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2. Any employee of the Agency in his or her official capacity;
3. Any employee of the Agency in his or her individual capacity where the Department of Justice or the Agency have agreed to represent the employee; or
4. The United States, if the Agency determines that litigation is likely to affect the Agency or any of its components,

Is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice or the Agency is deemed by the Agency to be relevant and necessary to the litigation provided, however, that in each case it has been determined that the disclosure is compatible with the purpose for which the records were collected.

*G. Disclosure to the National Archives*

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Information from this system of records may be disclosed to an authorized appeal grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator or other person properly engaged in investigation or settlement of an administrative grievance, complaint, claim, or appeal filed by an employee, but only to the extent that the information is relevant and necessary to the proceeding. Agencies that may obtain information under this routine use include, but are not limited to, the

Office of Personnel Management, Office of Special Counsel, Merit Systems Protection Board, Federal Labor Relations Authority, Equal Employment Opportunity Commission, and Office of Government Ethics.

*J. Disclosure to the Office of Personnel Management*

Information from this system of records may be disclosed to the Office of Personnel Management pursuant to that agency's responsibility for evaluation and oversight of Federal personnel management.

*K. Disclosure in Connection With Litigation*

Information from this system of records may be disclosed in connection with litigation or settlement discussions regarding claims by or against the Agency, including public filing with a court, to the extent that disclosure of the information is relevant and necessary to the litigation or discussions and except where court orders are otherwise required under section (b)(11) of the Privacy Act of 1974, 5 U.S.C. 552a(b)(11).

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Dated: January 4, 2008.

**Molly A. O'Neill,**

*Assistant Administrator and Chief Information Officer.*

[FR Doc. E8-445 Filed 1-11-08; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

[OW-FRL-8516-1]

**Beaches Environmental Assessment and Coastal Health Act**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of Availability of 2008 BEACH Act Grants.

**SUMMARY:** The Beaches Environmental Assessment and Coastal Health (BEACH) Act, signed into law on October 10, 2000, amended the Clean Water Act (CWA), to incorporate provisions to reduce the risk of illness to users of the Nation's recreational waters. Section 406(b) of the CWA, as amended by the BEACH Act, authorizes the U.S. Environmental Protection Agency (EPA) to award grants to eligible States, Territories, Tribes, and local governments to develop and implement microbiological monitoring programs of coastal recreation waters, including the Great Lakes, which are adjacent to beaches or similar points of access used by the public. BEACH Act grants also develop and implement programs to notify the public of the potential exposure to disease-causing microorganisms in these waters. EPA encourages coastal and Great Lakes States and Territories to apply for BEACH Act grants for program implementation (referred to as implementation grants) to implement effective and comprehensive coastal recreation water monitoring and public notification programs. EPA also encourages coastal and Great Lakes Tribes to apply for BEACH Act grants for program development (referred to as development grants) to develop effective and comprehensive coastal recreation water monitoring and public notification programs.

**DATES:** States and Territories must submit applications on or before March 14, 2008. Eligible Tribes should notify the relevant Regional BEACH Act grant coordinator of their interest in applying for a grant on or before February 28, 2008. Upon receipt of a Tribe's notice of interest, EPA will establish an appropriate application deadline.

**ADDRESSES:** You must send your application to the appropriate Regional Grant Coordinator listed in this notice under **SUPPLEMENTARY INFORMATION**, Section VI.

**FOR FURTHER INFORMATION CONTACT:** Rich Healy, 1200 Pennsylvania Ave., NW., (4305T), Washington, DC 20460, 202-566-0405, [healy.richard@epa.gov](mailto:healy.richard@epa.gov).

**SUPPLEMENTARY INFORMATION:**

## I. Grant Program

### *What Is the Statutory Authority for BEACH Act Grants?*

The general statutory authority for BEACH Act grants is section 406(b) of the Clean Water Act, as amended by the BEACH Act, Public Law No. 106–284, 114 Stat. 970 (2000). It provides that “(T)he Administrator may make grants to States and local governments to develop and implement programs for monitoring and notification for coastal recreation waters adjacent to beaches or similar points of access that are used by the public.” CWA section 406(b)(2)(A), however, limits EPA’s ability to award implementation grants only to those States, Tribes and Territories that meet certain requirements (see Section II, Funding and Eligibility, below for information on specific requirements).

