

APPENDIX A

Relevant Sections of Statutes, Regulations, or Judicial/Administrative Decrees Enabling the Collection of Information for the National Listing of Advisories

Clean Water Act 104, as printed in

(<http://www.gpo.gov/fdsys/pkg/USCODE-2011-title33/pdf/USCODE-2011-title33-chap26-subchapl-sec1254.pdf>)

Title 33: Navigation and Navigable Waters

Chapter 26: Water Pollution Prevention and Control

Subchapter 1: Research and Related Programs

Section 1254: Research, investigations, training, and information

EPA's Clean Water Action Plan - Fish Consumption Advisories

(b) The consent of the Congress is hereby given to two or more States to negotiate and enter into agreements or compacts, not in conflict with any law or treaty of the United States, for (1) cooperative effort and mutual assistance for the prevention and control of pollution and the enforcement of their respective laws relating thereto, and (2) the establishment of such agencies, joint or otherwise, as they may deem desirable for making effective such agreements and compacts. No such agreement or compact shall be binding or obligatory upon any State a party thereto unless and until it has been approved by the Congress.

(June 30, 1948, ch. 758, title I, § 103, as added Pub. L. 92-500, § 2, Oct. 18, 1972, 86 Stat. 818.)

§ 1254. Research, investigations, training, and information

(a) Establishment of national programs; cooperation; investigations; water quality surveillance system; reports

The Administrator shall establish national programs for the prevention, reduction, and elimination of pollution and as part of such programs shall—

(1) in cooperation with other Federal, State, and local agencies, conduct and promote the coordination and acceleration of, research, investigations, experiments, training, demonstrations, surveys, and studies relating to the causes, effects, extent, prevention, reduction, and elimination of pollution;

(2) encourage, cooperate with, and render technical services to pollution control agencies and other appropriate public or private agencies, institutions, and organizations, and individuals, including the general public, in the conduct of activities referred to in paragraph (1) of this subsection;

(3) conduct, in cooperation with State water pollution control agencies and other interested agencies, organizations and persons, public investigations concerning the pollution of any navigable waters, and report on the results of such investigations;

(4) establish advisory committees composed of recognized experts in various aspects of pollution and representatives of the public to assist in the examination and evaluation of research progress and proposals and to avoid duplication of research;

(5) in cooperation with the States, and their political subdivisions, and other Federal agencies establish, equip, and maintain a water quality surveillance system for the purpose of monitoring the quality of the navigable waters and ground waters and the contiguous zone and the oceans and the Administrator shall, to the extent practicable, conduct such surveillance by utilizing the resources of the National Aeronautics and Space Administration, the National Oceanic and Atmospheric Administration, the United States Geological Survey, and the Coast Guard, and shall report on such quality in the report required under subsection (a) of section 1375 of this title; and

(6) initiate and promote the coordination and acceleration of research designed to develop the most effective practicable tools and

techniques for measuring the social and economic costs and benefits of activities which are subject to regulation under this chapter; and shall transmit a report on the results of such research to the Congress not later than January 1, 1974.

(b) Authorized activities of Administrator

In carrying out the provisions of subsection (a) of this section the Administrator is authorized to—

(1) collect and make available, through publications and other appropriate means, the results of and other information, including appropriate recommendations by him in connection therewith, pertaining to such research and other activities referred to in paragraph (1) of subsection (a) of this section;

(2) cooperate with other Federal departments and agencies, State water pollution control agencies, interstate agencies, other public and private agencies, institutions, organizations, industries involved, and individuals, in the preparation and conduct of such research and other activities referred to in paragraph (1) of subsection (a) of this section;

(3) make grants to State water pollution control agencies, interstate agencies, other public or nonprofit private agencies, institutions, organizations, and individuals, for purposes stated in paragraph (1) of subsection (a) of this section;

(4) contract with public or private agencies, institutions, organizations, and individuals, without regard to section 3324(a) and (b) of title 31 and section 6101 of title 41, referred to in paragraph (1) of subsection (a) of this section;

(5) establish and maintain research fellowships at public or nonprofit private educational institutions or research organizations;

(6) collect and disseminate, in cooperation with other Federal departments and agencies, and with other public or private agencies, institutions, and organizations having related responsibilities, basic data on chemical, physical, and biological effects of varying water quality and other information pertaining to pollution and the prevention, reduction, and elimination thereof; and

(7) develop effective and practical processes, methods, and prototype devices for the prevention, reduction, and elimination of pollution.

