

The ICR provides a detailed explanation of the Agency's estimate, which is only briefly summarized here: Estimated total number of potential respondents: 30,014.

Frequency of response: Annual.

Estimated total average number of responses for each respondent: 1.

Estimated total annual burden hours: 212,101 hours.

Estimated total annual costs: \$676,000. This includes an estimated burden cost of \$390,000 and an estimated cost of \$286,000 for capital investment or maintenance and operational costs.

Are there changes in the estimates from the last approval?

There is anticipated to be no change in the hours in the total estimated respondent burden compared with that identified in the ICR currently approved by OMB. EPA anticipates adjusting for inflation the estimated costs of labor and capital used in the supporting statement prepared in 2008. The 2008 supporting statement may be reviewed in the docket.

What is the next step in the process for this ICR?

EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval pursuant to 5 CFR 1320.12. At that time, EPA will issue another **Federal Register** notice pursuant to 5 CFR § 1320.5(a)(1)(iv) to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB. If you have any questions about this ICR or the approval process, please contact the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

Dated: April 13, 2012.

Pamela J. Mazakas,

Acting Director, Office of Civil Enforcement.

[FR Doc. 2012-9443 Filed 4-18-12; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[EPA—New England Region I—EPA—R01—OW—2012—0200; FRL—9661—8]

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 Mount Hope Bay.

DATES: “Comments must be submitted by May 21, 2012.”

ADDRESSES: Submit your comments, identified by Docket ID No. EPA—R01—OW—2012—0200, by one of the following methods:

www.regulations.gov, Follow the on-line instructions for submitting comments.

- *Email:* rodney.ann@epa.gov.
- *Fax:* (617) 918-0538.

Mail and hand delivery: U.S.

Environmental Protection Agency—New England Region, Five Post Office Square, Suite 100, OEP06-1, Boston, MA 02109-3912. 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—2012—0200. 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*, 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 email. 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 email comment directly to EPA without going through *www.regulations.gov* your email 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, Five Post Office Square, Suite 100, OEP06-01, Boston, MA 02109-3912. 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, Five Post Office Square, Suite 100, OEP06-01, Boston, MA 02109-3912. Telephone: (617) 918-1538, Fax number: (617) 918-0538; email 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 Mount Hope Bay.

THE PROPOSED NO DISCHARGE AREA FOR MOUNT HOPE BAY

| Waterbody/general area | Latitude | Longitude |
|---|----------------|----------------|
| The northern edge of the NDA boundary on the Taunton River is the Center Street/Elm Street bridge at: | 41°50'5.90" N | 71°6'29.34" W |
| The northern edge of the NDA boundary on the Lees River is the Route 6 bridge at: | 41°44'24.87" N | 71°11'12.72" W |
| The northern edge of the NDA boundary on the Cole River is the Route 6 Bridge at: | 41°44'47.03" N | 71°12'7.81" W |
| The southwestern edge of the NDA boundary is the Rhode Island/Massachusetts border at Swansea at: | 41°42'43.94" N | 71°13'34.27" W |
| The southeastern edge of the NDA boundary is the Rhode Island/Massachusetts border at Fall River at: | 41°40'30.28" N | 71°11'43.86" W |

The Mount Hope Bay NDA will encompass the tidal waters of Dighton, Berkley, Freetown, Somerset, Swansea, and Fall River to the mean high tide line.

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. Mount Hope Bay is a shared waterbody between Massachusetts and Rhode Island and in 1998 Rhode Island designated all its state waters as no discharge, including its portion of Mount Hope Bay. Massachusetts has

certified that there are three pumpout facilities, within the proposed state waters, available to the boating public. A list of the facilities, locations, contact information, hours of operation, and water depth is provided at the end of this petition.

Massachusetts has provided documentation indicating that the total vessel population is estimated to be 585 in the proposed area. It is estimated that

523 of the total vessel population may have a Marine Sanitation Device (MSD) of some type. The total number of MSDs certified by the Commonwealth of Massachusetts is an overestimate, conservatively, giving the boating public a 1:175 ratio of pumpouts to boats, which is much less than the ratio suggested by EPA Region 1 guidelines (300–600 vessels for every one facility.)

PUMPOUT FACILITIES WITHIN PROPOSED NO DISCHARGE AREA

| Name | Town | Contact information | Hours of operation | Depth (Ft) |
|--|------------------|---------------------------|--|------------|
| Fall River Harbormaster Boat | Fall River | 774-644-3609, VHF 16 | On Call | N/A |
| Somerset Harbormaster Boat | Somerset | 774-319-3126, VHF 9, 16 | 8:30 a.m.–8:30 p.m. | N/A |
| Somerset Land-based Pumpout Station at Town Boat Ramp. | Somerset | N/A Self Serve | 8 a.m.–5 p.m. Week-days; 8 a.m.–6 p.m. Weekends. | 3.5 |

Dated: April 6, 2012.

H. Curtis Spalding,

Regional Administrator, New England Region.

[FR Doc. 2012-9448 Filed 4-18-12; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-R01-OEP-12-006; FRL-9662-6]

State Program Requirements; Approval of Maine's Base National Pollutant Discharge Elimination System (NPDES) Permitting Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Since January 2001, the State of Maine has been authorized to administer the National Pollutant Discharge Elimination System (NPDES) program in the Indian territories of the Penobscot Nation and the Passamaquoddy Tribe, with the exception of authorization to issue permits to two tribally owned and operated wastewater treatment works. On August 8, 2007, the U.S. Court of Appeals for the First Circuit vacated EPA's October 31, 2003 decision to

withhold authority to administer the program under the Clean Water Act with respect to the two tribally owned and operated treatment works. EPA is responding to the court's order by approving Maine's NPDES program to include the permitting of all discharges within the Indian territories of the Penobscot Nation and the Passamaquoddy Tribe.

DATES: March 26, 2012.

FOR FURTHER INFORMATION CONTACT:

Questions or requests for additional information may be submitted to:

- Mail: Glenda Vélez, USEPA-Region 1, 5 Post Office Square—OEP06-01, Boston, MA 02109-3912.
- Telephone: (617) 918-1677.
- Email: velez.glenda@epa.gov.
- No facsimiles (faxes) will be accepted.

Copies of documents Maine has submitted in support of its program approval may be reviewed during regular business hours, Monday through Friday, excluding holidays at the address above.

SUPPLEMENTARY INFORMATION:

2001 Approval of the Program Outside Indian Territories

On December 17, 1999, EPA determined that the State of Maine had

submitted a complete application to administer the NPDES permitting program in the state under the Clean Water Act (CWA), 33 U.S.C. 1251, *et seq.*, see 64 FR 73552 (Dec. 30, 1999). Maine's application included an assertion of authority to implement the program in the territories of the federally-recognized Indian tribes within the state, based on the jurisdictional provisions of the Maine Indian Claims Settlement Act (MICSA), which ratified the Maine Implementing Act (MIA), 25 U.S.C. 1721, *et seq.* and 30 M.R.S.A. section 6201, *et seq.*, respectively.

On January 12, 2001, EPA approved the State of Maine's application to administer the NPDES program for all areas of the state other than Indian country. At that point EPA did not take any action on Maine's application to administer the program within the territories of the federally-recognized Indian tribes in Maine. EPA published notice of its action on February 28, 2001. 66 FR 12791. As described in the **Federal Register**, EPA approved the state's application to administer both the NPDES permit program covering point source dischargers and the pretreatment program covering industrial dischargers into publicly