

39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

### PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

#### § 39.13 [Amended]

2. Section 39.13 is amended by adding a new airworthiness directive to read as follows:

**Robinson Helicopter Company:** Docket No. FAA-2010-0711; Directorate Identifier 2008-SW-25-AD.

**Applicability:** Model R22, R22 Alpha, R22 Beta, and R22 Mariner helicopters, serial numbers (S/N) 0002 through 3325, that have more than 2,200 hours total time-in-service (TIS); and Model R44 and R44 II helicopters, S/N 0001 through 1200, that have more than 2,200 hours total TIS, certificated in any category.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent the tail rotor (T/R) control pedal bearing block support (support) from breaking, which can bind the T/R control pedals, resulting in a reduction of yaw control and subsequent loss of control of the helicopter, accomplish the following:

(a) Within 100 hours TIS, visually inspect each A359-1 (left) and A359-2 (right) pedal support for a crack by referring to the figure in Robinson Helicopter Company (Robinson) Service Bulletin SB-97, dated February 22, 2008 (SB-97) for all Model R22 helicopters, and Robinson Service Bulletin SB-63, dated February 22, 2008 (SB-63) for all Model R44 helicopters.

(1) If you find a crack in a support, before further flight, replace the cracked support with an airworthy support that is at least 0.050-inch thick.

(2) For each uncracked support, measure the thickness of the support. If the support is less than 0.050-inch thick, before further flight, install a safety tab on the support in accordance with steps 4 and 5 of the Compliance Procedures section in SB-97 or SB-63, as appropriate for your model helicopter.

(b) At the next 2,200 hours TIS overhaul, replace any support that is less than 0.050-inch thick, with an airworthy support that is at least 0.050-inch thick.

(c) To request a different method of compliance or a different compliance time for this AD, follow the procedures in 14 CFR 39.19. Contact the Manager, Los Angeles Aircraft Certification Office, FAA, ATTN: Eric D. Schrieber, Aviation Safety Engineer, 3960 Paramount Blvd., Lakewood, California 90712, telephone (562) 627-5348, fax (562) 627-5210 (regarding Model R22 helicopters); or ATTN: Fred Guerin, Aviation Safety Engineer, telephone (562) 627-5232, fax (562) 627-5210 (regarding Model R44 helicopters) for information about previously approved alternative methods of compliance.

Issued in Fort Worth, Texas, on July 6, 2010.

**Mark R. Schilling,**

*Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.*

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**BILLING CODE 4910-13-P**

### DELAWARE RIVER BASIN COMMISSION

#### 18 CFR Part 410

#### Amendments to the Water Quality Regulations, Water Code and Comprehensive Plan to Update Water Quality Criteria for Toxic Pollutants in the Delaware Estuary and Extend These Criteria to Delaware Bay

**AGENCY:** Delaware River Basin Commission.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Delaware River Basin Commission (DRBC or "Commission") will hold a public hearing to receive comments on proposed amendments to the Commission's Water Quality Regulations, Water Code and Comprehensive Plan to update many of the Commission's stream quality objectives (also called water quality criteria) for human health and aquatic life for toxic pollutants in the Delaware Estuary (DRBC Water Quality Zones 2 through 5) and to extend application of the criteria to Delaware Bay (DRBC Water Quality Zone 6). The proposed changes will bring the Commission's criteria for toxic pollutants into conformity with current guidance published by the U.S. Environmental Protection Agency (EPA) and provide a more consistent regulatory framework for managing the tidal portion of the main stem Delaware River.

**DATES:** The public hearing will take place on Thursday, September 23, 2010 at 2:30 p.m. and will continue on that day until all those who wish to testify are afforded an opportunity to do so. Written comments will be accepted through 5 p.m. on Friday, October 1, 2010.

**ADDRESSES:** The public hearing will take place in the Goddard Room at the Commission's office building, located at 25 State Police Drive, West Trenton, New Jersey. Driving directions are available on the Commission's Web site, <http://www.drbc.net>. Please do not rely on Internet mapping services as they may not provide accurate directions to this location.

Written comments may be submitted by e-mail to [regs@drbc.state.nj.us](mailto:regs@drbc.state.nj.us) by fax to Regulations at 609-883-9522; by U.S. Mail to Regulations c/o Commission

Secretary, DRBC, P.O. Box 7360, West Trenton, NJ 08628-0360; or by private mail carrier to Regulations c/o Commission Secretary, DRBC, 25 State Police Drive, West Trenton, NJ 08628-0360. In all cases, please include the commenter's name, address and affiliation if any in the comment and include "Water Quality Criteria" in the subject line.

**FOR FURTHER INFORMATION CONTACT:** The current rule and the full text of the proposed amendments are posted on the Commission's Web site, <http://www.drbc.net>, along with the report entitled "Water Quality Criteria for Toxic Pollutants for Zones 2-6 of the Delaware Estuary: Basis and Background Document" (DRBC, June 2010) and a set of PowerPoint slides presented to the Commission at the latter's public meeting on December 9, 2009 by the chair of the Commission's Toxics Advisory Committee. Hard copies of these materials may be obtained for the price of postage by contacting Ms. Paula Schmitt at 609-883-9500, ext. 224. For questions about the technical basis for the rule, please contact Dr. Ronald MacGillivray at 609-477-7252. For queries about the rulemaking process, please contact Pamela Bush at 609-477-7203.