(c) Research and studies on harmful effects of pollutants; cooperation with Secretary of Health and Human Services

In carrying out the provisions of subsection (a) of this section the Administrator shall conduct research on, and survey the results of other scientific studies on, the harmful effects on the health or welfare of persons caused by pollutants. In order to avoid duplication of effort, the Administrator shall, to the extent practicable, conduct such research in cooperation with and through the facilities of the Secretary of Health and Human Services.

(d) Sewage treatment; identification and measurement of effects of pollutants; augmented streamflow

In carrying out the provisions of this section the Administrator shall develop and dem-

onstrate under varied conditions (including conducting such basic and applied research, studies, and experiments as may be necessary):

(1) Practicable means of treating municipal sewage, and other waterborne wastes to implement the requirements of section 1281 of this title;

(2) Improved methods and procedures to identify and measure the effects of pollutants, including those pollutants created by new technological developments; and

(3) Methods and procedures for evaluating the effects on water quality of augmented streamflows to control pollution not susceptible to other means of prevention, reduction, or elimination.

(e) Field laboratory and research facilities

The Administrator shall establish, equip, and maintain field laboratory and research facilities, including, but not limited to, one to be located in the northeastern area of the United States, one in the Middle Atlantic area, one in the southeastern area, one in the midwestern area, one in the southwestern area, one in the Pacific Northwest, and one in the State of Alaska, for the conduct of research, investigations, experiments, field demonstrations and studies, and training relating to the prevention, reduction and elimination of pollution. Insofar as practicable, each such facility shall be located near institutions of higher learning in which graduate training in such research might be carried out. In conjunction with the development of criteria under section 1343 of this title, the Administrator shall construct the facilities authorized for the National Marine Water Quality Laboratory established under this subsection.

(f) Great Lakes water quality research

The Administrator shall conduct research and technical development work, and make studies, with respect to the quality of the waters of the Great Lakes, including an analysis of the present and projected future water quality of the Great Lakes under varying conditions of waste treatment and disposal, an evaluation of the water quality needs of those to be served by such waters, an evaluation of municipal, industrial, and vessel waste treatment and disposal practices with respect to such waters, and a study of alternate means of solving pollution problems (including additional waste treatment measures) with respect to such waters.

(g) Treatment works pilot training programs; employment needs forecasting; training projects and grants; research fellowships; technical training; report to the President and transmittal to Congress

(1) For the purpose of providing an adequate supply of trained personnel to operate and maintain existing and future treatment works and related activities, and for the purpose of enhancing substantially the proficiency of those engaged in such activities, the Administrator shall finance pilot programs, in cooperation with State and interstate agencies, municipalities, educational institutions, and other organizations and individuals, of manpower development and training and retraining of persons in, on entering into, the field of operation and maintenance

of treatment works and related activities. Such program and any funds expended for such a program shall supplement, not supplant, other manpower and training programs and funds available for the purposes of this paragraph. The Administrator is authorized, under such terms and conditions as he deems appropriate, to enter into agreements with one or more States, acting jointly or severally, or with other public or private agencies or institutions for the development and implementation of such a program.

(2) The Administrator is authorized to enter into agreements with public and private agencies and institutions, and individuals to develop and maintain an effective system for forecasting the supply of, and demand for, various professional and other occupational categories needed for the prevention, reduction, and elimination of pollution in each region, State, or area of the United States and, from time to time, to publish the results of such forecasts.