### *What Activities Are Eligible for Funding Under the FY 2008 Grants?*

In fiscal year 2008, EPA intends to award grants authorized under CWA section 406(b) to eligible States and Territories to support the implementation of coastal recreation water monitoring and public notification programs that are consistent with EPA’s required performance criteria for implementation grants. Also in fiscal year 2008, EPA intends to award development grants to eligible Tribes to support the development of coastal recreation water monitoring and public notification programs that are consistent with EPA’s performance criteria for grants. EPA published the required performance criteria for grants in its *National Beach Guidance and Required Performance Criteria for Grants* (EPA–823–B–02–004), on July 19, 2002. A notice of availability of the document was published in the **Federal Register** (67 FR 47540, July 19, 2002). This document can be found on EPA’s Web site at <http://www.epa.gov/waterscience/beaches/grants>. Copies of the document may also be obtained by writing, calling, or e-mailing: Office of Water Resources Center, U.S. Environmental Protection Agency, Mail Code 4100T, 1200 Pennsylvania Avenue, NW., Washington, DC 20460. (Phone: 202–566–1731 or e-mail: [center.water-resource@epa.gov](mailto:center.water-resource@epa.gov)).

## II. Funding and Eligibility

### *Who Is Eligible To Apply for These Implementation Grants?*

Coastal and Great Lake States that meet the requirements of CWA section 406(b)(2)(A) are eligible for grants in fiscal year 2008 to implement monitoring and notification programs.

The definition of the term “State” in CWA section 502 includes the District of Columbia, and current U.S. Territories: the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

### *Are Local Governments Eligible for Funding?*

CWA section 406(b)(2)(B) authorizes EPA to make a grant to a local government for implementation of a monitoring and notification program only if, after the one-year period beginning on the date of publication of the performance criteria (July 19, 2002), EPA determines that the State within which the local government has jurisdiction is not implementing a program that meets the requirements of CWA section 406(b), which includes a requirement that the program is consistent with the performance criteria in *National Beach Guidance and Required Performance Criteria for Grants*. Local governments may contact their EPA Regional office for further information about BEACH Act grants.

### *How May Tribes Apply for BEACH Act Development Grants and How Much Funding Is Available for Tribes?*

Section 518(e) of the CWA authorizes EPA to treat eligible Indian Tribes in the same manner as States for the purpose of receiving CWA section 406 grant funding. For fiscal year 2008, EPA will make \$50,000 available for development grants to eligible Tribes. In order to be eligible for a CWA section 406 development grant, a Tribe must have coastal recreation waters adjacent to beaches or similar points of access that are used by the public. The phrase “coastal recreation waters” is defined in CWA section 502(21) to mean the Great Lakes and marine coastal waters (including coastal estuaries) that are designated under CWA section 303(c) for use for swimming, bathing, surfing, or similar water contact activities. The statute explicitly excludes from the definition inland waters and waters upstream of the mouth of a river or stream having an unimpaired natural connection with the open sea. In addition, a tribe must demonstrate that it meets the “treatment in the same manner as a State” (TAS) criteria contained in CWA section 518(e) for purposes of receiving a section 406 beaches grant. To demonstrate TAS, the Tribe must show that it: (1) Is federally recognized; (2) has a governing body carrying out substantial governmental duties and powers; (3) will be exercising functions pertaining to waters within

reservation; and (4) is reasonably expected to be capable of carrying out the functions consistent with the CWA and all applicable regulations. EPA encourages those Tribes with coastal recreation waters to contact their regional BEACH Act grant coordinator for further information regarding the application process as soon as possible.

### *Are There Any Additional Eligibility Requirements and Grant Conditions Applicable to States, Tribes, and Territories?*

Yes, there are additional eligibility requirements and grant conditions. First, CWA section 406(b)(2)(A) provides that EPA may only award a grant to implement a monitoring and notification program if:

- (i) The program is consistent with the performance criteria published by the Administrator under CWA section 406(a);
- (ii) the State or local government prioritizes the use of grant funds for particular coastal recreation waters based on the use of the water and the risk to human health presented by pathogens or pathogen indicators;
- (iii) the State or local government makes available to the Administrator the factors used to prioritize the use of funds under clause (ii);
- (iv) the State or local government provides a list of discrete areas of coastal recreation waters that are subject to the program for monitoring and notification for which the grant is provided that specifies any coastal recreation waters for which fiscal constraints will prevent consistency with the performance criteria under CWA section 406(a); and
- (v) the public is provided an opportunity to review the program through a process that provides for public notice and an opportunity for comment.