#### SUPPLEMENTARY INFORMATION:

**Background.** At the request of the states of Delaware, New Jersey and Pennsylvania, which border the Delaware Estuary (hereinafter, "the Estuary States"), the Commission in 1996 adopted water quality criteria for human health and aquatic life for Water Quality Zones 2 through 5 (Trenton, New Jersey to Delaware Bay) of the main stem Delaware River and the tidal portions of its tributaries for a set of pollutants that included the list of Priority Pollutants published by the EPA in accordance with section 307 of the federal Clean Water Act (CWA); other pollutants for which EPA had published national recommended criteria in accordance with section 304(a) of the CWA; and additional pollutants for which one or more of the Estuary States had adopted criteria. See 40 CFR 401.15 (consisting of a list of 65 toxic pollutants, including categories of pollutants, for which effluent limitations are required in accordance with section 307(a)(1) of the Clean Water Act, 33 U.S.C. 1317(a)(1)); Appendix A of 40 CFR Part 423 (consisting of a list of 129 "Priority Pollutants," individual chemicals and forms of chemicals for which EPA has established national criteria); and 33 U.S.C. 1314(a) (providing for criteria development and publication by EPA).

Managing an interstate waterway that is simultaneously an industrial and commercial hub, a source of drinking water for urban and suburban populations in three states and a fragile tidal ecosystem is a complex task. After nearly fifteen years of applying uniform human health and aquatic life criteria in the Delaware Estuary, the Commission has determined that maintaining a uniform set of criteria in a single regulatory code is an essential predicate to measuring and managing the ecological health of this vital interstate resource.

Since 1996, EPA has updated its guidance for the development of human health water quality criteria and its list of national recommended water quality criteria for many toxic pollutants to reflect advances in scientific knowledge. Although the states have independently amended some of their criteria to conform to the current guidance and national recommended criteria, the Commission has not yet done so. The result is that many of DRBC's estuary toxics criteria are not currently consistent with state criteria, best available science, or current EPA guidance. Moreover, because the Bay and Estuary comprise a single tidal system in which each water quality zone is at times downstream and at times upstream of the adjacent zone or zones, regulators, dischargers and other stakeholders have determined that they are ill-served by excluding the Bay from application of uniform criteria in the Estuary. Amending the criteria at this time is necessary to restore consistency and fairness in the regulation of discharges, to facilitate coordination among state and federal programs and to continue to ensure that regulation of water quality in the shared interstate waters of the Estuary and Bay is based on the best science available.

The proposed amendments to the Commission's human health and aquatic life criteria for the Estuary and Bay were developed by the Commission's standing Toxics Advisory Committee (TAC), comprised of representatives of the four basin states—Delaware, New Jersey, New York and Pennsylvania—and members of the academic, agricultural, public health, industrial and municipal sectors and non-governmental environmental community. The TAC in 2007 adopted as its objectives (a) evaluating recent data and current methodologies for establishing water quality criteria for toxic pollutants and (b) developing recommendations for revising the Commission's 1996 criteria to reflect current science and risk assessment procedures and provide for consistency

across interstate waters. The TAC's recommendations were formally presented to the Commissioners at a public meeting on December 9, 2009 by then TAC chair, Christopher S. Crockett of the Philadelphia Water Department. Dr. Crockett's PowerPoint presentation is available on the Commission's Web site.

*No Change Proposed to Criteria for PCBs and Taste and Odor.* The amendments proposed by the Commission in this rulemaking do not include changes to the Commission's criteria for polychlorinated biphenyls (PCBs), currently listed in Table 6 (criteria for carcinogens) and Table 7 (criteria for systemic toxicants) of Article 3 of the Commission's Water Quality Regulations and Water Code, or to the criteria to protect the taste and odor of ingested water and fish, set forth in Table 4 of the same Article. The Commission initiated a separate rulemaking in August of 2009 to update its human health criteria for carcinogenic effects for PCBs in the Delaware Estuary (see 74 FR 41100). The comment period for that proposal ended on October 19, 2009 and the Commission has not yet approved a final rule. The current PCB criteria will continue in effect pending completion of the Commission's separate rulemaking for PCBs. The Commission's Toxics Advisory Committee has not yet taken up the matter of revisions to the criteria to protect taste and odor.

*Proposed Changes.* The Commission's criteria for human health and aquatic life in the Delaware Estuary are listed in tables 3, 5, 6 and 7 of section 3.30 "Interstate Streams—Tidal" of the Water Quality Regulations and Water Code. In addition to extending these criteria to Water Quality Zone 6, two major types of changes to the criteria are proposed: (1) Compounds are proposed to be added to or deleted from the four tables and (2) numeric criteria for many of the compounds currently listed in the tables are proposed to be revised. In addition, to assist users sub-headings have been added for categories of pollutants (metals, pesticides, etc.) and the sequence of the parameters has been modified to arrange them within these categories. Minor changes for consistency in spelling and capitalization are also proposed. The additions, deletions and criteria changes are proposed in order to make the list of regulated compounds consistent with current EPA guidance and to ensure the criteria are uniform throughout the shared waters. The Basis and Background Document cited above sets forth in detail the policies and technical

assumptions on which the TAC relied in developing the revised criteria.

The proposed changes to tables 3, 5, 6 and 7 are described briefly below:

For Table 3, "Maximum Contaminant Levels ["MCLs"] to be Applied as Human Health Stream Quality Objectives in Zones 2 and 3":

- Antimony, Cadmium, 1,2-Dichloropropane, Ethylbenzene and 1,2,4-Trichlorobenzene are proposed to be removed because the proposed updates to Table 7 (criteria for systemic toxicants) would establish DRBC criteria for these compounds more stringent than the MCLs.

- Nickel is proposed to be removed because the MCL for nickel was withdrawn by the EPA.

- Chromium (total) is proposed to be replaced by Chromium III for consistency with current EPA guidance.

