

Waterbody/general area	Latitude	Longitude
From the USCG navigational buoy green bell "1C" off the light station "The Cuckholds" north to "Cape Newagen".	43° 47' 8.75" N ...	69° 39' 38.57" W
North to "Cameron Point" on the northwest end of "Townsend Gut" .....	43° 51' 4.21" N ...	69° 40' 5.32" W
North to the southern tip of "Indiantown Island" .....	43° 51' 19.4" N ...	69° 40' 4.75" W
North to the northern end of "Indiantown Island" .....	43° 51' 57.73" N ..	69° 40' 36.1" W
East to the head of navigation of unnamed stream .....	43° 15' 17.33" N ..	69° 38' 9.31" W
East to the head of navigation of unnamed stream .....	43° 51' 8.04" N ...	69° 37' 24.62" W
East to the head of navigation of unnamed stream .....	43° 51' 4.99" N ...	69° 36' 50.93" W
East to the northern end of "Linekin Bay" .....	43° 51' 42.94" N ..	69° 35' 26.86" W
South to the western point of "Ocean Point" .....	43° 48' 50.14" N ..	69° 36' 16.39" W
Southwest in a straight line to USCG navigational buoy green bell "1C" off the light station "The Cuckholds".	43° 46' 22.55" N ..	69° 39' 0.09" W

The proposed NDA includes the municipal waters of Boothbay Harbor.

There are marinas, yacht clubs and public landings/piers in the proposed area with a combination of mooring fields and dock space for the recreational and commercial vessels. Maine has certified that there are six pumpout facilities within the proposed area available to the boating public and all facilities are connected to the sewage system. A list of the facilities, phone numbers, locations, and hours of

operation is provided at the end of this petition.

Maine has provided documentation indicating that the total vessel population is estimated to be 893 in the proposed area. It is estimated that 458 of the total vessel population may have a Marine Sanitation Device (MSD) of some type.

The proposed area is identified as a High Value Wildlife Habitat by the U.S. Fish and Wildlife Service. The intertidal

zone includes a diverse array of habitats that are predominately rocky shore but does include isolated areas of salt marsh and mud flats. There are 252 acres of identified shellfish habitat. There are five marinas and this area is one of the more popular tourist locations in the state. This area is a popular destination for boaters due to its natural environmental diversity and would benefit from a No Discharge Area.

PUMPOUT FACILITIES WITHIN PROPOSED NO DISCHARGE AREA

Boothbay Harbor				
Name	Location	Contact info.	Hours	Mean low water depth
Harbormaster .....	Boothbay Harbor .....	207-633-3671 .....	6am-8pm .....	N/A
Carousel Marina .....	Boothbay Harbor .....	VHF 16 .....	8am-5pm, 7days .....	10 ft
Brown's Wharf .....	Boothbay Harbor .....	207-633-2922 .....	8am-5pm, 7 days .....	15 ft
Cap'n Fish's Marina .....	Boothbay Harbor .....	VHF 9 .....	8am-5pm, 7 days .....	15 ft
Tugboat Inn and Marina .....	Boothbay Harbor .....	207-633-5440 .....	10am-2pm, 7 days .....	8 ft
Signal Point Marina .....	Boothbay Harbor .....	VHF 9 .....	24/7 Self Service .....	8 ft
		207-633-3244 .....		
		VHF 9 .....		
		207-633-4434 .....		
		VHF 9 .....		
		207-633-6920 .....		

Dated: December 19, 2008.

**Robert W. Varney,**  
Regional Administrator, New England Region.  
[FR Doc. E8-31297 Filed 1-2-09; 8:45 am]  
BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

[EPA-New England Region I—EPA-R01-OW-2008-0921; FRL-8760-2]

**Massachusetts Marine Sanitation Device Standard—Receipt of Petition**

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

**ACTION:** Notice—receipt of petition.

**SUMMARY:** Notice is hereby given that a petition has been received from the

Commonwealth of Massachusetts requesting a determination by the Regional Administrator, U. S. Environmental Protection Agency, that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the waters of Revere, Saugus, Lynn, Nahant, and Swampscott. **DATES:** Comments must be submitted by February 4, 2009.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R01-OW-2008-0921, by one of the following methods:

- [www.regulations.gov](http://www.regulations.gov): Follow the on-line instructions for submitting comments.
- *E-mail:* [rodney.ann@epa.gov](mailto:rodney.ann@epa.gov).
- *Fax:* (617) 918-0538.

*Mail and hand delivery:* U. S. Environmental Protection Agency—New England Region, One Congress Street, Suite 1100, COP, Boston, MA 02114-2023. Deliveries are only accepted during the Regional Office's normal hours of operation (8 a.m.-5 p.m., Monday through Friday, excluding legal holidays), and special arrangements should be made for deliveries of boxed information.