Second, CWA section 406(c) requires that as a condition of receipt of a CWA section 406 grant, a State or local government program for monitoring and notification must identify:

- (1) lists of coastal recreation waters in the State, including coastal recreation waters adjacent to beaches or similar points of access that are used by the public;
- (2) in the case of a State program for monitoring and notification, the process by which the State may delegate to local governments responsibility for implementing the monitoring and notification program;
- (3) the frequency and location of monitoring and assessment of coastal recreation waters based on—

(A) The periods of recreational use of the waters;

(B) the nature and extent of use during certain periods;

(C) the proximity of the waters to known point sources and nonpoint sources of pollution; and

(D) any effect of storm events on the waters;

(4) (A) the methods to be used for detecting levels of pathogens and pathogen indicators that are harmful to human health; and

(B) the assessment procedures for identifying short-term increases in pathogens and pathogen indicators that are harmful to human health in coastal recreation waters (including increases in relation to storm events);

(5) measures for prompt communication of the occurrence, nature, location, pollutants involved, and extent of any exceeding of, or likelihood of exceeding, applicable water quality standards for pathogens and pathogen indicators to—

(A) the Administrator, in such form as the Administrator determines to be appropriate; and

(B) a designated official of a local government having jurisdiction over land adjoining the coastal recreation waters for which the failure to meet applicable standards is identified;

(6) measures for the posting of signs at beaches or similar points of access, or functionally equivalent communication measures that are sufficient to give notice to the public that the coastal recreation waters are not meeting or are not expected to meet applicable water quality standards for pathogens and pathogen indicators; and

(7) measures that inform the public of the potential risks associated with water contact activities in the coastal recreation waters that do not meet applicable water quality standards.

Third, as required by CWA section 406(b)(3)(A), a State recipient of a CWA section 406 grant must submit to EPA, in such format and at such intervals as EPA determines to be appropriate, a report that describes:

(1) Data collected as part of the program for monitoring and notification as described in section 406(c), and

(2) actions taken to notify the public when water quality standards are exceeded. States must submit to EPA both the monitoring and notification reports for any beach season by January 31 of the year following the beach season. For the 2008 beach season, the deadline for states to submit these reports is January 31, 2009. EPA first established this report submission deadline in the **Federal Register** notice for the fiscal year 2003 grants (68 FR 15446, 15449 (March 31, 2003)).

Fourth, States are required to report to EPA, latitude, longitude and mileage data on:

(1) The extent of beaches and similar points of public access adjacent to coastal recreation waters, and

(2) The extent of beaches that are monitored.

EPA first established this requirement in the **Federal Register** notice for the fiscal year 2003 grants (68 FR 15446, 15447 (March 31, 2003)). EPA is continuing this requirement in order to capture any changes States may make to their beach monitoring and notification program. States must report to EPA any changes to either the extent of their beaches or similar points of access, or to the extent of their beaches that are monitored.

*How Much Funding Is Available?*

For fiscal year 2008, the total available for BEACH Act grants is expected to be \$9,745,500. EPA expects to award all but \$50,000 to eligible

States and Territories for implementation grants. EPA intends to award the remaining \$50,000 in development grants to eligible Tribes. If EPA does not award any grants to eligible Tribes, EPA will redistribute the money to eligible States and Territories using the allocation formula described below.

*How Will the Funding for States and Territories Be Allocated?*

For fiscal year 2008, EPA expects to award grants to all eligible States and Territories who apply for funding based on the allocation formula that the Agency developed for awarding BEACH Act grant funds in 2002. EPA consulted with various States, the Coastal States Organization, and the Association of State and Interstate Water Pollution Control Administrators (ASIWPCA) to develop this formula. The allocation formula uses three factors: (1) Beach season length, (2) beach miles, and (3) beach use.

