

mark information they consider confidential. EPA will make final confidentiality determinations in accordance with regulations in 40 CFR part 2, subpart B.

Although the selections will be announced at the national level, Watershed Initiative grants will be awarded and managed by the respective EPA Regional Offices. Selected nominees may be asked to modify objectives, workplans, or budgets prior to final approval of the grant award. The exact amount of funds to be awarded, the final scope of activities, the duration of the projects, and specific role of the EPA Regional project coordinator will be determined in the pre-award negotiations between the selected nominee and EPA. The designated EPA Regional Contact listed in section IV.C will be available to provide additional guidance in completing the grant application, and other necessary forms, and answering any questions. EPA will also work with the applicant to comply with the Intergovernmental review requirements of Executive Order 12372 and 40 CFR part 29. EPA reserves the right to reject all proposals and make no awards.

#### *B. Project Implementation and Management*

Project monitoring and reporting requirements can be found in 40 CFR 30.50–30.54, 40 CFR 31.40–31.45 and 40 CFR 40.160. In general, grantees are responsible for managing the day-to-day operations and activities supported by the grant to assure compliance with applicable Federal requirements, and for ensuring that established milestones and performance goals are being achieved. Performance reports and financial reports must be submitted quarterly and are due 30 days after the reporting period. The final report is due 90 days after the grant has expired. Grant managers should consult, and work closely with, their Regional contact person throughout the award period.

Certain quality assurance and/or quality control (QA/QC) and peer review requirements are applicable to the collection of environmental data. Applicants should allow sufficient time and resources for this process in their proposed projects. Environmental data are any measurements or information that describe environmental processes, location, or condition; ecological or health effects and consequences; or the performance of environmental technology. Environmental data also include information collected directly from measurements, produced from models, and obtained from other

sources such as data bases or published literature.

Regulations pertaining to QA/QC requirements can be found in 40 CFR 30.54 and 31.45. Additional guidance can be found at [http://www.epa.gov/quality/qa\\_docs.html#noeparqt](http://www.epa.gov/quality/qa_docs.html#noeparqt).

Dated: September 29, 2003.

**G. Tracy Mehan,**

*Assistant Administrator for Water.*

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**BILLING CODE 6560–50–P**

## **ENVIRONMENTAL PROTECTION AGENCY**

**[OPPT–2003–0057; FRL–7330–5]**

### **Certain New Chemicals; Receipt and Status Information**

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

**ACTION:** Notice.

**SUMMARY:** Section 5 of the Toxic Substances Control Act (TSCA) requires any person who intends to manufacture (defined by statute to include import) a new chemical (i.e., a chemical not on the TSCA Inventory) to notify EPA and comply with the statutory provisions pertaining to the manufacture of new chemicals. Under sections 5(d)(2) and 5(d)(3) of TSCA, EPA is required to publish a notice of receipt of a premanufacture notice (PMN) or an application for a test marketing exemption (TME), and to publish periodic status reports on the chemicals under review and the receipt of notices of commencement to manufacture those chemicals. This status report, which covers the period from August 18, 2003 to September 5, 2003, consists of the PMNs pending or expired, and the notices of commencement to manufacture a new chemical that the Agency has received under TSCA section 5 during this time period.

**DATES:** Comments identified by the docket ID number OPPT–2003–0057 and the specific PMN number or TME number, must be received on or before November 10, 2003.

**ADDRESSES:** Comments may be submitted electronically, by mail, or through hand delivery/courier. Follow the detailed instructions as provided in Unit I. of the **SUPPLEMENTARY INFORMATION**.

**FOR FURTHER INFORMATION CONTACT:** Barbara Cunningham, Acting Director, Environmental Assistance Division, Office of Pollution Prevention and Toxics (7408M), Environmental Protection Agency, 1200 Pennsylvania

Ave., NW., Washington, DC 20460–0001; telephone number: (202) 554–1404; e-mail address: [TSCA-Hotline@epa.gov](mailto:TSCA-Hotline@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. General Information**

##### *A. Does this Action Apply to Me?*

This action is directed to the public in general. As such, the Agency has not attempted to describe the specific entities that this action may apply to. Although others may be affected, this action applies directly to the submitter of the premanufacture notices addressed in the action. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

##### *B. How Can I Get Copies of This Document and Other Related Information?*

1. *Docket.* EPA has established an official public docket for this action under docket identification (ID) number OPPT–2003–0057. The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although a part of the official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing at the EPA Docket Center, Rm. B102-Reading Room, EPA West, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The EPA Docket Center Reading Room telephone number is (202) 566–1744 and the telephone number for the OPPT Docket, which is located in EPA Docket Center, is (202) 566–0280.

