

Controlled Access Expressway between Haydenville in Hocking County and New Floodwood in Hocking and Athens Counties, OH, Wait Period Ends: 08/08/2005, Contact: Dave Snyder 614-280-6852.

Dated: July 5, 2005.

**Ken Mittelholtz,**

*Environmental Protection Specialist, Office of Federal Activities.*

[FR Doc. 05-13469 Filed 7-7-05; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7926-5]

**Clean Water Act Section 303(d): Availability of List Decisions**

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

**ACTION:** Notice of availability.

**SUMMARY:** This action announces the availability of EPA decisions identifying water quality limited segments and associated pollutants in New Hampshire to be listed pursuant to Clean Water Act section 303(d)(2), and requests public comment. Section 303(d)(2) requires that states submit and EPA approve or disapprove lists of waters for which existing technology-based pollution controls are not stringent enough to attain or maintain state water quality standards and for which total maximum daily loads (TMDLs) must be prepared.

EPA has partially approved and partially disapproved New Hampshire's 2004 submittal. Specifically, EPA approved New Hampshire's listing of 637 waterbody segments (5189 including mercury impairments), associated pollutants and priority rankings. EPA disapproved New Hampshire's decision not to list five water quality limited segments and associated pollutants. EPA identified these additional waterbody segments, pollutants, and priority rankings for inclusion on the 2004 section 303(d) list.

EPA is providing the public the opportunity to review its decision to

add waters and pollutants to New Hampshire's 2004 Section 303(d) list, as required by EPA's Public Participation regulations. EPA will consider public comments in reaching its final decision on the additional water bodies and pollutants identified for inclusion on New Hampshire's final list.

**DATES:** Comments must be submitted to EPA on or before August 8, 2005.

**ADDRESSES:** Comments on the proposed decisions should be sent to Al Basile, U.S. Environmental Protection Agency, EPA New England Regional Office, One Congress Street, Suite 1100 (CWQ), Boston, MA 02114-2023, telephone (617) 918-1599, e-mail [basile.alfred@epa.gov](mailto:basile.alfred@epa.gov). Oral comments will not be considered. Copies of the proposed decisions concerning New Hampshire which explain the rationale for EPA's decision can be obtained from the EPA Web site at <http://www.epa.gov/region1/eco/tmdl/index.html> or by writing or calling Mr. Basile at the above address. Underlying documentation comprising the record for these decisions are available for public inspection at the above address.

**FOR FURTHER INFORMATION CONTACT:** Al Basile at (617) 918-1599 or [basile.alfred@epa.gov](mailto:basile.alfred@epa.gov).

**SUPPLEMENTARY INFORMATION:** Section 303(d) of the Clean Water Act (CWA) requires that each state identify those waters for which existing technology-based pollution controls are not stringent enough to attain or maintain state water quality standards. For those waters, states are required to establish TMDLs according to a priority ranking.

EPA's Water Quality Planning and Management regulations include requirements related to the implementation of section 303(d) of the CWA (40 CFR 130.7). The regulations require states to identify water quality limited waters still requiring TMDLs every two years. The lists of waters still needing TMDLs must also include priority rankings and must identify the waters targeted for TMDL development during the next two years (40 CFR 130.7). On March 31, 2000, EPA promulgated a revision to this

regulation that waived the requirement for states to submit section 303(d) lists in 2000 except in cases where a court order, consent decree, or settlement agreement required EPA to take action on a list in 2000 (65 FR 17170).

Consistent with EPA's regulations, New Hampshire submitted to EPA its listing decisions under section 303(d)(2) on April 1, 2004. EPA approved New Hampshire's listing of 637 waterbody segments (5189 including mercury impairments) and associated priority rankings. EPA disapproved New Hampshire's decision not to list five water quality limited segments and associated pollutants. EPA identified these additional waters and pollutants along with priority rankings for inclusion on the 2004 section 303(d) list. EPA solicits public comment on its identification of five additional waters and associated pollutants for inclusion on New Hampshire's 2004 Section 303(d) list.

Dated: June 14, 2005.

**Linda M. Murphy,**

*Director, Office of Ecosystem Protection, New England Regional Office.*

[FR Doc. 05-13496 Filed 7-7-05; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7934-6]

**New Hampshire Marine Sanitation Device Standard; Receipt of Petition**

Notice is hereby given that a petition has been received from the State of New Hampshire requesting a determination of the Regional Administrator, U.S. Environmental Protection Agency, pursuant to Section 312(f)(3) of Public Law 92-500 as amended by Public Law 95-217 and Public Law 100-4, that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the coastal waters of New Hampshire. The area covered under this petition is:

Waterbody/general area	Latitude	Longitude
Open Ocean—southern .....	42°51'26.81241"	-70°44'50.43790"
Open Ocean—south of Isles of Shoals .....	42°54'54.69793"	-70°37'48.0360"
Open Ocean—east of Isles of Shoals .....	42°57'24.92153"	-70°32'6.08357"
Open Ocean—northern .....	43°0'40.06352"	-70°39'39.85119"
Open Ocean—center .....	42°57'13.00278"	-70°41'42.94551"
Hampton Falls River .....	42°54'39.99647"	-70°51'49.17592"
Great Bay—Squamscott River .....	42°58'55.12418"	-70°56'45.02511"
Great Bay—Lamprey River .....	43°4'53.81971"	-70°56'4.65330"
Little Bay—Oyster River .....	43°7'51.91065"	-70°55'4.70649"
Cocheco River .....	43°11'42.30454"	-70°52'21.96791"

Waterbody/general area	Latitude	Longitude
Salmon Falls River .....	43°13'36.97946"	-70°48'40.68515"

The State of New Hampshire has certified that there are six pumpout facilities located on the New Hampshire coastline to service vessels within the proposed NDA. A list of the facilities, phone numbers, locations, and hours of operation is appended at the end of this petition. There are five shore-based facilities, four of these facilities discharge directly to the town sewer, and one facility discharges into a 3,000 gallon tight tank. The area is also serviced by a pumpout boat which discharges into the town sewer. In addition, there are six restroom facilities available at marinas and boat launches, and another five restroom facilities available to the boating public, that are not associated with marinas.

The State of New Hampshire used three different methods to estimate the total vessel population in the proposed NDA, and used the highest total estimate of 4,593 in their calculations to determine the number of pumpout facilities needed to adequately serve the boating public. The transient vessel population is estimated to be 1,689 at

any point in time during the boating season, which is included in the total figure. Of the estimated total of 4,593 vessels using this area at any given time, approximately 962 are of a size that may have sewage holding tanks and need pumpout services. The State has determined that the six pumpout facilities currently in service in the proposed NDA are sufficient to meet the potential demand and prevent the discharge of vessel sewage into coastal waters.

The coastline and coastal waters within the proposed NDA contain a variety of rich natural habitats and support a wide diversity of species, providing a range of recreational and commercial activities. There are 16 public beaches, 12 public boat ramps, three historic sites, four science and nature centers, and the Great Bay National Wildlife Refuge. Great Bay, along with New Hampshire's other, smaller estuaries, is part of the National Estuary Program, having been designated an "estuary of national significance" by EPA. The New

Hampshire coastal area is also part of the larger ecosystem of the Gulf of Maine, which is the subject of an international ecosystem management program involving the United States and Canada. Both recreational and commercial shell fishermen use the area for the harvest of soft shell clams, oysters, blue mussels, surf clams, razor clams, and mahogany quahogs. In addition, recreational fishing is popular and the species found in the area are smelt, small cod, flounder, haddock, pollock, and striped bass.

Comments and reviews regarding this request for action may be filed on or before August 22, 2005. Such communications, or requests for information or a copy of the applicant's petition, should be addressed to Ann Rodney, U.S. Environmental Protection Agency—New England Region, One Congress Street, Suite 1100, COP, Boston, MA 02114-2023. Telephone: (617) 918-1538.

Dated: June 28, 2005.

**Robert W. Varney,**  
Regional Administrator.

LOCATIONS OF MARINAS WITH PUMPOUT STATIONS

Marina name	Town	Waterbody	Phone number & VHF#	Contact	Operating hours
George's Marina	Dover .....	Cocheco River	(603) 742-9089 .....	George Maglaras.	8:30 a.m.-5:00 p.m. (weekdays); 8:30 a.m.-6:00 p.m. (Saturday); 9:00 a.m.-4:00 p.m. (Sunday)
Little Bay Boating Club.	Dover .....	Little Bay .....	(603) 749-9282; VHF: 9, 16 .....	Ed Rosholt .....	Call marina.
Great Bay Marina.	Newington .....	Little Bay .....	(603) 436-5299; VHF: 9, 68 .....	Ellen Saas/ Tom Brown.	24 hours (May through October).
Wentworth by the Sea Marina.	New Castle .....	Little Harbor ...	(603) 433-5050; VHF: 9, 68, 71	Pat Kelley .....	8:00 a.m.-8:00 p.m. (weekdays); 7:00 a.m.-8:00 p.m. (weekends)
Hampton River Marina.	Hampton .....	Hampton Harbor.	(603) 929-1422; VHF: 10, 16 .....	Len Russell .....	Call marina.
DES Mobile Pumpout Boat.	Portsmouth .....	All coastal .....	(603) 436-0915; VHF: 9 .....	Steve Root/ Ken Anderson.	Call for an appointment.

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**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7935-7]

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

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

**ACTION:** Notice of availability.

**SUMMARY:** This notice announces final agency action on four TMDLs prepared by EPA Region 6 for waters listed in Louisiana's Barataria river basin, under section 303(d) of the Clean Water Act (CWA). Documents from the administrative record file for the four TMDLs, including TMDL calculations and responses to comments, may be viewed at <http://www.epa.gov/region6/water/tmdl.htm>. The administrative record file may be examined by calling

or writing Ms. Diane Smith at the following address. Please contact Ms. Smith to schedule an inspection.

**FOR FURTHER INFORMATION CONTACT:** Diane Smith, Environmental Protection Specialist, Water Quality Protection Division, U.S. EPA Region 6, 1445 Ross Avenue, Dallas, TX 75202-2733, (214) 665-2145.

**SUPPLEMENTARY INFORMATION:** In 1996, two Louisiana environmental groups, the Sierra Club and Louisiana Environmental Action Network (plaintiffs), filed a lawsuit in Federal