(1) Beach Season Length

EPA selected beach season length as a factor because it determines the part of the year when a government would conduct its monitoring program. The longer the beach season, the more resources a government would need to conduct monitoring. The Agency obtained the information on the length of a beach season from the National Health Protection Survey of Beaches for the States or Territories that submitted a completed survey. EPA estimated the beach season length for Alaska based on air and water temperature, available information on recreation activities, and data from the 1993 National Water Based Recreation Survey. EPA grouped the States and U.S. Territories into four categories of beach season lengths:

For beaches in:	The beach season category is:
Alaska .....	< 3 months.
Connecticut, Delaware, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Ohio, Oregon, Pennsylvania, Rhode Island, Virginia, Washington, Wisconsin.	3–4 months.
Alabama, Georgia, Louisiana, Mississippi, North Carolina, South Carolina .....	5–6 months.
American Samoa, California, Florida, Guam, Hawaii, Northern Mariana, Puerto Rico, Texas, U.S. Virgin Islands. ....	9–12 months.

(2) Beach Miles

EPA selected miles of beach as a factor because it determines the geographical extent over which a government would conduct monitoring. The more miles of beaches, the more resources a government would need to conduct monitoring. EPA does not have beach mileage data in a format that can

be used for the allocation formula at this time. Therefore, EPA is using shoreline miles as a surrogate for beach miles in the allocation formula. Shoreline miles data overestimates beach miles in some States and Territories; however, EPA and States agreed that this is the best way to estimate beach miles until complete beach mile data become

available. EPA used the National Oceanic and Atmospheric Administration (NOAA) publication, *The Coastline of the United States*, to quantify shoreline miles.

(3) Beach Use

EPA selected beach use as a factor because it reflects the magnitude of

potential human exposure to pathogens at recreational beaches. Greater use of beaches makes it more likely that a government would need to increase monitoring frequency due to the larger number of people potentially exposed to pathogens. EPA continues to use the coastal population of counties (based on the 2000 Census data) to quantify the coastal population that is wholly or partially within the State's or Territory's legally-defined coastal zone, as a surrogate for actual beach usage.

The allocation formula sums the three parts. The first part is a base amount for all States and Territories that varies with the length of the beach season. The second part distributes 50% of the total remaining funds based on the ratio of shoreline miles in a State or Territory to the total length of shoreline miles across the entire United States. For example, if a State has 4% of the total coastal and Great Lakes shoreline, that State would receive 4% of 50% (or 2%) of total funds remaining after the Agency

distributed the funds for part one. The third part distributes the remaining 50% based on the ratio of coastal population in a State or Territory to the total coastal population in the United States. For example, if a State has 2% of the total coastal and Great Lakes population, that State would receive 2% of 50% (or 1%) of the total funds remaining after the Agency distributes the funds based on the first two parts. The following table summarizes the allocation formula:

For the factor:	The part of the allocation is:
Beach season length .....	< 3 months: \$150,000 (States and Territories with a season <3 months receive season-based funding only.) 3-4 months: \$200,000. 5-6 months: \$250,000. >6 months: \$300,000.
Shoreline miles .....	determined based on the ratio of shoreline miles in a State/Territory to the total length of shoreline miles across the United States and is taken from 50% of funds remaining after allocation of season-based funding.
Coastal population .....	determined based on the ratio of coastal population in a State/Territory to the total coastal population in the United States and is taken from 50% of funds remaining after allocation of season-based funding and funding based on shoreline miles.

For 2008, the total available for BEACH Act grants to States and Territories is expected to be \$9,695,500. Assuming all 35 States and Territories with coastal recreation waters apply and meet the statutory eligibility requirements for implementation grants (and have met the statutory grant conditions applicable to previously awarded section 406 grants), the distribution of the funds for year 2008 is expected to be:

For the State or Territory of:	The year 2008 allocation is expected to be:
Alabama .....	\$258,390
Alaska .....	\$147,650
American Samoa .....	\$297,460
California .....	\$514,720
Connecticut .....	\$220,500
Delaware .....	\$207,730
Florida .....	\$526,320
Georgia .....	\$282,700
Guam .....	\$297,930
Hawaii .....	\$318,590
Illinois .....	\$240,290
Indiana .....	\$202,730
Louisiana .....	\$320,270
Maine .....	\$252,220
Maryland .....	\$266,900
Massachusetts .....	\$251,930
Michigan .....	\$276,210
Minnesota .....	\$201,190
Mississippi .....	\$253,680
New Hampshire .....	\$201,450
New Jersey .....	\$275,480
New York .....	\$347,300
North Carolina .....	\$299,150
Northern Marianas .....	\$298,670
Ohio .....	\$220,780
Oregon .....	\$225,970
Pennsylvania .....	\$219,650
Puerto Rico .....	\$324,080
Rhode Island .....	\$209,650