2. *Electronic access.* You may access this **Federal Register** document electronically through the EPA Internet under the “**Federal Register**” listings at <http://www.epa.gov/fedrgstr/>.

An electronic version of the public docket is available through EPA’s electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Although not all docket materials may be available electronically, you may still access any of the publicly available

docket materials through the docket facility identified in Unit I.B.1. Once in the system, select "search," then key in the appropriate docket ID number.

Certain types of information will not be placed in the EPA Dockets. Information claimed as CBI and other information whose disclosure is restricted by statute, which is not included in the official public docket, will not be available for public viewing in EPA's electronic public docket. EPA's policy is that copyrighted material will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. To the extent feasible, publicly available docket materials will be made available in EPA's electronic public docket. When a document is selected from the index list in EPA Dockets, the system will identify whether the document is available for viewing in EPA's electronic public docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket facility identified in Unit I.B.1. EPA intends to work towards providing electronic access to all of the publicly available docket materials through EPA's electronic public docket.

For public commenters, it is important to note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing in EPA's electronic public docket as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. When EPA identifies a comment containing copyrighted material, EPA will provide a reference to that material in the version of the comment that is placed in EPA's electronic public docket. The entire printed comment, including the copyrighted material, will be available in the public docket.

Public comments submitted on computer disks that are mailed or delivered to the docket will be transferred to EPA's electronic public docket. Public comments that are mailed or delivered to the docket will be scanned and placed in EPA's electronic public docket. Where practical, physical objects will be photographed, and the photograph will be placed in EPA's electronic public docket along with a brief description written by the docket staff.

### *C. How and To Whom Do I Submit Comments?*

You may submit comments electronically, by mail, or through hand delivery/courier. To ensure proper receipt by EPA, identify the appropriate docket ID number and specific PMN number or TME number in the subject line on the first page of your comment. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments. If you wish to submit CBI or information that is otherwise protected by statute, please follow the instructions in Unit I.D. Do not use EPA Dockets or e-mail to submit CBI or information protected by statute.

1. *Electronically.* If you submit an electronic comment as prescribed in this unit, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment. Also include this contact information on the outside of any disk or CD ROM you submit, and in any cover letter accompanying the disk or CD ROM. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. EPA's policy is that EPA will not edit your comment, and any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

i. *EPA Dockets.* Your use of EPA's electronic public docket to submit comments to EPA electronically is EPA's preferred method for receiving comments. Go directly to EPA Dockets at <http://www.epa.gov/edocket>, and follow the online instructions for submitting comments. Once in the system, select "search," and then key in docket ID number OPPT-2003-0057. The system is an "anonymous access" system, which means EPA will not know your identity, e-mail address, or other contact information unless you provide it in the body of your comment.

ii. *E-mail.* Comments may be sent by e-mail to [oppt.ncic@epa.gov](mailto:oppt.ncic@epa.gov), Attention: Docket ID Number OPPT-2003-0057 and PMN Number or TME Number. In contrast to EPA's electronic public

docket, EPA's e-mail system is not an "anonymous access" system. If you send an e-mail comment directly to the docket without going through EPA's electronic public docket, EPA's e-mail system automatically captures your e-mail address. E-mail addresses that are automatically captured by EPA's e-mail system are included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

iii. *Disk or CD ROM.* You may submit comments on a disk or CD ROM that you mail to the mailing address identified in Unit I.C.2. These electronic submissions will be accepted in WordPerfect or ASCII file format. Avoid the use of special characters and any form of encryption.

