

Modular Flowmeter and Emissions Reporting System," issued May 7, 2002.

U.S. Patent No. 6,470,732, entitled "Real-time Exhaust Gas Modular Flowmeter and Emissions Reporting System for Mobile Apparatus," issued October 29, 2002.

The invention was announced as being available for licensing in the March 1, 1999 issue of the **Federal Register** (64 FR 9990) as U.S. Patent Application No. 09/226,920, filed January 5, 1999, and claiming priority from a provisional application filed January 5, 1998.

The proposed co-exclusive license will contain appropriate terms, limitations, and conditions to be negotiated in accordance with 35 U.S.C. 209 and 37 CFR 404.5 and 404.7 of the U.S. Government patent licensing regulations.

EPA will negotiate the final terms and conditions and grant the co-exclusive license, unless within 15 days from the date of this notice EPA receives, at the address below, written objections to the grant, together with supporting documentation. The documentation from objecting parties having an interest in practicing the above patents should include an application for an exclusive or nonexclusive license with the information set forth in 37 CFR 404.8. The EPA Patent Counsel and other EPA officials will review all written responses and then make recommendations on a final decision to the Director or Deputy Director of the Office of Transportation and Air Quality, who have been delegated the authority to issue patent licenses under EPA Delegation 1-55.

**DATES:** Comments on this notice must be received by EPA at the address listed below by January 2, 2003.

**FOR FURTHER INFORMATION CONTACT:** Alan Ehrlich, Patent Counsel, Office of General Counsel (Mail Code 2377A), Environmental Protection Agency, Washington, DC 20460, Telephone (202) 564-5457.

Dated: December 6, 2002.

**Marla E. Diamond,**  
*Associate General Counsel, Finance and Operations Law Office.*

[FR Doc. 02-31671 Filed 12-16-02; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7422-8]

**Clean Water Act Section 303(d): Availability of 12 Modified Total Maximum Daily Loads (TMDLs)**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of availability.

**SUMMARY:** This notice announces the availability for comment of the administrative record file for 12 modified TMDLs and the calculations for these TMDLs prepared by EPA Region 6 for waters listed in the Mermentau and Vermilion/Teche river basins, under section 303(d) of the Clean Water Act (CWA). These TMDLs were completed in response to the lawsuit styled *Sierra Club, et al. v. Clifford et al.*, No. 96-0527, (E.D. La.).

**DATES:** Comments must be submitted in writing to EPA on or before January 16, 2003.

**ADDRESSES:** Comments on the 12 modified TMDLs should be sent to Ellen Caldwell, Environmental Protection Specialist, Water Quality Protection Division, U.S. Environmental Protection Agency Region 6, 1445 Ross Ave., Dallas, TX 75202-2733. For further information, contact Ellen Caldwell at (214) 665-7513. The administrative record file for these TMDLs are available for public inspection at this address as well. Documents from the administrative record file may be viewed at [www.epa.gov/region6/water/tmdl.htm](http://www.epa.gov/region6/water/tmdl.htm), or obtained by calling or writing Ms. Caldwell at the above address. Please contact Ms. Caldwell to schedule an inspection.

**FOR FURTHER INFORMATION CONTACT:** Ellen Caldwell at (214) 665-7513.

**SUPPLEMENTARY INFORMATION:** In 1996, two Louisiana environmental groups, the Sierra Club and Louisiana Environmental Action Network (plaintiffs), filed a lawsuit in Federal Court against the United States Environmental Protection Agency (EPA), styled *Sierra Club, et al. v. Clifford et al.*, No. 96-0527, (E.D. La.). Among other claims, plaintiffs alleged that EPA failed to establish Louisiana TMDLs in a timely manner. EPA originally established these TMDLs pursuant to a consent decree entered in this lawsuit. EPA is now modifying these TMDLs.

**EPA Seeks Comments on 12 Modified TMDLs**

By this notice EPA is seeking comment on the following 12 modified TMDLs for waters located within the Mermentau and Vermilion/Teche river basins:

Subsegment	Waterbody name	Pollutant
050102 .....	Bayou Joe Marcel .....	Pathogen indicators.
060204 .....	Bayou Courtableau—Origin to West Atchafalaya Borrow Pit Canal.	Pathogen indicators.
060212 .....	Chatlin Lake Canal and Bayou Dulac .....	Pathogen indicators.
060701 .....	Tete Bayou .....	Pathogen indicators.
060703 .....	Bayou Portage .....	Pathogen indicators.
060901 .....	Bayou Petite Anse .....	Pathogen indicators.
060909 .....	Lake Peigneur .....	Pathogen indicators.
060911 .....	Dugas Canal .....	Pathogen indicators.
060204 .....	Bayou Courtableau—Origin to West Atchafalaya Borrow Pit Canal.	Sulfates.
050201 .....	Bayou Plaquemine Brule—Headwaters to Bayou Des Cannes.	TDS.
050501 .....	Bayou Queue de Tortue—Headwaters to Mermentau River.	TDS.
060208 .....	Bayou Boeuf—Headwaters to Bayou Courtableau .....	TDS.

EPA previously requested the public to provide EPA with any significant data or information that might impact the original 12 TMDLs in Federal Register

Notices: Volume 65, Number 173, pages 54032-54034 (September 6, 2000) and Volume 65, Number 196, page 60189 (October 10, 2000).

EPA now requests that the public provide any water quality related data and information that may be relevant to the calculations for these 12 modified

TMDLs. EPA will review all data and information submitted during the public comment period and revise the modifications to the TMDLs where appropriate. EPA will then forward the modified TMDLs to the Louisiana Department of Environmental Quality (LDEQ). LDEQ will incorporate the modified TMDLs into its current water quality management plan.

