



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

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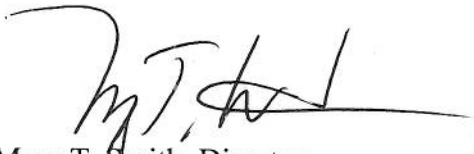
OFFICE OF
WATER

**Construction and Development Effluent Limitations Guidelines
Report on Status of Rulemaking – Due December 1, 2009**

Pursuant to the Permanent Injunction and Judgment in *Natural Resources Defense Council, et al. v. U.S. Environmental Protection Agency*, CV 04-8307-GHK (C.D. Cal.), the U.S. Environmental Protection Agency (“EPA” or “the Agency”) provides this status report concerning its actions during the period of August 2009 through November 2009 to take final action with respect to effluent limitations guidelines and new source performance standards for the construction and development industry.

1. During this reporting period, EPA completed the following tasks towards completion of the final rule:
 - a. Review of comments received on the proposed rule;
 - b. Assessment of actions needed to respond to comments;
 - c. Revisions to the options for the final rule based on comments and other information received by the Agency;
 - d. Preparation of the final package and record; and
 - e. Intra-agency and inter-agency review of the final package.
2. On November 23, 2009 the Administrator signed the final rule. Publication of the final rule in the Federal Register is expected on December 1, 2009.
3. The Agency has met all project milestones required to be completed under the Permanent Injunction.

The undersigned, Mary T. Smith, is Director of the Engineering and Analysis Division of EPA's Office of Water. The Engineering and Analysis Division has primary responsibility for discharging EPA's duties under this court order.

A handwritten signature in black ink, appearing to read 'M.T. Smith', with a long horizontal flourish extending to the right.

Mary T. Smith, Director
Engineering and Analysis Division
U.S. Environmental Protection Agency