

ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-8588-8]

Environmental Impacts Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564-7167 or <http://www.epa.gov/compliance/napa/>.

Weekly Receipt of Environmental Impact Statements Filed 12/15/2008 Through 12/19/2008 Pursuant to 40 CFR 1506.9

Due to the closing of Executive Departments and Agencies of the Federal Government on 12/26/2008, this Notice of Availability is being published on 12/29/2008. Comment and Wait Periods will be calculated from 12/29/2008.

EIS No. 20080527, Draft EIS, AFS, CA, Modoc National Forest Motorized Travel Management Plan, Implementation, National Forest Transportation System (NFTS), Modoc, Lassen and Siskiyou Counties, CA, Comment Period Ends: 02/11/2009, Contact: Kathleen Borovac 530-233-8754.

EIS No. 20080528, Draft EIS, USN, 00, Northwest Training Range Complex (NWTRC), To Support and Conduct Current, Emerging, and Future Training and Research, Development, Test and Evaluation (RDT&E) Activities, WA, OR and CA, Comment Period Ends: 02/11/2009, Contact: Kimberly Kler 360-396-0927.

EIS No. 20080529, Draft EIS, FHW, CT, North Hillside Road Extension on the University of Connecticut Storrs Campus, Hunting Lodge Road, U.S. Army COE Section 404 Permit, in the town Mansfield, CT, Comment Period Ends: 02/13/2009, Contact: Bradley D. Keafer 860-659-6703 Ext 3009.

EIS No. 20080530, Draft EIS, MMS, AK, Beaufort Sea and Chukchi Sea Planning Areas, Proposals for Oil and Gas Lease Sales 209, 212, 217, and 221, Offshore Marine Environment, Beaufort Sea Outer Continental Shelf, and North Slope Borough of Alaska, Comment Period Ends: 03/16/2009, Contact: Keith Gordon 907-334-5265.

EIS No. 20080531, Draft EIS, USN, WA, Naval Base Kitsap—Bangor, Construct and Operate a Swimmer Interdiction Security System (SISS), Silverdadle Kitsap County, WA, Comment Period Ends: 03/02/2009, Contact: Shannon Kasa 619-553-3889.

EIS No. 20080532, Draft EIS, AFS, CO, Vail Ski Area's 2007 Improvement Project, Addressing Issues Related to

the Lift and Terrain Network, Skier Circulation, Snowmaking Coverage, Guest Services Facilities, Special-Use-Permit, Eagle/Holy Cross Ranger District, White River National Forest, Eagle County, CO, Comment Period Ends: 02/11/2009, Contact: Roger Poirier 970-945-3266.

EIS No. 20080533, Draft EIS, AFS, CA, Plumas National Forest Public Motorized Travel Management, Implementation, Plumas National Forest, Plumas County, CA, Comment Period Ends: 02/11/2009, Contact: Jane Beaulieu 530-283-7742.

EIS No. 20080534, Final EIS, IBR, WA, Yakima River Basin Water Storage Feasibility Study, Create Additional Water Storage, Benton, Yakima, Kittitas Counties, WA, Wait Period Ends: 01/27/2009, Contact: David Kaumheimer 509-575-5848 Ext. 612.

Amended Notices

EIS No. 20070327, Draft EIS, FTA, TX, Withdrawn—Denton to Carrollton Regional Rail Corridor Project, Transportation Improvements between Downtown Denton and the Dallas Area Rapid (DART) System, Right-of-Way Grant, Denton and Dallas Counties, TX, Contact: Robert C. Patrick 817-978-0550. Revision to FR Notice Published 08/03/2007: Officially Withdrawn by the Filing Agency.

EIS No. 20080480, Draft EIS, USN, NJ, Laurelwood Housing Area, Access at Naval Weapons Station Earle, Lease Agreement, Monmouth County, NJ, Comment Period Ends: 01/23/2009, Contact: Kim Joyner-Barty 757-322-8473. Revision to FR Notice Published 11/28/2008: Extending Comment Period from 01/12/2009 to 01/23/2009.

Dated: December 22, 2008.

Clifford Rader,

Environmental Protection Specialist, Office of Federal Activities.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-8757-3, EPA-HQ-OW-2008-0055]

Final National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges Incidental to the Normal Operation of a Vessel

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability.

SUMMARY: EPA Regions 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 are finalizing an NPDES

Vessel General Permit (VGP) to cover discharges incidental to the normal operation of vessels. This action is in response to a District Court ruling that vacates, as of December 19, 2008, a long-standing EPA regulation that excludes discharges incidental to the normal operation of a vessel from the need to obtain an NPDES permit. As of December 19, 2008, discharges incidental to the normal operation of a vessel that had formerly been exempted from NPDES permitting by the regulation will be subject to the prohibition in CWA Section 301(a) against the discharge of pollutants without a permit.

EPA solicited information and data on discharges incidental to normal vessel operations to assist in developing two NPDES general permits in a **Federal Register** Notice published June 21, 2007 (72 FR 32421). The majority of information and data in response to that notice came from seven different groups: Individual citizens, commercial fishing representatives, commercial shipping groups, environmental or outdoor recreation groups, the oil and gas industry, recreational boating-related businesses, and state governments. EPA considered all the information and data received along with other publicly available information in developing two proposed vessel permits.

EPA published the two proposed permits and accompanying fact sheets for public comment on June 17, 2008 (73 FR 34296). As proposed, the VGP would have covered all commercial and non-recreational vessels and those recreational vessels longer or equal to 79 feet, and the proposed RGP would have covered recreational vessels less than 79 feet in length. However, after the permits were proposed, Congress enacted two new laws that impact the universe of vessels covered under today's permit. On July 29, 2008, Senate bill S. 2766 ("the Clean Boating Act of 2008") was signed into law (Pub. L. 110-288). This law provides that recreational vessels shall not be subject to the requirement to obtain an NPDES permit to authorize discharges incidental to their normal operation. As a result of this legislation, EPA is not finalizing the proposed recreational vessel NPDES permit and has also modified the VGP, which included those recreational vessel over 79 feet, to eliminate that coverage. On July 31, 2008, Senate bill S. 3298 was signed into law (Pub. L. 110-299). This law generally imposes a two-year moratorium during which time neither EPA nor states can require NPDES permits for discharges (except ballast