2. *By mail.* Send your comments to: Document Control Office (7407M), Office of Pollution Prevention and Toxics (OPPT), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

3. *By hand delivery or courier.* Deliver your comments to: OPPT Document Control Office (DCO) in EPA East Building Rm. 6428, 1201 Constitution Ave., NW., Washington, DC. Attention: Docket ID Number OPPT-2003-0057 and PMN Number or TME Number. The DCO is open from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The telephone number for the DCO is (202) 564-8930.

### *D. How Should I Submit CBI To the Agency?*

Do not submit information that you consider to be CBI electronically through EPA's electronic public docket or by e-mail. You may claim information that you submit to EPA as CBI by marking any part or all of that information as CBI (if you submit CBI on disk or CD ROM, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific information that is CBI). Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

In addition to one complete version of the comment that includes any information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket and EPA's electronic public docket. If you submit the copy that does not contain CBI on disk or CD ROM, mark the outside of the disk or CD ROM clearly that it does not contain CBI. Information not marked as CBI will be included in the public docket and EPA's electronic public docket without prior

notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

*E. What Should I Consider as I Prepare My Comments for EPA?*

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.
3. Provide copies of any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.
5. Provide specific examples to illustrate your concerns.
6. Offer alternative ways to improve the notice or collection activity.
7. Make sure to submit your comments by the deadline in this document.

8. To ensure proper receipt by EPA, be sure to identify the docket ID number assigned to this action and the specific PMN number you are commenting on in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

**II. Why is EPA Taking this Action?**

Section 5 of TSCA requires any person who intends to manufacture (defined by statute to include import) a new chemical (i.e., a chemical not on the TSCA Inventory to notify EPA and comply with the statutory provisions pertaining to the manufacture of new chemicals. Under sections 5(d)(2) and 5(d)(3) of TSCA, EPA is required to publish a notice of receipt of a PMN or an application for a TME and to publish periodic status reports on the chemicals under review and the receipt of notices of commencement to manufacture those chemicals. This status report, which covers the period from August 18, 2003 to September 5, 2003, consists of the PMNs pending or expired, and the

notices of commencement to manufacture a new chemical that the Agency has received under TSCA section 5 during this time period.

**III. Receipt and Status Report for PMNs**

This status report identifies the PMNs pending or expired, and the notices of commencement to manufacture a new chemical that the Agency has received under TSCA section 5 during this time period. If you are interested in information that is not included in the following tables, you may contact EPA as described in Unit II. to access additional non-CBI information that may be available.

In Table I of this unit, EPA provides the following information (to the extent that such information is not claimed as CBI) on the PMNs received by EPA during this period: the EPA case number assigned to the PMN; the date the PMN was received by EPA; the projected end date for EPA's review of the PMN; the submitting manufacturer; the potential uses identified by the manufacturer in the PMN; and the chemical identity.

