

*ICR Status:* This ICR is scheduled to expire on July 31, 2006. Under OMB regulations, the Agency may continue to conduct or sponsor the collection of information while this submission is pending at OMB. An Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information, unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations in title 40 of the CFR, after appearing in the **Federal Register** when approved, are listed in 40 CFR part 9, are displayed either by publication in the **Federal Register** or by other appropriate means, such as on the related collection instrument or form, if applicable. The display of OMB control numbers in certain EPA regulations is consolidated in 40 CFR part 9.

*Abstract:* This ICR calculates the burden and costs associated with the NPDES and ELG regulations for Concentrated Animal Feeding Operations (CAFOs). These regulations regulate land application of manure, litter and wastewater generated at CAFO facilities. The rule requires all facilities defined as a CAFO to apply for a NPDES permit.

*Burden Statement:* The annual public reporting and recordkeeping burden for this collection of information is estimated to average less than 18 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements which have subsequently changed; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

*Respondents/Affected Entities:* Entities potentially affected by this action are owners and operators of Concentrated Animal Feeding Operations (CAFOs).

*Estimated Number of Respondents:* 24,080

*Frequency of Response:* On occasion.  
*Estimated Total Annual Hour Burden:* 3,500,000 hours.

*Estimated Total Annual Cost:* \$78,660,000 includes \$440,000 for

capital investment and \$8,680,000 for O&M costs.

*Changes in the Estimates:* The burden estimate has increased due to growth in the industry and trends towards consolidation into larger facilities. As a result calculations were revised to accommodate this.

Dated: July 12, 2006.

**Sara Hisel McCoy**,  
*Acting Director, Collection Strategies Division.*

[FR Doc. E6-11528 Filed 7-19-06; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-R01-OW-2006-0435; FRL-8200-3]

### Massachusetts Marine Sanitation Device Standard—Notice of Determination

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

**ACTION:** Notice of Determination.

**SUMMARY:** The Regional Administrator of the Environmental Protection Agency—New England Region, has determined that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the waters of Plymouth Bay, Plymouth Harbor, Kingston Bay, and Duxbury Bay, Massachusetts; their respective coastal waters and coastal tidal rivers covered under this determination.

**ADDRESSES:** *Docket:* All documents in the docket are listed in the [www.regulations.gov](http://www.regulations.gov) index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copy-righted material, will be publicly available only in hard copy. Publicly available docket materials are available electronically in [www.regulations.gov](http://www.regulations.gov).

**FOR FURTHER INFORMATION CONTACT:** Ann Rodney, U. S. Environmental Protection Agency—New England Region, One Congress Street, Suite 1100, COP, Boston, MA 02114-2023. Telephone: (617) 918-0538. Fax number: (617) 918-1505. e-mail address: [Rodney.ann@epa.gov](mailto:Rodney.ann@epa.gov).

**SUPPLEMENTARY INFORMATION:** This Notice of Determination is for the waters of Plymouth Bay, Plymouth Harbor, Kingston Bay, and Duxbury Bay, Massachusetts. The area of designation includes:

North to include the northernmost reaches of the Back River—42°04'06" N—

70°39'12" W; West to Kingston—Route 3A bridge over the Jones River—41°59'48" N—70°44'30" W; South to Plymouth—Route 3A bridge over the Eel River and southernmost waters of Warren Cove—41°56'51" N—70°37'55" W; Duxbury municipal boundary—42°04'22" N—70°38'55" W; East to navigational marker N "8" located off Howland Ledge—42°04'36" N—70°36'48" W; South to navigational marker RW "GP" Bell located east of Gurnet Point—41°59'57" N—70°35'03" W; South to navigation Marker R "12" Whistle located off Mary Ann Rocks—41°55'07" N—70°33'22" W; South to navigation marker RW "CC" Bell located off the Cape Cod Canal—41°48'52" N—70°27'38" W; and West to Plymouth municipal boundary—41°48'38" N—70°32'13" W.

The delineation places the eastern boundary 9,900 feet seaward of Duxbury Beach at the public parking area; 4,775 feet seaward of Gurnet Point; 6,775 feet seaward of Manomet Point; and 15,000 feet seaward of Peaked Cliff.

On June 1, 2006, notice was published that the State of Massachusetts had petitioned the Regional Administrator, Environmental Protection Agency, to determine that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the waters of Plymouth Bay, Plymouth Harbor, Kingston Bay, and Duxbury Bay, Massachusetts and their respective coastal waters and coastal tidal rivers. No comments were received on this petition.

The petition was filed pursuant to section 312 (f) (3) of Public Law 92-500, as amended by Public laws 95-217 and 100-4, for the purpose of declaring these waters a "No Discharge Area" (NDA).

Section 312(f)(3) states: After the effective date of the initial standards and regulations promulgated under this section, if any State determines that the protection and enhancement of the quality of some or all of the waters within such States require greater environmental protection, such State may completely prohibit the discharge from all vessels of any sewage, whether treated or not, into such waters, except that no such prohibition shall apply until the Administrator determines that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for such water to which such prohibition would apply.