(3) In furtherance of the purposes of this chapter, the Administrator is authorized to—

(A) make grants to public or private agencies and institutions and to individuals for training projects, and provide for the conduct of training by contract with public or private agencies and institutions and with individuals without regard to section 3324(a) and (b) of title 31 and section 6101 of title 41;

(B) establish and maintain research fellowships in the Environmental Protection Agency with such stipends and allowances, including traveling and subsistence expenses, as he may deem necessary to procure the assistance of the most promising research fellows; and

(C) provide, in addition to the program established under paragraph (1) of this subsection, training in technical matters relating to the causes, prevention, reduction, and elimination of pollution for personnel of public agencies and other persons with suitable qualifications.

(4) The Administrator shall submit, through the President, a report to the Congress not later than December 31, 1973, summarizing the actions taken under this subsection and the effectiveness of such actions, and setting forth the number of persons trained, the occupational categories for which training was provided, the effectiveness of other Federal, State, and local training programs in this field, together with estimates of future needs, recommendations on improving training programs, and such other information and recommendations, including legislative recommendations, as he deems appropriate.

(h) Lake pollution

The Administrator is authorized to enter into contracts with, or make grants to, public or private agencies and organizations and individuals for (A) the purpose of developing and demonstrating new or improved methods for the prevention, removal, reduction, and elimination of pollution in lakes, including the undesirable effects of nutrients and vegetation, and (B) the construction of publicly owned research facilities for such purpose.

(i) Oil pollution control studies

The Administrator, in cooperation with the Secretary of the Department in which the Coast Guard is operating, shall—

(1) engage in such research, studies, experiments, and demonstrations as he deems appropriate, relative to the removal of oil from any waters and to the prevention, control, and elimination of oil and hazardous substances pollution;

(2) publish from time to time the results of such activities; and

(3) from time to time, develop and publish in the Federal Register specifications and other technical information on the various chemical compounds used in the control of oil and hazardous substances spills.

In carrying out this subsection, the Administrator may enter into contracts with, or make grants to, public or private agencies and organizations and individuals.

(j) Solid waste disposal equipment for vessels

The Secretary of the department in which the Coast Guard is operating shall engage in such research, studies, experiments, and demonstrations as he deems appropriate relative to equipment which is to be installed on board a vessel and is designed to receive, retain, treat, or discharge human body wastes and the wastes from toilets and other receptacles intended to receive or retain body wastes with particular emphasis on equipment to be installed on small recreational vessels. The Secretary of the department in which the Coast Guard is operating shall report to Congress the results of such research, studies, experiments, and demonstrations prior to the effective date of any regulations established under section 1322 of this title. In carrying out this subsection the Secretary of the department in which the Coast Guard is operating may enter into contracts with, or make grants to, public or private organizations and individuals.

(k) Land acquisition

In carrying out the provisions of this section relating to the conduct by the Administrator of demonstration projects and the development of field laboratories and research facilities, the Administrator may acquire land and interests therein by purchase, with appropriated or donated funds, by donation, or by exchange for acquired or public lands under his jurisdiction which he classifies as suitable for disposition. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal, the values shall be equalized by the payment of cash to the grantor or to the Administrator as the circumstances require.

(l) Collection and dissemination of scientific knowledge on effects and control of pesticides in water

(1) The Administrator shall, after consultation with appropriate local, State, and Federal agencies, public and private organizations, and interested individuals, as soon as practicable but not later than January 1, 1973, develop and issue to the States for the purpose of carrying out this chapter the latest scientific knowledge available

in indicating the kind and extent of effects on health and welfare which may be expected from the presence of pesticides in the water in varying quantities. He shall revise and add to such information whenever necessary to reflect developing scientific knowledge.

(2) The President shall, in consultation with appropriate local, State, and Federal agencies, public and private organizations, and interested individuals, conduct studies and investigations of methods to control the release of pesticides into the environment which study shall include examination of the persistency of pesticides in the water environment and alternatives thereto. The President shall submit reports, from time to time, on such investigations to Congress together with his recommendations for any necessary legislation.

