

policy is in accordance with the Agency's statement of policy as prescribed in **Federal Register** No. 123, Vol. 56, dated June 26, 1991. Exceptions to this general rule will be made if a product poses a risk concern, or is in noncompliance with reregistration requirements, or is subject to a data call-in. In all cases, product-specific disposition dates will be given in the cancellation orders.

Existing stocks are those stocks of registered pesticide products which are currently in the United States and which have been packaged, labeled, and released for shipment prior to the effective date of the cancellation action. Unless the provisions of an earlier order apply, existing stocks already in the hands of dealers or users can be distributed, sold or used legally until they are exhausted, provided that such further sale and use comply with the EPA-approved label and labeling of the affected product(s). Exceptions to these general rules will be made in specific cases when more stringent restrictions on sale, distribution, or use of the products or their ingredients have already been imposed, as in Special Review actions, or where the Agency has identified significant potential risk concerns associated with a particular chemical.

#### List of Subjects

Environmental protection, Pesticides and pests, Product registrations.

Dated: June 15, 1995.

#### Frank Sanders,

Director, Program Management and Support Division, Office of Pesticides Program.

[FR Doc. 95-16188 Filed 7-3-95; 8:45 am]

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#### [FRL-5250-8]

#### Availability of Proposed Approval Decision and List under CWA 303(d)

**AGENCY:** U.S. Environmental Protection Agency, Region VII.

**ACTION:** Notice of availability.

**SUMMARY:** This notice announces the availability of the list for the state of Iowa pursuant to CWA section 303(d)(2) as well as EPA's proposed approval and disapproval decisions, and requests public comment.

**DATES:** Comments must be submitted to EPA on or before August 4, 1995.

**ADDRESSES:** Copies of these items can be obtained by writing or calling Jerome Pitt; U.S. Environmental Protection Agency Region VII; Water Management Division; 726 Minnesota Ave.; Kansas

City, Kansas 66101; Phone: 913.551.7766; FAX: 913.551.7765.

Comments on these items should be sent to Jerome Pitt, U.S. Environmental Protection Agency Region VII; Water Management Division; 726 Minnesota Ave.; Kansas City, Kansas 66101.

#### FOR FURTHER INFORMATION CONTACT:

Jerome L. Pitt at 913.551.7766.

**SUPPLEMENTARY INFORMATION:** Section 303(d) of the Clean Water Act (CWA) requires that each State identify these waters for which existing required pollution controls are not stringent enough to implement State water quality standards. For those waters, states are required to establish total maximum daily loads (TMDLs) according to priority ranking. The identified waters and loads are required to be submitted to the U.S. Environmental Protection Agency (EPA) for approval from "time to time."

On January 11, 1985 EPA published a final rule [50 FR 1775] that established 40 CFR part 130 (Water Quality Planning and Management). This rule established certain requirements for State and local government water quality programs, including requirements related to the implementation of section 303(d) of the CWA. The regulation did not specify dates for State compliance with the section 303(D) requirements, but reiterated the statutory provision calling for submission from time to time. On July 24, 1992, EPA published a final rule [57 FR 33040] that amended 40 CFR 130.7 to establish that, for the purposes of identifying water-quality limited waters still requiring TMDLs must also include a priority ranking and must identify the waters targeted for TMDL development during the next two years.

Consistent with EPA's amended regulation Iowa has submitted to EPA for approval their list decisions under section 303(d)(2). EPA today proposes to approve this list submitted by Iowa and solicit public comments on the approval decision and on the state list.

Dated: June 14, 1995.

#### Kenneth S. Buchholz,

Acting Director Water, Wetlands, and Pesticides Division, U.S. EPA Region VII.

[FR Doc. 95-16280 Filed 7-3-95; 8:45 am]

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#### [FRL-5250-3]

#### Final General NPDES Permit for Seafood Processors in the State Waters of Alaska and in Receiving Waters Adjacent to Alaska and Extending Out 200 Nautical Miles from the Coast and Baseline of Alaska: Alaskan Seafood Processors General NPDES Permit (No. AKG-52-0000)

**AGENCY:** Environmental Protection Agency, Region 10.

**ACTION:** Notice of Final General NPDES Permit.

**SUMMARY:** The Director, Water Division, EPA Region 10, is reissuing General National Pollutant Discharge Elimination System (NPDES) permit no. AK-G52-0000 for seafood processors in Alaska pursuant to the provisions of the Clean Water Act, 33 U.S.C. 1251 *et seq.* The General NPDES permit authorizes discharges from offshore, nearshore and shore-based vessels and onshore facilities engaged in the processing of fresh, frozen, canned, smoked, salted and pickled seafoods. The permit also authorizes discharges from offshore vessels (operating more than one nautical mile from shore at MLLW) that are engaged in the processing of seafood paste, mince or meal. The permit authorizes discharges of processing wastes, process disinfectants, sanitary wastewater and other wastewaters, including domestic wastewater, cooling water, boiler water, gray water, freshwater pressure relief water, refrigeration condense, water used to transfer seafood to a facility, and live tank water. The permit authorizes discharges to waters of the United States in and contiguous to the State of Alaska, except for receiving waters excluded from coverage as protected, special, at-risk, degraded or adjacent to a designated "seafood processing center."

The general NPDES permit for seafood processors in Alaska does not authorize discharges from nearshore or shore-based seafood processors of mince, paste or meal (operating one nautical mile or less from shore at MLLW). The permit does not authorize discharges of petroleum hydrocarbons, toxic pollutants, or other pollutants not specified in the permit. The permit does not authorize discharges to waters excluded from coverage as protected, special, at-risk, degraded or adjacent to a designated "seafood processing center."