**I. 28 PREMANUFACTURE NOTICES RECEIVED FROM: 08/18/03 TO 09/05/03**

Case No.	Received Date	Projected Notice End Date	Manufacturer/Importer	Use	Chemical
P-03-0773	08/18/03	11/15/03	CBI	(G) Industrial intermediate which is compounded with pigments and binders before being coated onto paper for carbonless copy paper applications.	(G) Zincated resin system
P-03-0774	08/19/03	11/16/03	PPG Industries, Inc.	(G) Coating with open use	(G) Cationic acrylic copolymer
P-03-0775	08/19/03	11/16/03	PPG Industries, Inc.	(G) Coating with open use	(G) Cationic acrylic copolymer
P-03-0776	08/19/03	11/16/03	PPG Industries, Inc.	(G) Coating with open use	(G) Cationic acrylic copolymer
P-03-0777	08/19/03	11/16/03	CBI	(G) Emulsifier	(G) Polyalkyl carboxylic acid polyol esters
P-03-0778	08/20/03	11/17/03	The Dow Chemical Company	(G) Additive for plastics	(G) Phenol, polymer with formaldehyde and phenol derivative
P-03-0779	08/20/03	11/17/03	CBI	(G) Intermediate used in closed processes	(S) 3-oxatricyclo[4.1.1.02,4]octane, 2,7,7-trimethyl-, (1r,2r,4s,6r)-
P-03-0780	08/20/03	11/17/03	CBI	(G) Dehydration agent	(G) Polyester
P-03-0781	08/22/03	11/19/03	Petroferm Inc.	(S) Slip and leveling additive to uv- and eb-cured inks, paints and coatings; oligomer in the manufacture of polymeric materials	(G) Allyl ethoxylate methacrylate
P-03-0782	08/22/03	11/19/03	Petroferm Inc.	(S) Slip and leveling additive to uv- and eb-cured inks, paints and coatings; oligomer in the manufacture of polymeric materials	(G) Combed silicone acrylate
P-03-0783	08/22/03	11/19/03	Petroferm Inc.	(S) Slip and leveling additive to uv- and eb-cured inks, paints and coatings; oligomer in the manufacture of polymeric materials	(G) Combed silicone methacrylate
P-03-0784	08/22/03	11/19/03	Petroferm Inc.	(S) Slip and leveling additive to uv- and eb-cured inks, paints and coatings; oligomer in the manufacture of polymeric materials	(G) Linear silicone methacrylate
P-03-0785	08/22/03	11/19/03	CBI	(G) Defoamer	(G) Propoxylated fatty alcohol esters
P-03-0786	08/22/03	11/19/03	Ashland Inc., Environmental Health and Safety	(G) Lamination adhesive	(G) Polyurethane dispersion - lamination adhesive
P-03-0787	08/22/03	11/19/03	Crompton Corporation	(S) By-product of erucamide production to be recycled	(S) 13-docosenoic acid, potassium salt, (13z)-

## I. 28 PREMANUFACTURE NOTICES RECEIVED FROM: 08/18/03 TO 09/05/03—Continued

Case No.	Received Date	Projected Notice End Date	Manufacturer/Importer	Use	Chemical
P-03-0788	08/22/03	11/19/03	Crompton Corporation	(S) By-product of amide production to be recycled	(S) Docosanoic acid, potassium salt
P-03-0789	08/22/03	11/19/03	CBI	(S) Polymerisable photoinitiator for uv-curable coatings	(G) Derivatized butyl ester photoinitiator
P-03-0790	08/25/03	11/22/03	CBI	(G) Component of foam	(G) Polyester polyol
P-03-0791	08/25/03	11/22/03	E.I. Du Pont De Nemours and Company, Inc. (dupont)	(G) Molding resin	(G) Ethylene interpolymer
P-03-0792	08/25/03	11/22/03	Dupont Textiles and Interiors	(S) Emulsifier, corrosion inhibitor, and lubricant for metalworking fluid	(S) Cyclododecane, oxidized, by-products from, acidified, oil phase
P-03-0793	08/26/03	11/23/03	UBE America Inc.	(S) External donor for olefin polymerization	(S) Silanamine, 1,1,1-triethoxy-n,n-diethyl-
P-03-0794	08/29/03	11/26/03	BASF Corporation Performance Chemicals	(G) Oxidation catalyst	(S) Alanine, n,n-bis (carboxymethyl)-, iron sodium complexes
P-03-0795	08/29/03	11/26/03	CIBA Specialty Chemicals Corporation	(S) Photo-cure for imaging / electronics industry	(G) Organo-titanium complex
P-03-0796	08/29/03	11/26/03	CBI	(G) Raw material	(G) Halogenated heteropolycycle
P-03-0797	08/29/03	11/26/03	CBI	(G) Raw material	(G) Halogenated heteropolycycle
P-03-0798	08/29/03	11/26/03	CBI	(G) Synthetic industrial lubricant for contained use.	(G) Pentaerythritol, mixed esters with straight and branched fatty acids
P-03-0799	08/29/03	11/26/03	CBI	(G) Synthetic industrial lubricant for contained use.	(G) Dipentaerythritol, mixed esters with straight and branched fatty acids
P-03-0800	08/29/03	11/26/03	CBI	(G) Synthetic industrial lubricant for contained use	(G) Pentaerythritol, mixed esters with straight chain and branched fatty acids
P-03-0801	08/29/03	11/26/03	CBI	(G) Synthetic industrial lubricant for contained use	(G) Dipentaerythritol, mixed esters with straight chain and branched fatty acids

In Table II of this unit, EPA provides the following information (to the extent that such information is not claimed as

