

(NPDES Permit Number AKG-57-1000) while the second general permit is applicable to facilities discharging to fresh waters (AKG-57-0000). There was a forty-five day public notice period during which written comments on the draft permits were submitted to EPA. During the comment period, EPA received fifteen comment letters on the general permits.

DATES: The general permits will be effective July 21, 2004.

ADDRESSES: Copies of the general permits and Response to Comments are available upon request. Written requests may be submitted to EPA, Region 10, 1200 Sixth Avenue OW-130, Seattle, WA 98101. Electronic requests may be mailed to: washington.audrey@epa.gov or lidgard.michael@epa.gov.

FOR FURTHER INFORMATION CONTACT: Copies of the general permits, Fact Sheet and Response to Comments are available upon request. Requests may be made to Audrey Washington at (206) 553-0523 or to Michael Lidgard at (206) 553-1755. Requests may also be electronically mailed to: washington.audrey@epa.gov or lidgard.michael@epa.gov. These documents may also be found on the EPA Region 10 Web site at www.epa.gov/r10earth/ then click on Water Quality, Permits (under NPDES) and then on recently issued permits under EPA Region 10 Information.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

The Office of Management and Budget has exempted this action from the review requirements of Executive Order 12866 pursuant to section 6 of that order. On May 24, 2004, The State of Alaska, Department of Environmental

Conservation (ADEC), certified that the subject discharges comply with the applicable provisions of sections 208(e), 301, 302, 306 and 307 of the Clean Water Act, and that the general permits are in compliance with the Standards of the Alaska Coastal Management Program.

Regulatory Flexibility Act

Under the Regulatory Flexibility Act (RFA), 5 U.S.C. 601 *et seq.*, a Federal agency must prepare an initial regulatory flexibility analysis "for any proposed rule" for which the agency "is required by section 553 of the Administrative Procedure Act (APA), or any other law, to publish general notice of proposed rulemaking." The RFA exempts from this requirement any rule that the issuing agency certifies "will not, if promulgated, have a significant economic impact on a substantial number of small entities." EPA has concluded that NPDES general permits are permits, not rulemakings, under the APA and thus not subject to APA rulemaking requirements or the RFA.

Dated: June 9, 2004.

Robert R. Robichaud,

Associate Director, Office of Water, Region 10.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-7773-6]

Clean Water Act Section 303(d): Final Agency Action on 3 Total Maximum Daily Loads (TMDLs)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability.

SUMMARY: This notice announces final agency action on 3 TMDLs prepared by EPA Region 6 for waters listed in the state of Arkansas, 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. LR-C-99-114. Documents from the administrative record files for the final 3 TMDLs, including TMDL calculations and responses to comments, may be viewed at <http://www.epa.gov/earth1r6/6wq/artmdl.htm>.

ADDRESSES: The administrative record files for these 3 TMDLs may be obtained by writing or calling Ms. Ellen Caldwell, Environmental Protection Specialist, Water Quality Protection Division, U.S. Environmental Protection Agency Region 6, 1445 Ross Ave., Dallas, TX 75202-2733. Please contact Ms. Caldwell to schedule an inspection.

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

SUPPLEMENTARY INFORMATION: In 1999, five Arkansas environmental groups, the Sierra Club, Federation of Fly Fishers, Crooked Creek Coalition, Arkansas Fly Fishers, and Save our Streams (plaintiffs), filed a lawsuit in Federal Court against the EPA, styled *Sierra Club, et al. v. Clifford, et al.*, No. LR-C-99-114. Among other claims, plaintiffs alleged that EPA failed to establish Arkansas TMDLs in a timely manner.

EPA TAKES FINAL AGENCY ACTION ON 3 TMDLS

[By this notice EPA is taking final agency action on the following 3 TMDLs for waters located within the State of Arkansas]

Segment-reach	Waterbody name	Pollutant
08040201-80	Big Johnson Lake	Mercury in fish tissue.
08040204-27	Grays Lake	Mercury in fish tissue.
08040204	Monticello Lake	Mercury in fish tissue.

EPA requested the public to provide EPA with any significant data or information that may impact the 3 TMDLs at **Federal Register** notice 69 FR 19183 (April 12, 2004). No comments were received.

Dated: June 8, 2004.

Miguel I. Flores,

Director, Water Quality Protection Division, Region 6.

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FEDERAL DEPOSIT INSURANCE CORPORATION

Agency Information Collection Activities: Renewal of an Information Collection; Comment Request

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Notice and request for comment.