- Current MCL values for Beryllium, Copper, Lead, alpha-BHC, beta-BHC, 2,4-Dichloro-phenoxyacetic acid (2,4-D), Methoxychlor, Toxaphene, Dioxin (2,3,7,8-TCDD), 2,4,5-Trichloro-phenoxypropionic acid (2,4,5-TP-Silvex), Benzene, Carbon Tetrachloride, 1,2-Dichloroethane, 1,1-Dichloroethylene, Dichloromethane (methylene chloride), Tetrachloroethylene (PCE), Toluene, 1,1,1-Trichloroethane, 1,1,2-Trichloroethane, Trichloroethylene, Vinyl Chloride, Benzo(a)pyrene, Asbestos, Bis(2-Ethylhexyl) Phthalate, Fluoride, Nitrate, and Pentachlorophenol are proposed to be added because these MCL values were developed by EPA after 1996 in accordance with the Safe Drinking Water Act, 42 U.S.C.A. § 1412g-1(b).

As to Table 5, "Stream Quality Objectives for Toxic Pollutants for the Protection of Aquatic Life", Table 6, "Stream Quality Objectives for Carcinogens" and Table 7, "Stream Quality Objectives for Systemic Toxicants," nearly all of the freshwater and marine criteria are proposed to be updated to conform to current EPA guidance, resulting in minor changes in most instances and substantial changes in some. Most but not all of the proposed criteria are more stringent than the existing criteria.

Proposed changes to Table 6 (criteria for carcinogens) also include the following:

- Beryllium and 1,1-Dichloroethene are proposed to be removed because EPA no longer lists these compounds as carcinogens.

- 1,1,1,2-Tetrachloroethane is proposed to be removed because it is no longer recommended by the EPA for water quality criteria development.

- Arsenic, beta-BHC, N-Nitrosodi-N-butylamine, N-Nitrosodiethylamine, and N-Nitrosopyrrolidine are proposed to be added because EPA and an Estuary State have adopted criteria for them.

- Dinitrotoluene mixture (2, 4 & 2, 6) is proposed to be replaced by 2, 4-Dinitrotoluene to be consistent with current EPA guidance.

- Hexachlorobutadiene is proposed to be moved to Table 6 (criteria for carcinogens) from Table 7 because its toxicity is based on carcinogenicity.

Proposed changes to Table 7 (criteria for systemic toxicants) also include the following:

- 1,1,1,2-Tetrachloroethane is proposed to be removed because it is no longer recommended by the EPA for water quality criteria development.

- Chromium (Total), Methylmercury, alpha-Endosulfan, beta-Endosulfan,

Endosulfan Sulfate, Endrin Aldehyde, Benzene, 2-Chloronaphthalene, Cyanide, 2-Methyl-4,6-dinitrophenol, Pentachlorobenzene, 1,2,4,5-Tetrachloro-benzene, 2,4,5-Trichlorophenol, and Vinyl Chloride are proposed to be added to Table 7 because EPA and an Estuary State adopted criteria for them.

- DDT is proposed to be replaced with “DDT and Metabolites (DDD and DDE)” to conform to current EPA guidance relating to the systemic toxicity of DDT and its degradation products, DDD and DDE. DDT, DDD and DDE, which are also deemed to be carcinogens, continue to be listed individually in Table 6.

- Hexachlorobutadiene has been moved from Table 7 to Table 6 because its toxicity is based on carcinogenicity.

- The column identifying EPA classifications is proposed to be removed from Table 7 because this information is not needed for application of the criteria for systemic toxicants. Detailed information on derivation of the criteria, including EPA classifications, is presented in the Basis and Background Document posted on DRBC's Web site.

*Extension of Criteria to Delaware Bay (Zone 6).* A new section 3.10.6C.11. is proposed to be added to make tables 3 through 7 of Article 3 of the Water Quality Regulations and Water Code applicable to Water Quality Zone 6, Delaware Bay.

It is proposed to amend the Water Quality Regulations and Water Code as follows:

Material proposed to be added to the Water Code and Water Quality Regulations is printed in **bold face** and material proposed to be deleted is enclosed in brackets [ ] and printed in **bold face**. Asterisks indicate ellipsis of rule text retained without changes. Explanatory text is printed in ordinary style face and enclosed in brackets [ ].

Section 3.30 Interstate Streams – Tidal.

\* \* \* \* \*

3.30.2 Zone 2.

\* \* \* \* \*

[Amend Tables 3, 5, 6 and 7 following subsection 3.30.2 as indicated to update current criteria and remove and add compounds.]

TABLE 3: MAXIMUM CONTAMINANT LEVELS TO BE APPLIED AS HUMAN HEALTH STREAM QUALITY OBJECTIVES IN ZONES 2 AND 3 OF THE DELAWARE RIVER ESTUARY.

Parameter	Maximum Contaminant Level ( $\mu\text{g/l}$ )
<b>Metals</b>	
[Antimony]	[6]
Arsenic	[50] 10
Barium	[2.0 mg/l] 2000
<b>Beryllium</b>	4
[Cadmium]	[5]
Chromium (trivalent) [(total)]	100
<b>Copper</b>	1300
[Nickel]	[100]
<b>Lead</b>	15
Selenium	50
<b>Pesticides/PCBs</b>	

