



April 30, 2013

Katherine Weiler

USEPA Headquarters, Ariel Rios Building
1200 Pennsylvania Avenue, N. W.

Mail Code: 4504T

Washington, DC 20460

Dear Ms. Weiler

We the undersigned organizations representing the nation's state legislatures, mayors, cities and counties are writing to express our appreciation for the U.S. Environmental Protection Agency's (EPA) ongoing commitment to the principles of federalism as they apply to the development of federal environmental regulations. Specifically, we thank EPA and the U.S. Department of Defense (DoD) for convening a federalism consultation meeting with state and local government representatives on the proposed Uniform National Discharge Standards (UNDS) on March 13, 2013.

Under Section 312(n) of the Clean Water Act, as amended in 1996, EPA and DoD are required to identify and evaluate discharges of Armed Forces vessels to determine which discharges require control for protection of the environment and to set standards for those discharges. These soon-to-be-proposed UNDS for vessels of the armed services will preempt any existing or prospective state or local regulations of these discharges as dictated by federal statute.

While this consultation meeting is not the first convened under EPA's internal "Guidance for Executive Order 13132: Federalism" since it was updated in 2008, it is the first one triggered by the preemption clause of the guidance. We commend EPA for adhering to this guidance despite the statutory nature of the preemption requirement involved in the development of these regulations. While our organizations do not have specific substantive comments at this time regarding the performance standards, we urge EPA and DoD to ensure the maximum time allowable for public comment once the proposed regulation is published in the Federal Register to ensure our respective memberships have sufficient time to review and comment.

Sincerely,

William T. Pound
Executive Director
National Conference of State Legislatures

Tom Cochran
CEO & Executive Director
U.S. Conference of Mayors

Clarence Anthony
Executive Director
National League of Cities

Matthew D. Chase
Executive Director
National Association of Counties