For the State or Territory of:	The year 2008 allocation is expected to be:
South Carolina .....	\$293,270
Texas .....	\$379,140
U.S. Virgin Islands .....	\$298,510
Virginia .....	\$274,650
Washington .....	\$267,980
Wisconsin .....	\$222,420

*What If a State Does Not Apply or Does Not Qualify for Funding?*

EPA expects that all 35 States and Territories will apply for a grant. If fewer than 35 States and Territories apply for the allocated amount, or if any applicant fails to meet the statutory eligibility requirements (or the statutory conditions applicable to previously awarded section 406 grants), then EPA will distribute available grant funds to eligible States and Territories in the following order:

- (1) States and Territories that meet the eligibility requirements for implementation grants and that have met the statutory conditions applicable to previously awarded section 406 grants will be awarded the full amount of funds allocated to the State under the formula described above.
- (2) EPA may award program implementation grants to local governments in States and Territories that the Agency determines have not met the requirements for implementation grants.
- (3) Consistent with CWA Section 406(h), EPA will use the State's and Territory's allocated funds to conduct a beach monitoring and notification program for beaches in any State and

Territory that EPA determines does not have a program for monitoring and notification that is consistent with EPA's grant performance criteria.

*What If a State or Territory Cannot Use All of Its Allocation?*

If a State, Tribe, or Territory cannot use all of its allocation, the Regional Administrator may award the unused funds to any eligible coastal or Great Lake grant recipient in the Region for the continued development or implementation of their coastal recreation water monitoring and notification program(s). If, after re-allocation, there are still unused funds within the Region, EPA Headquarters will redistribute these funds to any eligible coastal or Great Lake BEACH Act grant recipient.

*How Will the Funding for Tribes Be Allocated?*

EPA expects to apportion the funds set aside for tribal grants evenly among all eligible Tribes that apply for funding.

*What Is the Expected Duration of Funding and Projects?*

The expected funding and project periods for implementation grants awarded in fiscal year 2008 is one year.

*Does EPA Require Matching Funds?*

Recipients do not have to provide matching funds for BEACH Act grants. EPA may establish a match requirement in the future based on a review of State program activity and funding levels.

### III. Eligible Activities

Recipients of implementation grants may use funds for activities to support implementing a beach monitoring and notification program that is consistent with the required performance criteria for grants specified in the document, *National Beach Guidance and Required Performance Criteria for Grants* (EPA-823-B-02-004). Recipients of development grants may use the funds to develop a beach monitoring and notification program consistent with the performance criteria.

### IV. Selection Process

EPA Regional offices will award CWA section 406 grants through a non-competitive process. EPA expects to award grants to all eligible State, Tribe, and Territory applicants that meet the applicable requirements described in this notice.

#### *Who Has the Authority To Award BEACH Act Grants?*

The Administrator has delegated the authority to award BEACH Act grants to the Regional Administrators.

### V. Application Procedure

*What Is the Catalog of Federal Domestic Assistance (CFDA) Number for the BEACH Monitoring and Notification Program Implementation Grants?*

The number assigned to the BEACH Act Grants is 66.472, Program Code CU.

*Can BEACH Act Grant Funds Be Included in a Performance Partnership Grant?*

For fiscal year 2008, BEACH Act Grants cannot be included in a Performance Partnership Grant.

*What Is the Application Process for States and Territories?*

Your application package should contain completed:

- EPA SF-424 Application for Federal Assistance, and
- Program Summary.

In order for EPA to determine that a State or local government is eligible for an implementation grant, the applicant must submit documentation with its application to demonstrate that its program is consistent with the performance criteria. The Program Summary must contain sufficient technical detail for EPA to confirm that your program meets the statutory eligibility requirements and statutory grant conditions for previously awarded CWA section 406 grants listed in section II (Funding and Eligibility) of this notice. The Program Summary must also describe how the State used BEACH Act

Grant funds to develop and implement the beach monitoring and notification program, and how the program is consistent with the nine performance criteria in *National Beach Guidance and Required Performance Criteria for Grants* (EPA-823-B-02-004) which is found at <http://www.epa.gov/waterscience/beaches/grants/guidance/index.html>. The Program Summary should also describe the State or Territory program's objectives for the next year.