<b>alpha-BHC</b>	<b>0.2</b>
<b>beta-BHC</b>	<b>0.2</b>
<b>gamma - BHC (Lindane)</b>	<b>[0.2] 2</b>
<b>2,4-Dichloro-phenoxyacetic acid (2,4-D)</b>	<b>70</b>
<b>Methoxychlor</b>	<b>40</b>
<b>Toxaphene</b>	<b>3</b>
<b>Dioxin (2,3,7,8-TCDD)</b>	<b>0.00003</b>
<b>2,4,5 Trichloro-phenoxypropionic acid (2,4,5-TP-Silvex)</b>	<b>50</b>
<b>Volatile Organic Compounds (VOCs)</b>	
<b>Benzene</b>	<b>5</b>
<b>Carbon Tetrachloride</b>	<b>5</b>
<b>1,2-Dichloroethane</b>	<b>5</b>
<b>1,1-Dichloroethylene</b>	<b>7</b>
<b>[1,2 - trans - Dichloroethene] 1,2 - trans - Dichloroethylene</b>	<b>100</b>
<b>Dichloromethane (methylene chloride)</b>	<b>5</b>
<b>[1,2 - Dichloropropane]</b>	<b>[5]</b>
<b>[Ethylbenzene]</b>	<b>[700]</b>
<b>Tetrachloroethylene (PCE)</b>	<b>5</b>
<b>Toluene</b>	<b>1000</b>
<b>Total Trihalomethanes</b>	<b>[100] 80</b>
<b>[1,2,4 - Trichlorobenzene]</b>	<b>[70]</b>
<b>1,1,1-Trichloroethane</b>	<b>200</b>
<b>1,1,2-Trichloroethane</b>	<b>5</b>
<b>Trichloroethylene</b>	<b>5</b>
<b>Vinyl Chloride</b>	<b>2</b>
<b>Polycyclic Aromatic Hydrocarbons (PAHs)</b>	
<b>Benzo(a)Pyrene</b>	<b>0.2</b>
<b>Other Compounds</b>	
<b>Asbestos</b>	<b>7 million fibers/L</b>
<b>Bis(2-Ethylhexyl) Phthalate</b>	<b>6</b>
<b>Fluoride</b>	<b>4,000</b>
<b>Nitrate</b>	<b>10,000</b>
<b>Pentachlorophenol</b>	<b>1</b>

Dioxin (2,3,7,8-TCDD)

0.00003

\* \* \* \* \*

TABLE 5: STREAM QUALITY OBJECTIVES FOR TOXIC POLLUTANTS FOR THE PROTECTION OF AQUATIC LIFE IN THE DELAWARE RIVER ESTUARY.

Parameter	Freshwater Objectives (µg/l)		Marine Objectives (µg/l)	
	Acute	Chronic	Acute	Chronic
<b>Metals [(Values indicated are total recoverable; See Section 3.10.3.C.2. for form of metal)]</b>				
Aluminum <sup>a,b</sup>	750	87	[-] NA	[-] NA
Arsenic (trivalent) <sup>c</sup>	[360] 340	[190] 150	69	36
Cadmium <sup>c</sup>	$[e^{(1.128 \cdot \text{LN}(\text{Hardness}) - 3.828)}]$ 0.651*EXP(1.0166* LN(hardness)-3.924)	$[e^{(0.7852 \cdot \text{LN}(\text{Hardness}) - 3.49)}]$ 0.651*EXP(0.7409* LN(hardness)-4.719)	[43] 40	[9.3] 8.8
Chromium (trivalent) <sup>c</sup>	$[e^{(0.8190 \cdot \text{LN}(\text{Hardness}) + 3.688)}]$ 0.277*EXP(0.819* LN(hardness)+3.7256)	$[e^{(0.8190 \cdot \text{LN}(\text{Hardness}) + 1.561)}]$ 0.277*EXP(0.819* LN(hardness)+0.6848)	[-] NA	[-] NA
Chromium (hexavalent) <sup>c</sup>	16	11	1,100	50
Copper <sup>c</sup>	$[e^{(0.9422 \cdot \text{LN}(\text{Hardness}) - 1.464)}]$ 0.908*EXP(0.9422* LN(hardness)-1.7)	$[e^{(0.8545 \cdot \text{LN}(\text{Hardness}) - 1.465)}]$ 0.908*EXP(0.8545* LN(hardness)-1.702)	[5.3] 4.8	[3.4] 3.1
Lead <sup>c</sup>	[48] 38	[16] 5.4	[220] 210	[8.5] NA
Mercury <sup>c</sup>	[2.4] 1.4	[0.012] 0.77	[2.1] 1.8	[0.025] 0.94
Nickel <sup>c</sup>	$[e^{(0.846 \cdot \text{LN}(\text{Hardness}) + 3.3612)}]$ 0.846*EXP(0.846* LN(hardness)+2.255)	$[e^{(0.846 \cdot \text{LN}(\text{Hardness}) + 1.1645)}]$ 0.846*EXP(0.846* LN(hardness)+0.0584)	[75] 64	[8.3] 22
Selenium <sup>a</sup>	20	5.0	[300] 290	71
Silver <sup>c</sup>	$[e^{(1.72 \cdot \text{LN}(\text{Hardness}) - 6.52)}]$ 0.85*EXP(1.72* LN(hardness)-6.59)	[-] NA	[2.3] 1.9	[-] NA
Zinc <sup>c</sup>	$[e^{(0.8473 \cdot \text{LN}(\text{Hardness}) + 0.8604)}]$ 0.95*EXP(0.8473* LN(hardness)+0.884)	$[e^{(0.8473 \cdot \text{LN}(\text{Hardness}) + 0.7614)}]$ 0.95*EXP(0.8473* LN(hardness)+0.884)	[95] 90	[86] 81
<b>Pesticides/PCBs</b>				
Aldrin	[1.5] 3	[-] NA	[0.65] 1.3	[-] NA
gamma - BHC (Lindane)	[1.0] 0.95	[0.08] NA	[0.08] 0.16	[-] NA
Chlordane	[1.2] 2.4	0.0043	[0.045] 0.09	0.004
Chlorpyrifos (Dursban)	0.083	0.041	0.011	0.0056
DDT and metabolites (DDE & DDD) <sup>d</sup>	[0.55] 1.1	0.001	[0.065] 0.13	0.001
Dieldrin	[1.25] 0.24	[0.0019] 0.056	[0.355] 0.71	0.0019
Endosulfan <sup>e</sup>	[0.11] 0.22	0.056	[0.017] 0.034	0.0087

