

requirements outlined in Part I of this General Permit may submit a notice of intent (NOI) in accordance with Part IV of this General Permit and 40 CFR 122.28(b)(2)(i) & (ii). The contents of the NOI shall include at a minimum, the legal name and address of the owner or operator, the facility name and address, type of facility or discharges, the receiving stream(s) and be signed by the operator in accordance with the signatory requirements of 40 CFR 122.22. Alternately, based on 40 CFR 122.28(b)(2)(vi), the Director may notify a discharger that it is covered by a general permit, even if the discharger has not submitted an NOI to be covered. EPA has determined that the facilities identified in Attachment E of the Draft General Permit all meet the eligibility requirements for coverage under the Draft General Permit and may be authorized to discharge under the General Permit by this type of notification.

**Other Legal Requirements:** Endangered Species Act (ESA): In accordance with the ESA, EPA has updated the provisions and necessary actions and documentation related to potential impacts to endangered species from WWTFs seeking coverage under the Draft General Permit. Concurrently with the public notice of the Draft General Permit, EPA will initiate an informal consultation with the National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NOAA Fisheries) under ESA section 7, through the submission of a letter and biological assessment (BA) summarizing the results of EPA’s assessment of the potential effects to endangered and threatened species and their critical habitats under NOAA Fisheries jurisdiction as a result of EPA’s issuance of the Draft General Permit. In this

document, EPA has made a preliminary determination that the proposed issuance of the Draft General Permit is not likely to adversely affect the shortnose sturgeon, Atlantic sturgeon, or designated critical habitat for Atlantic sturgeon, as well as coastal protected whales and sea turtles. EPA will request that NOAA Fisheries review this submittal and inform EPA whether it concurs with this preliminary finding.

In addition, EPA has concluded that the Medium WWTF GP is consistent with activities analyzed in the USFWS January 5, 2016, Programmatic Biological Opinion (PBO) regarding the threatened northern long-eared bat.

**Essential Fish Habitat (EFH):** Under the 1996 Amendments (Pub. L. 104–267) to the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.* (1998)), EPA is required to consult with NOAA Fisheries if EPA’s actions or proposed actions that it funds, permits or undertakes “may adversely impact any essential fish habitat.” 16 U.S.C. 1855(b). EPA has determined that the permit action may adversely affect the EFH of designated species. The Draft General Permit has been conditioned to minimize any impacts that reduce the quality and/or quantity of EFH. Additional mitigation is not warranted under Section 305(b)(2) of the Magnuson-Stevens Act. Concurrent with the public notice of the Draft General Permit, EPA will initiate consultation with NOAA Fisheries by providing this determination for their review.

**National Historic Preservation Act (NHPA):** Facilities which adversely affect properties listed or eligible for listing in the National Registry of Historic Places under the NHPA are not authorized to discharge under the Draft General Permit. Based on the nature and location of the discharges, EPA has

determined that all facilities eligible for authorization under the Draft General Permit do not have the potential to affect a property that is either listed or eligible for listing on the National Register of Historic Places.

**Coastal Zone Management Act (CZMA):** The CZMA, 16 U.S.C. 1451 *et seq.*, and its implementing regulations (15 CFR part 930) require a determination that any federally licensed activity affecting the coastal zone with an approved Coastal Zone Management Program (CZMP) is consistent with the CZMA. Concurrent with the public notice of the Draft General Permit, EPA will request that the Executive Office of Environmental Affairs, MA CZM, provide a consistency concurrence that the proposed Draft General Permit is consistent with the MA CZMPs.

**Authority:** This action is being taken under the Clean Water Act, 33 U.S.C. 1251 *et seq.*

**Deborah Szaro,**  
*Acting Regional Administrator, EPA Region 1.*

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**FEDERAL DEPOSIT INSURANCE CORPORATION**

**Notice of Termination of Receiverships**

The Federal Deposit Insurance Corporation (FDIC or Receiver), as Receiver for each of the following insured depository institutions, was charged with the duty of winding up the affairs of the former institutions and liquidating all related assets. The Receiver has fulfilled its obligations and made all dividend distributions required by law.

**NOTICE OF TERMINATION OF RECEIVERSHIPS**

Fund	Receivership name	City	State	Termination date
10248 .....	TierOne Bank .....	Lincoln .....	NE	02/01/2022
10312 .....	Darby Bank and Trust Company .....	Vidalia .....	GA	02/01/2022
10537 .....	First City Bank of Florida .....	Fort Walton Beach .....	FL	02/01/2022

The Receiver has further irrevocably authorized and appointed FDIC-Corporate as its attorney-in-fact to execute and file any and all documents that may be required to be executed by the Receiver which FDIC-Corporate, in its sole discretion, deems necessary, including but not limited to releases, discharges, satisfactions, endorsements, assignments, and deeds. Effective on the

termination dates listed above, the Receiverships have been terminated, the Receiver has been discharged, and the Receiverships have ceased to exist as legal entities.

(Authority: 12 U.S.C. 1819)

Federal Deposit Insurance Corporation.

Dated at Washington, DC, on February 3, 2022.

**James P. Sheesley,**  
*Assistant Executive Secretary.*

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