



small firms. States would maintain the option of requiring an individual permit application.

Many states have significant ground water protection programs and continue to regulate these wells to protect the environment; many states have restated their interest in maintaining their programs. EPA has not explained why it must substitute its judgment for the states which have the responsibility to protect their own ground water and are closest in proximity to the regulated facilities. Without the ability to issue general permits, states such as Mississippi would not have adequate resources to issue individual permits, and may force them into banning such wells altogether. With the minimum requirements of BMPs, monitoring and some environmental benchmark (MCL, or a multiple of an MCL-based on a site-specific showing), EPA would have added a very significant level of environmental protection, possibly more than can be justified by the facts in the record, and at a lower cost.

In addition, we believe strongly that EPA should extend the deadlines for the completion of the state plans delineating the sensitive areas. Small businesses statewide would be automatically subject to these requirements if the state fails to complete these plans in time. Lastly, we ask OMB to address the other issues designated in the 10/29 Advocacy staff memorandum.