Parameter	Freshwater Objectives (µg/l)		Marine Objectives (µg/l)	
	Acute	Chronic	Acute	Chronic
Endrin	[0.09] 0.086	[0.0023] 0.036	[0.019] 0.037	0.0023
Heptachlor	[0.26] 0.52	0.0038	[0.027] 0.053	0.0036
Heptachlor Epoxide	0.52	0.0038	0.053	0.0036
Parathion	0.065	0.013	[-] NA	[-] NA
PCBs (Total)	1.0	0.014	5.0	0.03
Toxaphene	0.73	0.0002	0.21	0.0002
<b>Other Compounds</b>				
Cyanide (free) [(total)]	22	5.2	[1.0] 2.7	[-] 1
Pentachlorophenol	$e^{(1.005 \cdot \text{pH} - 4.83)}$	$e^{(1.005 \cdot \text{pH} - 5.29)}$	13	7.9
<b>Indicator Parameters</b>				
Whole Effluent Toxicity	0.3 Toxic Units <sub>acute</sub>	1.0 Toxic Units <sub>chronic</sub>	0.3 TU <sub>a</sub>	1.0 TU <sub>c</sub>

**Footnotes to Table 5:**

<sup>a</sup> Total recoverable criteria

<sup>b</sup> Aluminum criteria listed are restricted to waters with pH between 6.5 and 9.0.

<sup>c</sup> Dissolved criteria

<sup>d</sup> Criteria apply to DDT and its metabolites (i.e., the total concentration of DDT and its metabolites should not exceed this value).

<sup>e</sup> Values were derived from data for endosulfan and are most appropriately applied to the sum of alpha-endosulfan and beta-endosulfan.

Criteria for cadmium, chromium (trivalent), copper, nickel, silver and zinc are hardness-dependent and are expressed as the dissolved form (see Section 3.10.3.C.2. on form of metal).

TABLE 6: STREAM QUALITY OBJECTIVES FOR CARCINOGENS FOR THE DELAWARE RIVER ESTUARY.

PARAMETER	EPA class	FRESHWATER OBJECTIVES (µg/l)		MARINE OBJECTIVES (µg/l)
		FISH & WATER INGESTION	FISH INGESTION ONLY	FISH INGESTION ONLY
<b>Metals</b>				
Arsenic	A	0.017	0.061	0.061
[Beryllium]		[0.00767]	[0.132]	[0.0232]

<b>Pesticides/PCBs</b>				
Aldrin	B2	[0.00189] 0.000049	[0.0226] 0.000050	[0.00397] 0.000050
Alpha – BHC	B2	[0.00391] 0.0026	[0.0132] 0.0049	[0.00231] 0.0049
beta – BHC	C	0.0091	0.017	0.017
Chlordane	B2	[0.000575] 0.00080	[0.000588] 0.00081	[0.000104] 0.00081
DDD	B2	[0.00423] 0.00031	[0.00436] 0.00031	[0.000765] 0.00031
DDE	B2	[0.00554] 0.00022	[0.00585] 0.00022	[0.00103] 0.00022
DDT	B2	[0.000588] 0.00022	[0.000591] 0.00022	[0.000104] 0.00022
Dieldrin	B2	[0.000135] 0.000052	[0.000144] 0.000054	[0.0000253] 0.000054
Heptachlor	B2	[0.000208] 0.000079	[0.000214] 0.000079	[0.0000375] 0.000079
Heptachlor Epoxide	B2	[0.000198] 0.000039	[0.000208] 0.000039	[0.0000366] 0.000039
PCBs (Total)	B2	0.0000444	0.0000448	0.0000079
Toxaphene	B2	[0.000730] 0.00028	[0.000747] 0.00028	[0.000131] 0.00028
<b>Volatile Organic Compounds (VOCs)</b>				
Acrylonitrile	B1	[0.0591] 0.051	[0.665] 0.25	[0.117] 0.25
Benzene	A	[1.19] 0.61	[71.3] 14	[12.5] 14
Benzidine	A	[0.000118] 0.000086	[0.000535] 0.00020	[0.000094] 0.00020
Bromoform	B2	[4.31] 4.3	[164.0] 140	[28.9] 140
Bromodichloromethane	B2	[0.559] 0.55	[55.7] 17	[9.78] 17
Carbon Tetrachloride	B2	[0.254] 0.23	[4.42] 1.6	[0.776] 1.6
Chlorodibromomethane	C	[0.411] 0.40	[27.8] 13	[4.88] 13
Chloroform	B2	[5.67] 5.7	[471.0] 470	[82.7] 470
3,3 - Dichlorobenzidine	B2	[0.0386] 0.021	[0.0767] 0.028	[0.0135] 0.028
1,2 - Dichloroethane	B2	[0.383] 0.38	[98.6] 37	[17.3] 37
[1,1 – Dichloroethene]	C	[0.0573]	[3.20]	[0.562]
1,2 - Dichloropropane	B2	0.50	15	15
1,3 - Dichloropropene	B2	[87.0] 0.34	[14.1] 21	[2.48] 21
Dichloromethane (Methylene chloride)	B2	[4.65] 5	[1,580] 590	[277] 590