CBI) on the Notices of Commencement to manufacture received:

## II. 17 NOTICES OF COMMENCEMENT FROM: 08/18/03 TO 09/05/03

Case No.	Received Date	Commencement/Import Date	Chemical
P-00-0552	08/25/03	07/26/03	(G) Salicylic acid, zirconium salt
P-01-0443	08/26/03	08/07/03	(G) Copolymer of polyoxyethylene allyl methyl ether
P-01-0813	08/22/03	07/29/03	(G) Cerium-based organic compound
P-02-0574	08/22/03	08/16/03	(G) Amine functional epoxy based resin salted with an organic acid
P-02-0638	08/25/03	07/13/03	(G) Hexanedioic acid, polymer with 2,2-dimethyl-1,3-propanediol, 1,6-hexanediol, hexanedioic acid amide derivative, 3-hydroxy-2-(hydroxymethyl)-2-methylpropanoic acid and 1,1'-methylenebis[4-isocyanatocyclohexane], compound with nu, nu-diethylethaneamine
P-02-0946	08/19/03	07/22/03	(G) Substituted benzoic acid, alkali salt
P-02-0992	08/26/03	07/25/03	(G) Ethylene oxide-propylene oxide copolymer allyl alkyl ether
P-03-0067	08/25/03	07/31/03	(G) Fluoroalkene substitutedalkene polymer
P-03-0078	08/20/03	07/27/03	(G) Sulphonated azo dye
P-03-0291	08/25/03	08/11/03	(G) Corn by product
P-03-0292	08/25/03	08/13/03	(G) ThermoChemical mechanical processed maize fiber
P-03-0325	08/20/03	08/07/03	(S) Oxazolidine, 3,3'-methylenebis[5-methyl-
P-03-0398	08/27/03	06/09/03	(G) Modified hydrocarbylpolysilicate
P-03-0410	08/25/03	08/15/03	(G) Styrene acrylic copolymer
P-03-0462	08/21/03	08/01/03	(G) Bisphenol a type epoxy resin, salt
P-03-0474	08/20/03	08/11/03	(G) Hydrophobically modified acetylenic glycol
P-99-1225	08/26/03	07/22/03	(G) Acrylic copolymer resin

**List of Subjects**

Environmental protection, Chemicals, Premanufacture notices

Dated: October 2, 2003.

**Sandra Wilkins,**

*Acting Director, Information Management Division, Office of Pollution Prevention and Toxics.*

[FR Doc. 03-25638 Filed 10-8-03; 8:45 am]

BILLING CODE 6560-50-S

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7572-1]

**New York State Prohibition on Marine Discharges of Vessel Sewage; Final Affirmative Determination**

Notice is hereby given that EPA has made a final affirmative determination regarding the petition received from the State of New York on April 29, 1999 requesting a determination by the Regional Administrator, Environmental Protection Agency (EPA), pursuant to Section 312(f)(3) of Public Law 92-500, as amended by Public Law 95-217 and Public Law 100-4 (the Clean Water Act), that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the waters of the Hudson River and its tributaries including, but not limited to, Rondout Creek, Esopus Creek and Catskill Creek. This petition was made by the New York State Department of State, in conjunction with the New York State Department of Environmental Conservation. New York State certified in the petition a need for greater protection and enhancement. The certification states that the discharge of vessel waste often contain chemical additives such as formaldehyde, phenols and chlorine. These wastes increase loadings of nutrients, pathogens and chemical loading particularly in shallow, poorly flushed waterbodies, and may adversely affect water quality, sensitive and important resources, and uses of these waters. The Hudson River provides habitat for fish and wildlife species. Congress has designated the Hudson River as a National Heritage Area under the purview of the National Park Service, and in 1998, the Hudson River was designated an American Heritage River. Upon receipt of this final affirmative determination, the State of New York will completely prohibit the discharge of sewage, whether treated or not, from any vessel, with the exception of commercial vessels that are greater than 225 feet in overall length or are greater than 20 feet in draft, on the

Hudson River in the area north of the Battery in Manhattan, New York and south of Federal Dam in Troy, New York in accordance with Section 312(f)(3) of the Clean Water Act and 40 CFR 140.4(a). For vessels that are greater than 225 feet in overall length or are greater than 20 feet in draft, the prohibition will be applicable one year from the date of publication in the **Federal Register**.

