006

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

Ms. Susan Asmus
Senior Vice President
National Association of Home Builders
1201 15th Street, NW
Washington, DC 20005-2800

RE: Information Quality Act Request for Correction: EPA's "*Storm Water Enforcement and Compliance: Construction*" Presentation (RFC # 06004)

Dear Ms. Asmus:

This letter responds to your February 3, 2006, letter submitted under the United States Environmental Protection Agency's *Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by the Environmental Protection Agency* (EPA IQG). In the letter, the National Association of Home Builders (NAHB) requests correction of information in EPA's "*Storm Water Enforcement and Compliance: Construction*" Presentation (Presentation). Specifically, the letter addresses the statement on Slide 37 of the Presentation that builders must obtain permits under the storm water construction program "if there is a potential discharge." Your letter requests that EPA remove the slide and take several other "corrective actions."

After reviewing Slide 37, EPA decided to remove the Presentation from its Web site. Because this slide characterizes a legal interpretation as "fact," the presentation was removed in September 2006. At this time, EPA does not plan to post a revised Presentation on its Web site. However, if the Agency decides at a later date to revise this Presentation and post it, we will notify you.

If you are dissatisfied with this response, you may submit a "Request for Reconsideration" (RFR). EPA requests that any such RFR be submitted within 90 days of the date of this letter. If you chose to submit a RFR, please send a written request to the EPA Information Quality Guidelines Processing Staff via mail (Information Quality Guidelines Staff, Mail Code 2811R, U.S. EPA, 1200 Pennsylvania Ave., N.W., Washington, D.C. 20460), electronic mail (quality@epa.gov), or fax (202-565-2441). If you submit a RFR, please reference RFC #06004. Additional information about how to submit a RFR is listed on the EPA Information Quality Guidelines Web site (www.epa.gov/quality/informationguidelines).

We look forward to continuing our numerous efforts to improve communication, coordination and collaboration between our two organizations to strengthen compliance with our storm water regulations and to ensure environmental protection.

Sincerely,


Walker B. Smith, Director
Office of Civil Enforcement