<b>[Tetrachloroethene]</b> <b>Tetrachloroethylene</b>	B2	[0.80] 0.69	[8.85] 3.3	[1.55] 3.3
<b>[1,1,1,2 – Tetrachloroethane]</b>	C	[1.29]	[29.3]	[5.15]
1,1,2,2 - Tetrachloroethane	C	[0.172] 0.17	[10.8] 4.0	[1.89] 4.0
1,1,2 - Trichloroethane	C	[0.605] 0.59	[41.6] 16	[7.31] 16
<b>[Trichloroethene]</b> Trichloroethylene	B2	[2.70] 2.5	[80.7] 30	[14.2] 30
Vinyl Chloride	A	[2.00] 0.025	[525.0] 2.4	[92.9] 2.4
<b>Polycyclic Aromatic Hydrocarbons (PAHs)</b>				
Benz[a]anthracene	B2	[0.00171] 0.0038	[0.00177] 0.18	[0.00031] 0.18
Benzo[b]fluoranthene	B2	[0.000455] 0.038	[0.000460] 0.18	[0.000081] 0.18
Benzo[k]fluoranthene	B2	[0.000280] 0.38	[0.000282] 1.8	[0.000049] 1.8
Benzo[a]pyrene	B2	[0.0000644] 0.0038	[0.0000653] 0.018	[0.0000115] 0.018
Chrysene	B2	[0.0214] 3.8	[0.0224] 18	[0.00394] 18
Dibenz[a,h]anthracene	B2	[0.0000552] 0.0038	[0.0000559] 0.018	[0.0000098] 0.018
Indeno[1,2,3-cd]pyrene	B2	[0.0000576] 0.038	[0.0000576] 0.18	[0.0000101] 0.18
<b>Other Compounds</b>				
Bis (2-chloroethyl) ether	B2	[0.0311] 0.03	[1.42] 0.53	[0.249] 0.53
Bis (2-ethylhexyl) phthalate	B2	[1.76] 1.2	[5.92] 2.2	[1.04] 2.2
<b>[Dinitrotoluene mixture (2,4 &amp; 2,6)]</b> <b>2,4 - Dinitrotoluene</b>	B2	[17.3] 0.11	[1420] 3.4	[249] 3.4
1,2 - Diphenylhydrazine	B2	[0.0405] 0.036	[0.541] 0.2	[0.095] 0.2
Hexachlorobenzene	B2	[0.000748] 0.00028	[0.000775] 0.00029	[0.000136] 0.00029
<b>Hexachlorobutadiene</b>	C	[0.445] 0.44	[49.7] 18	[8.72] 18
Hexachloroethane	C	[1.95] 1.4	[8.85] 3.3	[1.56] 3.3
Isophorone	B2	[36.3] 35	[2590] 960	[455] 960
<b>N-Nitrosodi-N-butylamine</b>	<b>B2</b>	<b>0.0063</b>	<b>14</b>	<b>14</b>
N-Nitrosodi-N-methylamine	B2	[0.000686] 0.00069	[8.12] 3.0	[1.43] 3.0
<b>N-Nitrosodiethylamine</b>	<b>B2</b>	<b>0.0008</b>	<b>1.24</b>	<b>1.24</b>
N-Nitrosodi-N-phenylamine	B2	[4.95] 3.3	[16.2] 6	[2.84] 6
N-Nitrosodi-N-propylamine	B2	[0.00498] 0.0050	[1.51] 0.51	[0.265] 0.51

<b>N-Nitrosopyrrolidine</b>	<b>B2</b>	<b>0.016</b>	<b>34</b>	<b>34</b>
Pentachlorophenol	B2	[0.282] 0.27	[8.16] 3.0	[1.43] 3.0
Dioxin (2,3,7,8 – TCDD)	NA	[1.3 x 10 <sup>-8</sup> ] 0.000000005	[1.4 x 10 <sup>-8</sup> ] 0.0000000051	[2.4 x 10 <sup>-9</sup> ] 0.0000000051
2,4,6 - Trichlorophenol	B2	[2.14] 1.4	[6.53] 2.4	[1.15] 2.4

TABLE 7: STREAM QUALITY OBJECTIVES FOR SYSTEMIC TOXICANTS FOR THE DELAWARE RIVER ESTUARY

PARAMETER	[EPA Class]	FRESHWATER OBJECTIVES (µg/l)		MARINE OBJECTIVES (µg/l)
		FISH & WATER INGESTION	FISH INGESTION ONLY	FISH INGESTION ONLY
<b>Metals</b>				
Antimony		[14.0] 5.6	[4,310] 640	[757] 640
Arsenic	[A]	[9.19] *	[73.4] NA	[12.9] NA
Beryllium	[B2]	[165] *	[2,830] 42	[498] 42
Cadmium		[14.5] 3.4	[84.1] 16	[14.8] 16
Chromium (trivalent)		[33,000] *	[673,000] 380,000	[118,000] 380,000
[Hexavalent] Chromium (hexavalent)	[A]	[166] 92	[3,370] NA	[591] NA
<b>Chromium (Total)</b>		NA	750	750
Mercury		[0.144] 0.050	[0.144] 0.051	[0.144] 0.051
<b>Methylmercury</b>		0.3 mg/kg fish tissue	0.3 mg/kg fish tissue	0.3 mg/kg fish tissue
Nickel		[607] 500	[4,580] 1,700	[805] 1,700
Selenium		[100] 170	[2,020] 4,200	[355] 4,200
Silver		[175] 170	[108,000] 40,000	[18,900] 40,000
Thallium		[1.70] 0.24	[6.20] 0.47	[1.10] 0.47
Zinc		[9110] 7,400	[68700] 26,000	[12100] 26,000
<b>Pesticides/PCBs</b>				
Aldrin	[B2]	[0.96] 0.025	[11.5] 0.025	[2.03] 0.025
gamma - BHC (Lindane)		[7.38] 0.98	[24.9] 1.8	[4.37] 1.8
Chlordane	[B2]	[0.0448] 0.14	[0.0458] 0.14	[0.00805] 0.14
<b>DDT and Metabolites (DDD and</b>	[B2]	[0.100] 0.037	[0.100] 0.037	[0.0176] 0.037