Previously, EPA established on December 13, 1995 two No Discharge Areas (NDAs) to protect drinking water intake zones. Zone 1 is bounded by the northern confluence of the Mohawk River on the south and Lock 2 on the north. It is approximately 8 miles long. Zone 2 is bounded on the south by the Village of Roseton on the western shore and bounded on the north by the southern end of Houghtaling Island. Zone 2 is approximately 60 miles long.

The southern boundary of the proposed NDA in this application would begin at the Battery in Manhattan, New York and the northern boundary would be the Federal Dam in Troy, New York. This area includes waters up to the New Jersey-New York boundary and does not include waters in New Jersey. The area proposed by the State of New York is 153 miles long and encompasses approximately 81,000 acres of tidal waters and wetlands.

On October 24, 2000, EPA published a Receipt of Petition and Tentative Determination and accepted comments from the public for a thirty (30) day period. The comment period was extended until December 22, 2000 at the request of one of the commenters. EPA received letters from the following individuals:

1. Harold Gorman, 2332 Fort Lyon Drive, Stanton, VA
2. Edward V. Weber, 60 Round Hill Road, Poughkeepsie, NY 12603-5125
3. Ned Sullivan, Executive Director, Scenic Hudson, Inc., 9 Vassar Street, Poughkeepsie, NY 12601
4. Andrew J. Spano, County Executive, Westchester County, Michaelian Office Building, White Plains, NY 10601
5. Manna Jo Greene, Environmental Director, Clearwater, Inc., 112 Little Market Street, Poughkeepsie, NY 12601
6. Joseph P. Gehegan, Jr., Vice President, Spentonbush/Red Star Companies, P.O. Box 392, Brooklyn, NY 11231
7. Joseph Tesoriero, Safety Director, McAllister Towing and Transportation Company, Inc., 17 Battery Place, New York, NY 10004-1260
8. Kenneth L. Peterson, Jr., Port Captain, Reinauer Transportation Companies,

1983 Richmond Terrace, Staten Island, NY 10302

9. Robert J. Hughes, Jr., Hughes Marine Firms, Raritan Plaza I, Raritan Center, Edison, NJ 08837
10. John C. Tobin, New York State Waterways Association, Inc., 174 Washington Avenue, Albany, NY 12210
11. Kevin A. Nugent, Vice President, Bouchard Transportation Co., Inc., 77 Newbridge Road, Hicksville, NY 11801
12. Richard M. Larrabee, Director, Port Commerce Dept., The Port Authority of New York & New Jersey, One World Trade Center, 34S, New York, NY 10048-0682
13. Linda O'Leary, Vice President—Atlantic Coast Region, American Waterways Operators, 241 Water Street, New York, NY 10038

One commenter expressed confusion over the boundaries of the Hudson River NDA. His confusion was caused by the statement that some vessel operators while docked at the Brooklyn Naval Yard have their holding tanks pumped out by waste haulers. Since the Brooklyn Naval Yard is on the East River, he asked whether the prohibition included the East River. It does not include the East River, but boaters may choose to use pumpout facilities located outside of the NDA because the facilities are more convenient for them. For example, a boater who keeps his boat in a Staten Island marina may choose to use the pumpout at his home marina because it is convenient. The southern boundary of the proposed No Discharge Area (NDA) in this application would begin at the Battery in Manhattan, New York and the northern boundary would be the Federal Dam in Troy, New York. This area includes waters up to the New Jersey-New York boundary and does not include waters in New Jersey. It does not include the East River, the Harlem River, the Long Island Sound nor the Raritan Bay. No change to the determination is necessary based on this comment.

Three commenters expressed their support for the complete prohibition of the discharge of sewage from vessels. They believe that this determination is an important step in maintaining the vitality of the Hudson River. No change to the determination is necessary based on these comments.

One commenter compared the prohibition to a "chamber pot" approach and questioned whether making waste disposal more difficult for boaters effectively eliminates sewage. The commenter stated that marine sanitation devices (MSDs) must be