*Instructions:* Direct your comments to Docket ID No. EPA-R01-OW-2008-0921. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at [www.regulations.gov](http://www.regulations.gov), including any personal information provided, unless the comment includes information

claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *www.regulations.gov*, or e-mail. The *www.regulations.gov* Web site is an “anonymous access” system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through *www.regulations.gov* your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid

the use of special characters, any form of encryption, and be free of any defects or viruses.  
*Docket:* All documents in the docket are listed in the *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 copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in *www.regulations.gov* or in hard copy at the U. S. Environmental Protection Agency—New England Region, One Congress Street, Suite 1100, COP, Boston, MA 02114–2023. Such deliveries are only accepted during the Regional Office’s normal hours of operation, and special arrangements should be made for deliveries of boxed information. The Regional Office is open from 8 a.m.–5 p.m., Monday through Friday, excluding legal holidays. The telephone number is (617) 918–1538.

**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) 918–1538, Fax number: (617) 918–0538; e-mail address: *rodney.ann@epa.gov*.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that a petition has been received from the Commonwealth of Massachusetts requesting a determination by the Regional Administrator, U. S. Environmental Protection Agency, pursuant to Section 312(f)(3) of Public Law 92–500 as amended by Public Law 95–217 and Public Law 100–4, that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the communities of Revere, Saugus, Lynn, Nahant, and Swampscott.

The proposed No Discharge Area for Revere, Saugus, Lynn, Nahant, and Swampscott are:

Waterbody/general area	Latitude	Longitude
From the Revere and Winthrop municipal boundary (northern edge of the Boston Harbor NDA) .....	42°23'30" N	70°58'50" W
North along the Revere and Winthrop municipal boundary (northern edge of the Boston Harbor NDA) ..	42°24'28" N	70°57'33" W
Arc south along the Winthrop and Nahant municipal boundary .....	42°23'13" N	70°55'28" W
Arc east along the Winthrop and Nahant municipal boundary .....	42°23'04" N	70°54'04" W
Arc northeast along the Winthrop and Nahant municipal boundary .....	42°23'32" N	70°51'28" W
North to the Marblehead/Swampscott town line (southern edge of the Salem Sound NDA) .....	42°26'33" N	70°49'05" W
West along the Marblehead/Swampscott town line (southern edge of the Salem Sound NDA) .....	42°28'43" N	70°52'45" W
Inland on the Pines River, Rt. 107 Bridge .....	42°25'51.93" N	70°59'50.28" W
Inland on the Saugus River, Lincoln Ave. Bridge .....	42°27'34.7" N	70°59'20.6" W

The proposed NDA includes the Commonwealth and municipal waters of Revere, Saugus, Lynn, Nahant, and Swampscott.

There are marinas, yacht clubs and public landings/piers in the proposed area with a combination of mooring fields and dock space for the recreational and commercial vessels. Massachusetts has certified that there are two pumpout facilities within the proposed area available to the boating public. The facilities are connected to the municipal sewage system. A list of the facilities, phone numbers, locations, and hours of operation is provided at the end of this petition.

Massachusetts has provided documentation indicating that the total vessel population is estimated to be 1222 in the proposed area. It is

estimated that 660 of the total vessel population may have a Marine Sanitation Device (MSD) of some type.

The proposed area contains the state recognized Rumney Marshes Area of Critical Environmental Concern (ACEC). The ACEC and many other areas of the Lower North Shore contain important salt marsh (approximately 2,274 acres), eelgrass and estuarine habitat that is utilized by migratory and native birds such as the snowy egrets, great blue heron, terns, glossy ibis, buffleheads, black ducks, snowy owls, sandpipers, and plovers. Fish such as alewife, blueback herring, rainbow smelt, American eel, striped bass, and several others migrate and/or live part of their lives within the Lower North Shore. Shellfish inhabitants include ribbed

mussels, soft-shell clams, and razor clams.

The Northeastern University Marine Science Center is located in Nahant and requires clean waters for the study of the local coastal ecology and for its seawater intakes for its indoor experiments. There are numerous beaches, marinas, boat launches and shellfish harvesting areas, including 230 acres of clam flats, within the proposed area. This area is also a popular destination for recreational and commercial boating, sailboat racing, windsurfing, swimming, and recreational and commercial fishing. Due to its natural environmental diversity, economic value, and recreational value the Lower North Shore would benefit from a No Discharge Area.

## PUMPOUT FACILITIES WITHIN PROPOSED NO DISCHARGE AREAS

Name	Location	Contact info.	Hours	Mean low water depth
<b>REVERE, SAUGUS, LYNN, NAHANT, AND SWAMPSCOTT</b>				
Seaport Landing Marina .....	Lynn Harbor .....	781-592-5821; VHF 9,13,16	8am-7pm April 15-Nov. 1 .....	20 ft.
Revere Harbormaster .....	Revere .....	207-967-2511, VHF 9 .....	On Call .....	NA

Dated: December 19, 2008.