States and Territories must submit application packages to the appropriate EPA Regional Office by March 14, 2008. EPA will make an award after the Agency reviews the documentation and confirms that the program meets the applicable requirements. The Office of Management and Budget has authorized EPA to collect this information (BEACH Act Grant Information Collection Request, OMB control number 2040-0244). Please contact the appropriate EPA Regional Office for a complete application package. See Section VI for a list of EPA Regional Grant Coordinators or visit the EPA Beach Watch Web site at <http://www.epa.gov/waterscience/beaches/contact.html> on the Internet.

*What Should a Tribe's Notice of Interest Contain?*

The Notice of Interest should include the Tribe's name and the name and telephone number of a contact person.

*Are Quality Assurance and Quality Control (QA/QC) Required for Application?*

Yes. Three specific QA/QC requirements must be met to comply with EPA's performance criteria for grants:

(1) Applicants must submit documentation that describes the quality system implemented by the State, Territory, Tribe, or local government. Documentation may be in the form of a Quality Management Plan or equivalent documentation.

(2) Applicants must submit a quality assurance project plan (QAPP) or equivalent documentation.

(3) Applicants are responsible for submitting documentation of the quality system and QAPP for review and approval by the EPA Quality Assurance Officer or his designee before they take primary or secondary environmental measurements. More information about the required QA/QC procedures is available in Chapter Four and Appendix H of *National Beach Guidance and Required Performance Criteria for Grants* (EPA-823-B-02-004).

*Are There Reporting Requirements?*

Recipients must submit annual performance reports and financial reports as required in 40 CFR 31.40 and 31.41. The annual performance report explains changes to the beach monitoring and notification program during the grant year. It also describes how the grant funds were used to implement the program to meet the performance criteria listed in *National Beach Guidance and Required Performance Criteria for Grants* (EPA-823-B-02-004). The annual performance report required under 40 CFR 31.40 is due no later than 90 days after the grant year ends. Recipients must also submit annual monitoring and notification reports required by the National Beach Guidance and Required Performance Criteria for Grants (EPA-823-B-02-004). Sections 2.2.3 and 4.3 of the document contain the performance criterion requiring an annual monitoring report, and sections 2.2.8 and 5.4 contain the performance criterion requiring an annual notification report. This document can be found at <http://www.epa.gov/waterscience/beaches/grants/>. These reports, required to be submitted to EPA by States, Tribes and Territories under CWA section 406(b)(3)(A), include data collected as part of a monitoring and notification program. As a condition of award of an implementation grant, EPA requires that the monitoring report and the notification report for any beach season be submitted not later than January 31 of the year following the beach season. (See Section II, Funding and Eligibility, above.)

*What Regulations and OMB Cost Circular Apply to the Award and Administration of these Grants?*

The regulations at 40 CFR Part 31 govern the award and administration of grants to States, Tribes, local governments, and Territories under CWA section 406(b). Allowable costs will be determined according to the cost principles outlined in 2 CFR Part 225.

### VI. Grant Coordinators

*Headquarters—Washington DC*

Rich Healy USEPA, 1200 Pennsylvania Ave. NW.—4305, Washington DC 20460; T: 202-566-0405; F: 202-566-0409; [healy.richard@epa.gov](mailto:healy.richard@epa.gov).

*Region I—Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island*

Matt Liebman USEPA Region I, One Congress St. Suite 1100—COP, Boston,

MA 02114–2023; T: 617–918–1626; F: 617–918–1505; [liebman.matt@epa.gov](mailto:liebman.matt@epa.gov).

*Region II—New Jersey, New York, Puerto Rico, U.S. Virgin Islands*

Helen Grebe USEPA Region II, 2890 Woodbridge Ave., MS220, Edison, NJ 08837–3679; T: 732–321–6797; F: 732–321–6616; [grebe.helen@epa.gov](mailto:grebe.helen@epa.gov).

*Region III—Delaware, Maryland, Pennsylvania, Virginia*

Mark Barath USEPA Region III, 1650 Arch Street, 3WP30, Philadelphia, PA 19103–2029; T: 215–814–2759; F: 215–814–2318; [barath.mark@epa.gov](mailto:barath.mark@epa.gov).

*Region IV—Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina*

Joel Hansel USEPA Region IV, 61 Forsyth St., 15th Floor, Atlanta, GA 30303–3415; T: 404–562–9274; F: 404–562–9224; [hansel.joel@epa.gov](mailto:hansel.joel@epa.gov).