The information submitted to EPA by the Commonwealth of Massachusetts certifies that there are six pumpout facilities at four locations located within the proposed area. A list of the facilities,

with phone numbers, locations, and hours of operation is appended at the end of this determination.

Based on the examination of the petition and its supporting documentation and information from

site visits by EPA New England staff, EPA has determined 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 determination.

This determination is made pursuant to section 312(f)(3) of Public Law 92-500, as amended by Public Laws 95-217 and 100-4.

LIST OF PUMPOUTS IN THE PROPOSED AREA

Name	Location	Contact information	Hours of operation (Call ahead to verify)	Mean low water depth (in feet)	Fee
Brewer's Marine .....	Plymouth Harbor .....	VHF 9, 72, 508-746-4500, <i>bpm@bby.com</i> .	April 1-Dec. 15 .....	9	None.
Plymouth Harbormaster Pumpout Boat.	Plymouth Harbor @ Town Pier.	VHF 9, 16, 508-830-4182	7 am-5 pm .....	N/A	None.
Plymouth Shore Side Pumpout at Town Pier.	Plymouth Harbor @ Town Pier.	VHF 9, 508-830-4182 .....	May 1-Nov. 1 .....	8	None.
Duxbury Harbormaster Pumpout Boat.	Snug Harbor .....	VHF 16, 781-934-2866 .....	Pumpout boat .....	N/A	None.
Duxbury Shore Side Pumpout.	Duxbury Town Pier .....	VHF 16, 781-934-2866 .....	Daily 10 am-6 pm .....	6	None.
Kingston Harbormaster .....	Town Landing .....	VHF 9, 781-585-0519 .....	May 1-Nov. 1 .....	3	None.
			Self-Serve 24 hrs .....		
			May 1-Nov. 1 .....		
			Spring 9 am-5 pm .....		
			Summer 7 am-7 pm .....		
			Fall 9 am-5 pm .....		
			May 1-Nov. 1 .....		
			Spring 9 am-5 pm .....		
			Summer 7 am-7 pm .....		
			Fall 9 am-5 pm .....		
			Apr. 1-Nov. 1 .....		
			8 am-4 pm .....		

Dated: July 11, 2006.

Robert W. Varney,

Regional Administrator, New England Region.

[FR Doc. E6-11530 Filed 7-19-06; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-8200-4]

Clean Water Act Section 303(d): Availability of Total Maximum Daily Loads (TMDL)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability.

SUMMARY: This notice announces the availability for comment of the administrative record files for 85 TMDLs and the calculations for these TMDLs prepared by EPA Region 6 for waters listed in the Red River, Sabine River, and Terrebonne Basins of

Louisiana, under section 303(d) of the Clean Water Act (CWA). These TMDLs were completed in response to a court order in the lawsuit styled *Sierra Club, et al. v. Clifford, et al.*, No. 96-0527, (E.D. La.).

DATES: Comments must be submitted in writing to EPA on or before August 21, 2006.

ADDRESSES: Comments on the 85 TMDLs should be sent to Diane Smith, Environmental Protection Specialist, Water Quality Protection Division, U.S. Environmental Protection Agency Region 6, 1445 Ross Ave., Dallas, TX 75202-2733 or e-mail: *smith.diane@epa.gov*. For further information, contact Diane Smith at (214) 665-2145 or fax 214.665.7373. The administrative record files for the 85 TMDLs are available for public inspection at this address as well. Documents from the administrative record files may be viewed at <http://www.epa.gov/region6/water/>

*tmdl.htm*, or obtained by calling or writing Ms. Smith at the above address. Please contact Ms. Smith to schedule an inspection.

FOR FURTHER INFORMATION CONTACT:

Diane Smith at (214) 665-2145.

SUPPLEMENTARY INFORMATION: In 1996, two Louisiana environmental groups, the Sierra Club and Louisiana Environmental Action Network (plaintiffs), filed a lawsuit in Federal Court against the EPA, styled *Sierra Club, et al. v. Clifford, et al.*, No. 96-0527, (E.D. La.). Among other claims, plaintiffs alleged that EPA failed to establish Louisiana TMDLs in a timely manner. EPA proposes 63 of these TMDLs pursuant to a consent decree entered in this lawsuit.

EPA Seeks Comment on 85 TMDLs

By this notice EPA is seeking comment on the following 85 TMDLs for waters located within Louisiana basins:

Subsegment	Waterbody name	Pollutant
100306 .....	Kelly Bayou—AR State Line to Black Bayou .....	Fecal Coliform.
100309 .....	Cross Bayou .....	Turbidity, TDS, Chloride, Sulfate, and TSS.
100406 .....	Flat River—Headwaters to Loggy Bayou .....	Fecal Coliform and TDS.
100602 .....	Boggy Bayou .....	Turbidity and Sedimentation/siltation.
100603 .....	Wallace Lake .....	Turbidity and Sedimentation/siltation.
100701 .....	Black Lake Bayou .....	Turbidity, TDS, and Sedimentation/siltation.
100704 .....	Kepler Creek .....	TDS.
100707 .....	Castor Creek—Headwaters to Black Lake Bayou .....	Fecal Coliform.
100708 .....	Unnamed Tributary to Castor Creek near Town of Castor .....	Sulfate and TDS.