Notice of the draft Alaskan seafood processors general NPDES permit was published July 28, 1994 in the **Federal Register** [59 FR 38473] and the Anchorage Daily News, the Juneau Empire and the Seattle Times.

The final permit is printed below and establishes effluent limitations, standards, prohibitions, monitoring requirements and other conditions on discharges from seafood processors in the area of coverage. The conditions are based on material contained in the administrative record, including an ocean discharge criteria evaluation, an environmental assessment, a finding of no significant impact, and a biological evaluation of potential effects on threatened and endangered species. Changes made in response to public comments are addressed in full in a document entitled "Response to Public Comments on the Proposed Reissuance of the Alaskan Seafood Processors General NPDES Permit." This document in being sent to all commenters, current permittees and applicants and is available to other parties from the address below upon request.

**EFFECTIVE DATE:** The general NPDES permit shall become effective August 4, 1995.

**ADDRESSES:** Unless otherwise noted in the permit, correspondence regarding this permit should be sent to Environmental Protection Agency, Region 10, Attn: Wastewater Branch, WD-134, 1200 Sixth Avenue, Seattle, Washington, 98101.

**FOR FURTHER INFORMATION CONTACT:** Burney Hill or Florence Carroll, of EPA Region 10, at the address listed above or telephone (206) 553-1761 or 553-1760 respectively. Copies of the final general NPDES permit, response to public comments and today's publication will be provided upon request by the EPA Region 10 Public Information Center at 1-800-424-4372 or 206-553-1200.

**SUPPLEMENTARY INFORMATION:** EPA reissues this general NPDES permit pursuant to its authority under Sections 301(b), 304, 306, 307, 308, 401, 402, 403 and 501 of the Clean Water Act. The fact sheet for the draft permit, the response to comments document, the ocean discharge criteria evaluation, the biological evaluation, the environmental assessment, the 401 certification issued by the State of Alaska, and the coastal zone management plan consistency determination issued by the State of Alaska set forth the principal facts and the significant factual, legal and policy questions considered in the development of the terms and conditions of the final permit presented below.

The State of Alaska, Department of Environmental Conservation, has certified that the subject discharges comply with the applicable provisions of Sections 208(e), 301, 302, 303, 306 and 307 of the Clean Water Act.

The State of Alaska, Office of Management and Budget, Division of Governmental Coordination, has certified that the general NPDES permit is consistent with the approved Alaska Coastal Management Program.

Changes have been made from the draft permit to the final permit in response to public comments received on the draft permit, the final coastal management plan consistency determination from the State of Alaska, and the final 401 certification issued by the State of Alaska.

The following identifies several specific areas of change, among others, which have been embodied in the final permit: the areas excluded from coverage do not include the proposed category "special resource waters of Alaska" and have been expanded to include national wilderness areas, seabird colonies larger than 1,000 individuals, Udagak Bay, Ward Cove and the coastal seas of the Pribilof Islands; offshore seafood processors (discharging more than one nautical mile from shore) are required to develop and operate in accordance with a best management practices plan; one acre zones of deposit are authorized by the State of Alaska; circular mixing zones with radii of 100, 200 and 300 feet are authorized respectively for onshore, nearshore and offshore seafood processors by the State of Alaska; dive surveys are required for discharges of more than 7 days to receiving waters within one nautical mile of shore and in less than 20 fathoms of depth; requests for waivers from the monitoring of the seafloor, sea surface and shoreline are allowed; and an appendix describes the areas excluded from coverage under the permit in detail.

Within 120 days following this service of notice of EPA's final permit decision under 40 CFR 124.15, any interested person may appeal the general NPDES permit in the Federal Court of Appeal in accordance with Section 509(b)(1) of the Clean Water Act. Persons affected by a general NPDES permit may not challenge the conditions of the permit as a right of further EPA proceedings. Instead, they may either challenge this permit in court or apply for an individual NPDES permit and then request a formal hearing on the issuance or denial of an individual permit.

Dated: June 21, 1995.

**Janis Hastings,**

*Acting Director, Water Division.*

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### Authorization To Discharge Under The National Pollutant Discharge Elimination System For Seafood Processors In Alaska

[General Permit No.: AKG-52-0000]

In compliance with the provisions of the Clean Water Act, 33 U.S.C. 1251 *et seq.* (hereafter, CWA or the Act), the owners and operators of seafood processing facilities described in Part I of this general National Pollutant Discharge Elimination System (NPDES) Permit are authorized to discharge seafood processing wastes and the concomitant wastes set out in Part II of this Permit to waters of the United States, except those excluded from authorization of discharge in Part III of this Permit, in accordance with effluent limitations, monitoring requirements and other conditions set forth herein. The discharge of wastes not specifically set out in Part II of this permit is not authorized under this permit.

The general NPDES permit AK-G52-0000 reissued in 1989 is invalid as of the effective date of this reissued permit, except as provided for in the State of Alaska Consistency Conditions.

A copy of this general permit must be kept at the seafood processors facility where the discharges occur.

This permit shall become effective August 4, 1995.

This permit and the authorization to discharge shall expire at midnight, 5 years from the effective date of the permit.

Signed this 21st day of June.

**Janis Hastings,**

*Acting Director, Water Division, Region 10, U.S. Environmental Protection Agency.*

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