<b>DDE)</b>				
Dieldrin	[B2]	[0.108] 0.041	[0.115] 0.043	[0.020] 0.043
<b>[Endosulfan]</b>		[111]	[239]	[42.0]
<b>alpha -Endosulfan</b>		62	89	89
<b>Beta- Endosulfan</b>		62	89	89
<b>Endosulfan Sulfate</b>		62	89	89
Endrin	[D]	[0.755] 0.059	[0.814] 0.060	[0.143] 0.060
<b>Endrin Aldehyde</b>		0.29	0.30	0.30
Heptachlor	[B2]	[0.337] 0.18	[0.344] 0.18	[0.060] 0.18
Heptachlor Epoxide	[B2]	[0.0234] 0.0046	[0.0246] 0.0046	[0.00433] 0.0046
Total PCBs	[B2]	0.00839	0.00849	0.00149
<b>Volatile Organic Compounds (VOCs)</b>				
Acrolein		[320] 6.1	[780] 9.3	[137] 9.3
<b>Benzene</b>		*	3,100	3,100
Bromoform	[B2]	[682] 650	[25,900] 9,600	[4,560] 9,600
Bromodichloromethane	[B2]	[693] 680	[69,000] NA	[12,100] NA
Dibromochloromethane	[C]	[690] 680	[46,600] 21,000	[8,190] 21,000
Carbon Tetrachloride	[B2]	[23.1] *	[402] 150	[70.6] 150
Chloroform	[B2]	[346] 68	[28,700] 2,100	[5,050] 2,100
Chlorobenzene	[D]	[677] 130	[20,900] 1,600	[3,670] 1,600
<b>[1,1 – Dichloroethene]</b> <b>1,1 - Dichloroethylene</b>	[C]	[309] *	[17,300] 7,100	[3,040] 7,100
<b>[1,2 - trans – Dichloroethene]</b> <b>1,2 - trans - Dichloroethylene</b>		[696] 140	[136,000] 10,000	[23,900] 10,000
1,3 - Dichloropropene	[B2]	[10.4] 1,000	[1,690] 63,000	[297] 63,000
Ethylbenzene		[3,120] 530	[28,700] 2,100	[5,050] 2,100
Methyl Bromide		[49.0] 47	[N/A] 1,500	[N/A] 1,500
Methylene Chloride	[B2]	[2,090] *	[710,000] 260,000	[125,000] 260,000
1,1,2 – Trichloroethane	[C]	[138] *	[9,490] 3,600	[1,670] 3,600
<b>[Tetrachloroethene]</b> <b>Tetrachloroethylene</b>		[318] *	[3,520] 1,300	[618] 1,300
<b>[1,1,1,2 – Tetrachloroethane]</b>	[C]	[1,000]	[22,400]	[3,940]
Toluene		[6,760] 1,300	[201,000] 15,000	[35,400] 15,000

Polycyclic Aromatic Hydrocarbons (PAHs)				
Anthracene	[D]	[4,110] 8,300	[6,760] 40,000	[1,190] 40,000
Fluoranthene		[296] 130	[375] 140	[65.8] 140
Fluorene	[D]	[730] 1,100	[1,530] 5,300	[268] 5,300
Pyrene	[D]	[228] 830	[291] 4,000	[51.1] 4,000
Other Compounds				
Acenaphthene		[1,180] 670	[2,670] 990	[469] 990
Benzidine	[A]	[81.8] 59	[369] 140	[64.9] 140
Bis (2-chloroisopropyl) ether		[1,390] 1,400	[174,000] 65,000	[30,600] 65,000
Bis (2-ethylhexyl) phthalate	[B2]	[492] *	[1,660] 620	[291] 620
Butylbenzyl phthalate	[C]	[298] 1,500	[520] 1,900	[91.4] 1,900
<b>2 - Chloronaphthalene</b>		1,000	1,600	1,600
2 - Chlorophenol		[122] 81	[402] 150	[70.6] 150
<b>Cyanide</b>		140	140	140
Dibutyl Phthalate	[D]	[2,710] 2,000	[12,100] 4,500	[2,130] 4,500
1,2 - Dichlorobenzene	[D]	[2,670] 420	[17,400] 1,300	[3,060] 1,300
1,3 - Dichlorobenzene	[D]	[414] 420	[3,510] 1,300	[617] 1,300
1,4 - Dichlorobenzene		[419] 63	[3,870] 190	[677] 190
2,4 - Dichlorophenol		[92.7] 77	[794] 290	[139] 290
Diethyl Phthalate	[D]	[22,600] 17,000	[118,000] 44,000	[20,700] 44,000
Dimethyl Phthalate	[D]	[313,000] 270,000	[2,990,000] 1,100,000	[526,000] 1,100,000
2,4 - Dimethylphenol		[536] 380	[2,300] 850	[403] 850
2,4 - Dinitrophenol		[70] 69	[14,300] 5,300	[2,500] 5,300
2,4 - Dinitrotoluene		[69.2] 68	[5670] 2,100	[996] 2,100
Hexachlorobenzene	[B2]	[0.958] 0.35	[0.991] 0.36	[0.174] 0.36
<b>[Hexachlorobutadiene]</b>	[C]	[69.4]	[7,750]	[1,360]
Hexachlorocyclopentadiene		[242] 40	[17,400] 1,100	[3,050] 1,100
Hexachloroethane	[C]	[27.3] 20	[124] 46	[21.7] 46
Isophorone	[C]	[6,900] 6,700	[492,000] 180,000	[86,400] 180,000
<b>2-Methyl-4,6-dinitrophenol</b>		13	280	280
Nitrobenzene	[D]	[17.3] 17	[1,860] 690	[327] 690
<b>Pentachlorobenzene</b>		1.4	1.5	1.5
Pentachlorophenol		[1,010] *	[29,400] 11,000	[5,160] 11,000