Dated: December 9, 2002.

**Miguel I. Flores,**

*Director, Water Quality Protection Division, Region 6.*

[FR Doc. 02-31678 Filed 12-16-02; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7421-3]

### Final NPDES General Permit for Reject Water from Reverse Osmosis Units

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of final NPDES general permits—MAG450000.

**SUMMARY:** The Director of the Office of Ecosystem Protection, Environmental Protection Agency-New England (EPA-NE), is issuing Notice of Final National Pollutant Discharge Elimination System (NPDES) general permits for reject water from reverse osmosis units to certain waters in the State of Massachusetts. These final NPDES general permits establish Notice of Intent (NOI) requirements, effluent limitations, standards, prohibitions, and management practices for reverse osmosis reject water.

Owners and/or operators of sites that discharge reject water from reverse osmosis units will be required to submit an NOI to EPA-NE to be covered by the appropriate general permit and will receive a written notification from EPA-NE of permit coverage and authorization to discharge under one of these general permits. The eligibility requirements are discussed in detail in sections II and III in the fact sheet to this **Federal Register** Notice and the reader is strongly urged to go to that section before reading further. These general permits do not cover new sources as defined under 40 CFR 122.2.

**DATES:** The general permits shall be effective on the date specified in the final general permits published in the **Federal Register** and will expire five years from the date that the final permits are published in the **Federal Register**. If the general permits are not reissued prior to the expiration date,

they will be administratively continued and remain in effect as long as the permittee submits a new notice of intent two months prior the expiration date of the general permit.

**ADDRESSES:** Notice of Intent to be authorized to discharge under these permits should be sent to: United States Environmental Protection Agency (CPE), 1 Congress Street, Suite 1100, Boston, Massachusetts 02114-2023, and Massachusetts Department of Environmental Protection, Division of Watershed Management, 627 Main Street, 2nd floor, Worcester, Massachusetts 01608.

**FOR FURTHER INFORMATION CONTACT:** Additional information concerning these final permits may be obtained between the hours of 8 a.m. and 4 p.m. Monday through Friday excluding holidays from: Betsy Davis, Office of Ecosystem Protection, Environmental Protection Agency, 1 Congress Street, Suite 1100, Boston, MA 02114-2023; telephone: 617-918-1576.

**SUPPLEMENTARY INFORMATION:** The following Fact Sheet and Supplementary Information section sets forth principal facts and the significant factual, legal and policy questions considered in the development of these final general permits. A reasonable fee may be charged for copying requests.

### Table of Contents

#### *Fact Sheet and Supplementary Information*

- I. Introduction
- II. Coverage of General Permits
- III. Exclusions
- IV. Permit Basis and Other Conditions of the General NPDES Permits
  - A. Statutory Requirements
  - B. Antidegradation Provisions
  - C. Effluent Limitations
    1. Technology based limitations
    2. Water quality based limitations
      - a. Background
      - b. pH
      - c. Copper
      - d. Ammonia
  - D. Monitoring and Reporting Requirements
  - E. Endangered Species Act
  - F. Standard Permit Conditions
  - G. State (401) Certification
  - H. Environmental Impact Statement Requirements
    - I. National Historic Preservation Act of 1966
    - J. Essential Fish Habitat
- V. Other Legal Requirements
  - A. Executive Order 12866
  - B. Paperwork Reduction Act
  - C. Regulatory Flexibility Act
  - D. Unfunded Mandates Reform Act

#### *Final General Permits*

##### Part I—General Permits

- A. Massachusetts General Permit, Permit No. MAG450000 for minor facilities discharging from reverse osmosis units

to freshwater with a dilution factor between 10 and 99

1. Effluent Limitations and Monitoring Requirements
  - B. Massachusetts General Permit, Permit No. MAG450000 for minor facilities discharging from reverse osmosis units to freshwater with a dilution factor between 100 and 1000
    1. Effluent Limitations and Monitoring Requirements
  - C. Common Elements for All Permits
    1. Conditions of the General Permits
      - a. Geographic Area
      - b. Exclusions
      - c. Notification by Permittee
    2. Administrative Aspects
      - a. Request to be Covered
      - b. Eligibility to Apply
      - c. Continuation of General Permits After Expiration
  - D. Monitoring and Reporting
  - E. Additional General Permit Conditions
  - F. Summary of Response to Public Comments
- Part II Standard Conditions
- A. State Conditions
  - B. General Requirements
  - C. Operation and Maintenance of Pollution Control Equipment
  - D. Monitoring and Records
  - E. Reporting Requirements
  - F. Other Conditions
- Appendix A Dilution Factor  
Appendix B Copper Calculation

### Fact Sheet and Supplemental Information

#### I. Introduction

The Director of the Office of Ecosystem Protection, EPA-New England, is issuing general permits for the discharge of reject water from reverse osmosis units to certain waters in the State of Massachusetts. This document contains Part I, the Draft General NPDES Permits and, Part II, Standard Conditions.

#### II. Coverage of General Permits

Section 301(a) of the Clean Water Act (the Act) provides that the discharge of pollutants is unlawful except in accordance with a National Pollutant Discharge Elimination System (NPDES) permit unless such a discharge is otherwise authorized by the Act. EPA's regulations authorize the issuance of "general permits" to one or more categories or subcategories of discharges (see 40 CFR 122.28 ). EPA may issue a single, general permit to a category of point sources located within the same geographic area whose discharges warrant similar pollution control measures.

A. The Director of an NPDES permit program is authorized to issue a general permit if there are a number of point sources operating in a geographic area that: