

accommodations may be made by visiting the NPPTAC web site at: <http://www.epa.gov/oppt/npptac/meetings.htm>. Registration will also be available at the meeting. Special accommodations may also be requested by calling (202) 564-9891 and leaving your name and telephone number.

2. *To request an opportunity to provide oral comments:* You must register first in order to request an opportunity to provide oral comments at the September 2005 (NPPTAC) Interim Ad Hoc Nanotechnology Work Group meeting. To register visit the NPPTAC web site at: <http://www.epa.gov/oppt/npptac/meetings.htm>. Request to provide oral comments at the meeting must be submitted in writing on or before September 22, 2005, with a registration form. Please note that time for oral comments may be limited to 3 to 5 minutes per speaker, depending on the number of requests received.

3. *Written comments.* You may submit written comments to the docket listed under Unit I.B. Written comments can be submitted at any time. If written comments are submitted on or before September 22, 2005, they will be provided to the (NPPTAC) Interim Ad Hoc Nanotechnology Work Group members prior to or at the meeting. If you provide written comments at the meeting, 35 copies will be needed.

Do not submit any information in your request that is considered CBI. Requests to participate in the meeting, identified by docket ID number OPPT-2002-001, must be received on or before September 22, 2005.

**List of Subjects**

Environmental protection, NPPTAC, Pollution Prevention, Toxics, Toxic Chemicals, Chemical Health and Safety, Nanotechnology.

Dated: September 13, 2005.  
**Charles M. Auer,**  
*Director, Office of Pollution Prevention and Toxics.*  
 [FR Doc. 05-18580 Filed 9-14-05; 2:07 pm]  
**BILLING CODE 6560-50-S**

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7969-9]

**Proposed CERCLA Administrative Agreement for Recovery of Past Response Costs; Lauli'i Cylinders Superfund Removal Site**

**AGENCY:** Environmental Protection Agency (EPA).  
**ACTION:** Notice; request for public comment.

**SUMMARY:** In accordance with section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended by the Superfund Amendments and Reauthorization Action ("CERCLA"), 42 U.S.C. 9622(i), notice is hereby given of a proposed Administrative Order on Consent ("AOC," Region 9 Docket No. 9-2005-0021) pursuant to section 122(h) of CERCLA concerning the Lauli'i Cylinders Removal Site (the "Site"), located in Lauli'i, American Samoa. The respondent to the AOC is FCF Fisheries Co. LTD ("FCF"), which arranged for the disposal of hazardous substances at the Site for which EPA incurred response costs.

Through the proposed AOC, FCF will reimburse the United States \$20,000 of its response costs, which total approximately \$130,000. The AOC provides FCF with a covenant not to sue and contribution protection for the costs and the removal action at the Site.

For thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the proposed AOC. The Agency's

response to any comments will be available for public inspection at EPA'S Region IX offices, located at 75 Hawthorne Street, San Francisco, California 94105.

**DATES:** Comments must be submitted on or before October 17, 2005.

**ADDRESSES:** The proposed Agreement may be obtained from Judith Winchell, Docket Clerk, telephone (415) 972-3124. Comments regarding the proposed Agreement should be addressed to Judith Winchell (SFD-7) at EPA Region IX, 75 Hawthorne Street, San Francisco, California 94105, and should reference the Lauli'i Cylinders Superfund Removal Site, Lauli'i, American Samoa, and USEPA Docket No. 9-2005-0021.

**FOR FURTHER INFORMATION CONTACT:** J. Andrew Helmlinger, Office of Regional Counsel, telephone (415) 972-3904, USEPA Region IX, 75 Hawthorne Street, San Francisco, California 94105.

Dated: September 2, 2005.  
**Keith A. Takata,**  
*Director, Superfund Division.*  
 [FR Doc. 05-18423 Filed 9-15-05; 8:45 am]  
**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7967-4]

**Connecticut Marine Sanitation Device Standard; Receipt of Petition**

Notice is hereby given that a petition has been received from the State of Connecticut requesting a determination by 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 area covered under this petition, which is:

| Waterbody/general area  | Latitude             | Longitude      |
|---|----------------------|----------------|
| Hoadley Point in Guilford .....   | 41°15'22.88" N ..... | 72°44'09.73" W |
| Due South from Hoadley to the Boundary between CT and NY .....                            | 41°07'51.17" N ..... | 72°44'09.73" W |
| Easterly boundary between CT and NY to a point due South of Eastern Point in Groton ..... | 41°15'54.55" N ..... | 72°04'31.09" W |
| Due North to Easter Point in Groton .....   | 41°19'08.94" N ..... | 72°04'31.09" W |
| CT and MA State boundary of the CT River .....  | 42°01'54.69" N ..... | 72°36'31.02" W |
| Navigable Rivers: Hammonasset, Menunketesuck, Niantic and the Thames.                     |                      |                |

The area also includes the navigable reaches of the Hammonasset River, Menunketesuck River, Niantic River and the Thames River that drain into Long Island Sound, and the Connecticut River within State boundaries.

The coastal towns bordering the proposed No Discharge Area are: Guilford, Madison, Clinton, Westbrook, Old Saybrook, Old Lyme, East Lyme, Waterford, and New London. There are 26 inland towns which border the five

rivers that are included in this proposed No Discharge Area designation.

The State of Connecticut has certified that there are 36 pumpout facilities located within the proposed area, and a list of the facilities, phone numbers,

locations, and hours of operation is appended at the end of this petition. There are 29 fixed shore-based facilities, four portable facilities, three pumpout boats, and ten dump stations. Three of the fixed shore facilities offer additional portable facilities. The majority of the pumpout facilities' wastes are collected in a holding tank and then properly disposed, by a licensed waste hauler to an off site facility. In Groton, Norwich, New London, Waterford, and East Lyme, pumpout facilities discharge directly to the town sewer systems.

In addition, there are approximately 107 marinas, docking areas, and boatyards within the proposed No Discharge Area, and the majority of these marine facilities have restrooms available for their patrons.

The State of Connecticut has provided documentation indicating that the total vessel population is estimated to be 7500 in the proposed area. Of these,

approximately 7200 are identified as recreational, 300 are identified as commercial, and the transient vessel population is estimated to be 430, which is included in the total figure. It is estimated that 4,000 or 53% of the total vessel population may have a Marine Sanitation Device (MSD) of some type. These total numbers may be overestimated and conservative by the State of Connecticut, which would give the boating public a larger ratio of pumpouts to boats (300–600 vessels for every one facility.)

There are 36 wildlife management areas, two state parks, approximately 33 public beaches, and 19 boat ramps located within the proposed No Discharge Area. The area is used by both recreational and commercial shell fishermen for the harvest of hard clams, small populations of bay scallops, soft shell clams and blue mussels. In addition fishing is commonplace and

the species found in the area include hickory shad, striped bass, bluefish, summer flounder, scup, weakfish and blackfish. The proposed area has a variety of rich natural habitats and supports a wide diversity of species. The federally listed species include the bald eagle, shortnose sturgeon, piping plover, and the puritan tiger beetle as well as dozens of state-rare and endangered species.

Comments and reviews regarding this request for action may be filed on or before October 31, 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.

LIST OF PUMPOUTS IN THE PROPOSED AREA

| Name  | Location                         | Contact information         | Hours of operation (call ahead to verify)  | Mean low water depth (feet) | Fee                       |
|---|----------------------------------|-----------------------------|--|-----------------------------|---------------------------|
| The Guilford Yacht Club                     | West River, Guilford .....       | VHF CH 71, 203–458–3048.    | May 1–Nov 30, daily 8 a.m. to 5 p.m..  | 8                           | Free/\$5 for non-members. |
| Cerino's Marina at Clinton Yacht Haven.     | Hammonasset River, Clinton.      | VHF CH 9, 72, 860–669–7716. | May 1–Nov 1, daily 9 a.m. to 5 p.m..   | 9                           | \$5.                      |
| Riverside Basin Marina Inc.                 | Hammonasset River, Clinton.      | VHF CH 9, 860–669–1503.     | May 1–Oct 31, daily 7 a.m. to 5 p.m..  | 6                           | Free.                     |
| Cedar Island Marina .....                   | Clinton Harbor, Clinton ..       | VHF CH 9, 68, 860–669–8681. | May 1–Oct 31, daily 8 a.m. to 5 p.m..  | 8                           | Free/\$5 for non-members. |
| Brewer Pilot's Point Marina (North Yard).   | Westbrook Harbor, Westbrook.     | VHF CH 9, 860–399–5128.     | July 1–Aug 31, daily 8 a.m. to 8 p.m..   | 8                           | Free/\$5 for non-members. |
| Brewer Pilot's Point (East Yard).           | Westbrook Harbor, Westbrook.     | VHF CH 9, 860–399–8421.     | July 1–Aug 31, daily 8 a.m. to 8 p.m..   | 7                           | Free/\$5 for non-members. |
| Brewer Pilot's Point Marina (South Yard).   | Westbrook Harbor, Westbrook.     | VHF CH 9, 860–399–7806.     | July 1–Aug 31, daily 8 a.m. to 8 p.m..   | 12                          | Free/\$5 for non-members. |
| Brewer Pilot's Point Marina (Pumpout Boat). | Westbrook Harbor, Westbrook.     | VHF CH 9, 860–399–7806.     | July 1–Aug 31, daily 8 a.m. to 8 p.m..   | 12                          | \$5.                      |
| Harry's Marine Repair ...                   | Patchogue River, Westbrook.      | 860–399–6165 .....          | April 1–Oct 31, daily 8 a.m. to 4:30 p.m..   | 7                           | \$5.                      |
| Saybrook Point Marina ..                    | Connecticut River, Old Saybrook. | VHF CH 9 .....              | May 1–Oct 31, daily 8 a.m. to 5 p.m..  | 7                           | \$5.                      |
| Brewer Ferry Point Marina.                  | Connecticut River, Old Saybrook. | VHF CH 9 .....              | May 1–Oct 31, M–W 8 a.m.–4:30 p.m., Th–F 8 a.m.–6 p.m., Sun 8 a.m.–5 p.m..                   | 6                           | Free.                     |
| Between the Bridges Marina.                 | Connecticut River, Old Saybrook. | VHF CH 7, 9 .....           | May 1–Nov 15, daily 8 a.m.–5 p.m..   | 14                          | \$10.                     |
| Ragged Rock Marina ....                     | Connecticut River, Old Saybrook. | 860–388–1431 .....          | May 1–Nov 30, 9 a.m.–4 p.m..   | 10                          | \$5.                      |
| Lower Connecticut River Pumpout Boat.       | Lower Connecticut River          | VHF CH 68 .....             | TBD .....  | N/A                         | Free.                     |
| State DEP Marine Division.                  | Connecticut River, Old Lyme.     | VHF CH 9 .....              | Memorial Day–Columbus Day, M–F 8 a.m. to 5 p.m., Sat, Sun and Monday holidays 9 a.m.–7 p.m.. | 4                           | Free.                     |
| Seaboard Marina .....                       | Connecticut River, Glas-tonbury. | VHF CH 68 .....             | Apr 1–Oct 31, daily 9 a.m.–5 p.m..   | 7                           | \$5.                      |
| Yankee Boat Yard & Marina.                  | Connecticut River, Port-land.    | VHF CH 68, 860–342–4735.    | Apr 1–Nov 30, daily 8 a.m.–6 p.m..   | 10                          | \$5.                      |
| Midway Marina .....                         | Connecticut River, Haddam.       | VHF CH 9, 13 .....          | May 1–Oct 31, M–F 8 a.m.–4:30 p.m., Sat 10 a.m.–3 p.m., Sun by appointment.                  | 8                           | Free/\$5 for non-members. |

## LIST OF PUMPOUTS IN THE PROPOSED AREA—Continued

| Name  | Location                                | Contact information         | Hours of operation (call ahead to verify)                         | Mean low water depth (feet) | Fee                               |
|---|---|-----------------------------|---|-----------------------------|-----------------------------------|
| Andrews Marina .....                          | Connecticut River, East Haddam.         | 860-345-2286 .....          | May 1–Nov 30, daily 9 a.m.–6 p.m..                                | 5                           | Free.                             |
| Hays Haven Marina .....                       | Connecticut River, Chester.             | VHF CH 9, 860-526-9366.     | May 1–Oct 31, daily 8 a.m.–5 p.m..                                | 6                           | Free.                             |
| Chrisholm Marina .....                        | Connecticut River, Chester.             | VHF CH 9, 860-526-5147.     | Apr 1–Nov 30, daily 8 a.m.–5 p.m..                                | 6                           | Free.                             |
| Chester Marina .....                          | Connecticut River, Chester.             | VHF CH 9, 860-526-2227.     | No data .....   | 6                           | No data.                          |
| Brewer Deep River Marina.                     | Connecticut River, Deep River.          | VHF CH 9, 860-526-5580.     | May 1–Oct 31, daily 8 a.m.–4 p.m..                                | 10                          | \$5.                              |
| Brewer Dauntless Shipyard.                    | Connecticut River, Essex.               | VHF CH 9, 860-767-0001.     | June 1–Sept 30, daily 7:30 a.m. to 5 p.m..                        | 12                          | Free/\$5 for non-members.         |
| The Chandlery at Essex                        | Connecticut River, Essex.               | VHF CH 68, 860-767-8257.    | May 1–Oct 31, M–Th 8 a.m.–5 p.m., F–Sun 8 a.m.–6 p.m..            | 12                          | Free/\$5 for non-members.         |
| Reynold's Garage and Marine.                  | Hamburg Cove, Lyme ...                  | 860-434-0028 .....          | May 1–Oct 31 M–Sat 9–5.   | 4–5                         | \$5.                              |
| Niantic Bay Marina .....                      | Niantic River, Waterford                | VHF CH 9, 860-782-3774.     | May 1–Oct 31, M–Th 10 a.m.–4 p.m..                                | 5                           | \$5.                              |
| Port Niantic Marina .....                     | Niantic River, East Lyme                | VHF CH 9, 860-739-2155.     | May 1–Oct 15, M–F 8 a.m.–4:30 p.m., Sat and Sun 8 a.m.–12 p.m..   | 7                           | \$5.                              |
| Bayreuther's Boat Yard, Inc.                  | Smith Cove (Niantic), East Lyme.        | VHF CH 8, 9, 860-739-6264.  | May 1–Oct 31, daily 9 a.m.–4 p.m..                                | 6                           | \$0.50 per gallon.                |
| Niantic River Pumpout Boat.                   | Niantic River, East Lyme, Waterford.    | VHF CH 68 .....             | May 30–Nov 1, Sat, Sun and Monday holidays 9 a.m.–5 p.m..         | N/A                         | Free.                             |
| Niantic Dockominium .....                     | Niantic River, East Lyme                | 860-739-8585 .....          | May 15–Nov 15, 8 a.m.–4 p.m..                                     | .....                       | \$5.                              |
| Burr's Yacht Haven, Inc                       | Thames River, New London.               | VHF CH 9, 78, 860-443-8457. | May 1–Oct 31 M–Th 8:30 a.m.–5:30 p.m., F–Sun 8:30 a.m.–6:30 p.m.. | 9                           | \$5.                              |
| Thamesport Marina .....                       | Thames River, New London.               | VHF CH 9, 68, 860-437-7022. | Mar 1–Nov 30, daily 8 a.m.–8 p.m..                                | 13                          | \$5.                              |
| Crocker's Boatyard, Inc                       | Thames River, New London.               | VHF CH 9, 10, 860-443-6304. | Mar 1–Nov 30, daily 7:30 a.m.–5 p.m..                             | 12                          | Free.                             |
| City of Groton Wastewater Treatment Facility. | Thames River, New London.               | VHF CH 72, 860-446-4806.    | May 1–Oct 31, M–F 7 a.m.–3 p.m., Sat–Sun 7 a.m.–10 p.m..          | 20+                         | \$5.                              |
| Marina at American Wharf.                     | Thames River (Norwich Harbor), Norwich. | VHF CH 68, 860-886-6363.    | Apr 1–Nov 30, daily 8 a.m.–8 p.m..                                | 25                          | \$3 (portable), Free at gas dock. |

Dated: August 31, 2005.

**Robert W. Varney,**

*Regional Administrator, New England Region.*

[FR Doc. 05-18014 Filed 9-15-05; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7969-8]

### State Program Requirements; Revision of the Approved National Pollutant Discharge Elimination System (NPDES) Program in North Dakota

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

**ACTION:** Public notice; final approval of the revision of the North Dakota NPDES Program.

**SUMMARY:** On September 9, 2005, the Regional Administrator for Region 8 of the United States Environmental Protection Agency approved a revision to the existing North Dakota Pollutant Discharge Elimination System program. With this revision, the State of North Dakota is now authorized to administer and enforce a pretreatment program where the State has jurisdiction. This program will be administered by the North Dakota Department of Health (NDDH), Division of Water Quality Department.

**FOR FURTHER INFORMATION CONTACT:** Curt McCormick (8P-W-P), U.S. EPA, Region 8, 999 18th Street, Suite 300, Denver, Colorado 80202-2466; telephone number (303) 312-6377; e-mail address [mccormick.curt@epa.gov](mailto:mccormick.curt@epa.gov).

**SUPPLEMENTARY INFORMATION:**

## I. Background

Under section 402 of the Clean Water Act (CWA), 33 U.S.C. 1342, the EPA may issue permits allowing discharges of pollutants from point sources into waters of the United States, subject to various requirements of the CWA. These permits are known as National Pollutant Discharge Elimination System (NPDES) permits. Section 402(b) of the CWA, 33 U.S.C. 1342(b), allows states to apply to the EPA for authorization to administer their own NPDES permit programs. In June of 1975, North Dakota's NPDES Program was approved by the EPA.

Section 402(b) of the CWA, 33 U.S.C. 1345(c), authorizes any state desiring to administer its own industrial pretreatment program to do so in accordance with section 402(b)(8) and (9) of the CWA, following the