Phenol		[20,900] 10,000	[4,620,000] 860,000	[811,000] 860,000
1,2,4,5-Tetrachlorobenzene		0.97	1.1	1.1
1,2,4 - Trichlorobenzene	[D]	[255] 35	[945] 70	[166] 70
2,4,5-Trichlorophenol		1,800	3,600	3,600
Vinyl Chloride		*	10,000	10,000

\* The MCL for this compound applies in Zones 2 and 3 and is listed in Table 3. Objectives for “Fish Ingestion Only” listed for this compound apply in Zones 4, 5, and 6.

\* \* \* \* \*

3.30.6 Zone 6.

\* \* \* \* \*

[Add the following text immediately following sub-section 3.30.6 C.10. and preceding sub-section 3.30.6 D.]

**11. Toxic Pollutants.**

- a. Applicable criteria to protect the taste and odor of ingested water and fish are presented in Table 4.
- b. Applicable freshwater stream quality objectives for the protection of aquatic life are presented in Table 5.
- c. Applicable freshwater stream quality objectives for the protection of human health are presented in Tables 6 and 7.

Dated: July 8, 2010.

**Pamela M. Bush,**

*Commission Secretary.*

[FR Doc. 2010-17118 Filed 7-14-10; 8:45 am]

BILLING CODE 6360-01-P

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 100

[Docket No. USCG-2010-0518]

RIN 1625-AA08

#### Special Local Regulations; Sabine River, Orange, TX

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to establish a temporary Special Local Regulation in the Port Arthur Captain of the Port Zone on the Sabine River, Orange, Texas. This Special Local Regulation is intended to restrict vessels from portions of the Sabine River during the Thunder on the Sabine boat races. This Special Local Regulation is necessary to protect spectators and vessels from the hazards associated with powerboat races.

**DATES:** Comments and related material must be received by the Coast Guard on or before August 16, 2010.

**ADDRESSES:** You may submit comments identified by docket number USCG-2010-0518 using any one of the following methods:

(1) *Federal eRulemaking Portal:*  
<http://www.regulations.gov>.

(2) *Fax:* 202-493-2251.

(3) *Mail:* Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590-0001.

(4) *Hand delivery:* Same as mail address above, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-366-9329.

To avoid duplication, please use only one of these four methods. See the "Public Participation and Request for Comments" portion of the **SUPPLEMENTARY INFORMATION** section below for instructions on submitting comments.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this proposed rule, call or e-mail Mr. Scott Whalen, Marine Safety Unit Port Arthur, TX, Coast Guard; telephone 409-719-5086,

e-mail [scott.k.whalen@uscg.mil](mailto:scott.k.whalen@uscg.mil). If you have questions on viewing or submitting material to the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

#### SUPPLEMENTARY INFORMATION:

##### Public Participation and Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related materials. All comments received will be posted without change to <http://www.regulations.gov> and will include any personal information you have provided.

##### Submitting Comments

If you submit a comment, please include the docket number for this rulemaking (USCG-2010-0518), indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online (via <http://www.regulations.gov>) or by fax, mail, or hand delivery, but please use only one of these means. If you submit a comment online via <http://www.regulations.gov>, it will be considered received by the Coast Guard when you successfully transmit the comment. If you fax, hand deliver, or mail your comment, it will be considered as having been received by the Coast Guard when it is received at the Docket Management Facility. We recommend that you include your name and a mailing address, an e-mail address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

To submit your comment online, go to <http://www.regulations.gov>, click on the "submit a comment" box, which will then become highlighted in blue. In the "Document Type" drop down menu select "Proposed Rule" and insert "USCG-2010-0518" in the "Keyword" box. Click "Search" then click on the balloon shape in the "Actions" column. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period and may change the rule based on your comments.

##### Viewing Comments and Documents

To view comments, as well as documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, click on the "read comments" box, which will then become highlighted in blue. In the "Keyword" box insert "USCG-2010-0518" and click "Search." Click the "Open Docket Folder" in the "Actions" column. You may also visit the Docket Management Facility in Room W12-140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. We have an agreement with the Department of Transportation to use the Docket Management Facility.

##### Privacy Act

Anyone can search the electronic form of comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review a Privacy Act notice regarding our public dockets in the January 17, 2008, issue of the **Federal Register** (73 FR 3316).

##### Public Meeting

We do not now plan to hold a public meeting. But you may submit a request for one using one of the four methods specified under **ADDRESSES**. Please explain why you believe a public meeting would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

##### Background and Purpose

This temporary special local regulation is necessary to ensure the safety of vessels and spectators from hazards associated with a powerboat race. The Captain of the Port has determined that powerboat races in close proximity to watercraft and infrastructure pose significant risk to public safety and property. The likely combination of large numbers of recreation vessels, powerboats traveling at high speeds, and large numbers of spectators in close proximity to the water could easily result in serious injuries or fatalities. Establishing a special local regulation around the location of the race course will help ensure the safety of persons and property at these events and help minimize the associated risks.