**Robert W. Varney,**

*Regional Administrator, New England Region.*

[FR Doc. E8-31300 Filed 1-2-09; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8759-8]

### Predicting Future Introductions of Nonindigenous Species to the Great Lakes

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

**ACTION:** Notice of availability.

**SUMMARY:** EPA is announcing the availability of a final report titled, "Predicting Future Introductions of Nonindigenous Species to the Great Lakes" (EPA/600/R-08/066F). The report was prepared by the National Center for Environmental Assessment (NCEA), within EPA's Office of Research and Development (ORD). The Great Lakes of the United States have been subjected to adverse ecological and economic impacts from introduced species. Ballast water discharge from commercial shipping is the major means by which these nonindigenous species have entered the Great Lakes. This assessment demonstrates that successful invasions are best predicted by knowing the propagule pressure (i.e., the number of larvae/individuals entering a new area) and habitat matching (i.e., how similar is the invaded area to the native range of the species). The purpose of the report is to help resource managers focus monitoring activities on particular nonindigenous species at ports that are most at risk of invasion.

**DATES:** This document will be available on or about January 5, 2009.

**ADDRESSES:** The document will be available electronically through the NCEA Web site at <http://www.epa.gov/ncea>. A limited number of paper copies will be available from EPA's National Service Center for Environmental Publications (NSCEP), P.O. Box 42419, Cincinnati, OH 45242; telephone: 1-800-490-9198; facsimile: 301-604-3408; e-mail: [nscep@bpa-lmit.com](mailto:nscep@bpa-lmit.com).

Please provide your name, your mailing address, the title and the EPA number of the requested publication.

**FOR FURTHER INFORMATION CONTACT:** The Information Management Team, National Center for Environmental Assessment (8601P), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460. Telephone: 703-347-8561; fax: 703-347-8691; e-mail: [nceadc.comment@epa.gov](mailto:nceadc.comment@epa.gov).

Dated: December 22, 2008.

**Rebecca Clark,**

*Acting Director, National Center for Environmental Assessment.*

[FR Doc. E8-31295 Filed 1-2-09; 8:45 am]

**BILLING CODE 6560-50-P**

## FEDERAL MARITIME COMMISSION

[Docket No. 08-07]

### Petition of Olympus Growth Fund III, L.P. and Olympus Executive Fund, L.P. for Declaratory Order, Rulemaking or Other Relief Notice of Filing of Petition

Notice is hereby given that Olympus Growth Fund III, L.P. and Olympus Executive Fund, L.P. ("Petitioners") have petitioned the Federal Maritime Commission ("Commission") pursuant to 46 CFR 502.51, 68 and 69, for the Commission to either: (1) Issue a declaratory order clarifying that the "practice of re-routing the domestic inland transportation leg of a through intermodal shipment" by non-vessel-operating common carriers or other shippers does not violate the Shipping Act of 1984 ("Shipping Act"); (2) initiate a rulemaking to consider these issues; and/or (3) initiate a docketed proceeding with respect to informal compromise procedures said to be underway between Global Link Logistics, Inc. ("Global Link") and the Commission's Bureau of Enforcement ("BOE"), and grant Petitioners leave to intervene in the Commission's investigation thereof. Petitioners also request emergency relief from the Commission in the form of a stay of the informal proceedings before the BOE concerning Global Link.

This Petition arises out of the sale of Global Link by Petitioners, and subsequent arbitration involving Petitioners and the purchasers of Global Link and their successors. Petitioners claim that the purchasers seek to undo the sales transaction in arbitration by asserting that Global Link's prior practice of re-routing the domestic inland transportation leg of a through shipment violated the Shipping Act's proscription against obtaining ocean transportation of property at less than the rates or charges than would otherwise be applicable. See 49 U.S.C. 41102(a) (formerly section 10(a)(1) of the Shipping Act). Petitioners further claim that this alleged Shipping Act violation is being used by purchasers in an attempt to establish a violation of the stock purchase agreement governing Global Link's sale, and thereby undo the transaction in arbitration. Petitioners assert that BOE "appears to be prepared to find" that Global Link's practice of re-routing the domestic inland portion of a through transportation movement violates the Shipping Act, which finding allegedly would have far-reaching adverse effects on parties to ocean shipping transactions.

Persons named in the Petition include Global Link Logistics Inc. and the Bureau of Enforcement. See 46 CFR 502.58(f)(2). Accordingly, such persons are requested to submit views or arguments in reply to the Petition no later than January 9, 2009. Replies shall consist of an original and fifteen (15) copies, be directed to the Secretary, Federal Maritime Commission, 800 North Capitol Street, NW., Washington, DC 20573-0001, and be served on Petitioners' counsel, Lewis R. Clayton, of Paul, Weiss, Rifkind, Wharton & Garrison LLP, 1285 Avenue of the Americas, New York, NY 10019-6064; and Warren L. Dean, Jr., of Thompson Coburn LLP, 1909 K Street, NW., Suite 600, Washington, DC 20006. A copy of the reply shall be submitted in electronic form (Microsoft Word 2003) by e-mail to [secretary@fmc.gov](mailto:secretary@fmc.gov). The Petition will be posted on the Commission's Web site at <http://www.fmc.gov/reading/Dockets.asp>. Replies filed in response to this petition