*Region V—Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin*

Holly Wirick USEPA Region V, 77 West Jackson Blvd., WT–16J, Chicago, IL 60604–3507; T: 312–353–6704; F: 312–886–0168; [wirick.holiday@epa.gov](mailto:wirick.holiday@epa.gov).

*Region VI—Louisiana, Texas*

Mike Schaub USEPA Region VI, 1445 Ross Ave. 6WQ–EW, Dallas, TX 75202–2733; T: 214–665–7314; F: 214–665–6689; [schaub.mike@epa.gov](mailto:schaub.mike@epa.gov).

*Region IX—American Samoa, Commonwealth of the Northern Mariana Islands, California, Guam, Hawaii*

Terry Fleming USEPA Region IX, 75 Hawthorne St. WTR–2, San Francisco, CA 94105; T: 415–972–3462; F: 415–947–3537; [fleming.terrence@epa.gov](mailto:fleming.terrence@epa.gov).

*Region X—Alaska, Oregon, Washington*

Rob Pedersen USEPA Region X, 120 Sixth Ave., OW–134, Seattle, WA 98101; T: 206–553–1646; F: 206–553–0165; [pedersen.rob@epa.gov](mailto:pedersen.rob@epa.gov).

Dated: January 7, 2008.

**Benjamin H. Grumbles,**

*Assistant Administrator for Water.*

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## FEDERAL COMMUNICATIONS COMMISSION

### Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission, Comments Requested

January 4, 2008.

**SUMMARY:** The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden, invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act of 1995 (PRA), 44 U.S.C. Sections 3501–3520. An agency may not conduct or sponsor a collection of information unless it displays a current valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid control number. Comments are requested concerning: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

**DATES:** Written PRA comments should be submitted on or before March 14, 2008. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** You may submit all PRA comments by e-mail or U.S. mail. To submit your comments by e-mail, send them to [PRA@fcc.gov](mailto:PRA@fcc.gov). To submit your comments by U.S. mail, send them to Leslie F. Smith, Federal Communications Commission, Room 1–C216, 445 12th Street, SW., Washington, DC 20554, or via the Internet to [PRA@fcc.gov](mailto:PRA@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information about the information collection(s), contact Leslie F. Smith via the Internet at [PRA@fcc.gov](mailto:PRA@fcc.gov) or call (202) 418–0217.

*OMB Control Number:* 3060–0760.  
*Title:* Access Charge Reform, CC Docket No. 96–262 (*First Report and Order*); *Second Order on Reconsideration and Memorandum*

*Opinion and Order, and Fifth Report and Order.*

*Form Number:* N/A.

*Type of Review:* Revision of a currently approved collection.

*Respondents:* Business or other for-profit.

*Number of Respondents and Responses:* 20 respondents; 20 responses.

*Estimated Time per Response:* 3–1,575 hours.

*Obligation to Respond:* Required to obtain or retain benefits.

*Frequency of Response:* On occasion and one-time reporting requirements.

*Total Annual Burden:* 55,514 hours.

*Total Annual Cost:* \$12,240.

*Privacy Act Impact Assessment:* No impacts.

*Nature of Extent of Confidentiality:* The Commission is not requesting that the respondents submit confidential information to the FCC. Respondents may, however, request confidential treatment for information they believe to be confidential under 47 CFR Section 0.459 of the Commission's rules.

*Needs and Uses:* On August 31, 2007, the FCC released a *Report and Order and Memorandum Opinion and Order* (“*Order*”), Sunset of the BOC Separate Affiliate and Related Requirements and 2000 Biennial Regulatory Review Separate Affiliate Requirements, WC Docket No. 02–112; CC Docket No. 00–175, FCC 07–159, Pursuant to this *Order*, respondents are no longer required to comply with 47 U.S.C. Section 272 structural safeguards. As such, the respondents must now file certifications with the Commission prior to providing contract tariff services to itself or to any affiliate that is neither a section 272 nor a rule 64.1903 separate affiliate for use in the provision of any in-region, long distance services that it provides service pursuant to that contract tariff to an unaffiliated customer. The certification requirement will ensure, as a result of the relief granted in this *Order*, equivalent protection in the event the BOCs provide in-region, long distance services directly and will be less burdensome and less costly for these providers.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. E8–459 Filed 1–11–08; 8:45 am]

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