(m) Waste oil disposal study

(1) The Administrator shall, in an effort to prevent degradation of the environment from the disposal of waste oil, conduct a study of (A) the generation of used engine, machine, cooling, and similar waste oil, including quantities generated, the nature and quality of such oil, present collecting methods and disposal practices, and alternate uses of such oil; (B) the long-term, chronic biological effects of the disposal of such waste oil; and (C) the potential market for such oils, including the economic and legal factors relating to the sale of products made from such oils, the level of subsidy, if any, needed to encourage the purchase by public and private nonprofit agencies of products from such oil, and the practicability of Federal procurement, on a priority basis, of products made from such oil. In conducting such study, the Administrator shall consult with affected industries and other persons.

(2) The Administrator shall report the preliminary results of such study to Congress within six months after October 18, 1972, and shall submit a final report to Congress within 18 months after such date.

(n) Comprehensive studies of effects of pollution on estuaries and estuarine zones

(1) The Administrator shall, in cooperation with the Secretary of the Army, the Secretary of Agriculture, the Water Resources Council, and with other appropriate Federal, State, interstate, or local public bodies and private organizations, institutions, and individuals, conduct and promote, and encourage contributions to, continuing comprehensive studies of the effects of pollution, including sedimentation, in the estuaries and estuarine zones of the United States on fish and wildlife, on sport and commercial fishing, on recreation, on water supply and water power, and on other beneficial purposes. Such studies shall also consider the effect of demographic trends, the exploitation of mineral resources and fossil fuels, land and industrial development, navigation, flood and erosion control, and other uses of estuaries and estuarine zones upon the pollution of the waters therein.

(2) In conducting such studies, the Administrator shall assemble, coordinate, and organize all existing pertinent information on the Nation's estuaries and estuarine zones; carry out a

program of investigations and surveys to supplement existing information in representative estuaries and estuarine zones; and identify the problems and areas where further research and study are required.

(3) The Administrator shall submit to Congress, from time to time, reports of the studies authorized by this subsection but at least one such report during any six-year period. Copies of each such report shall be made available to all interested parties, public and private.

(4) For the purpose of this subsection, the term "estuarine zones" means an environmental system consisting of an estuary and those transitional areas which are consistently influenced or affected by water from an estuary such as, but not limited to, salt marshes, coastal and intertidal areas, bays, harbors, lagoons, inshore waters, and channels, and the term "estuary" means all or part of the mouth of a river or stream or other body of water having unimpaired natural connection with open sea and within which the sea water is measurably diluted with fresh water derived from land drainage.

(o) Methods of reducing total flow of sewage and unnecessary water consumption; reports

(1) The Administrator shall conduct research and investigations on devices, systems, incentives, pricing policy, and other methods of reducing the total flow of sewage, including, but not limited to, unnecessary water consumption in order to reduce the requirements for, and the costs of, sewage and waste treatment services. Such research and investigations shall be directed to develop devices, systems, policies, and methods capable of achieving the maximum reduction of unnecessary water consumption.

(2) The Administrator shall report the preliminary results of such studies and investigations to the Congress within one year after October 18, 1972, and annually thereafter in the report required under subsection (a) of section 1375 of this title. Such report shall include recommendations for any legislation that may be required to provide for the adoption and use of devices, systems, policies, or other methods of reducing water consumption and reducing the total flow of sewage. Such report shall include an estimate of the benefits to be derived from adoption and use of such devices, systems, policies, or other methods and also shall reflect estimates of any increase in private, public, or other cost that would be occasioned thereby.

(p) Agricultural pollution

In carrying out the provisions of subsection (a) of this section the Administrator shall, in cooperation with the Secretary of Agriculture, other Federal agencies, and the States, carry out a comprehensive study and research program to determine new and improved methods and the better application of existing methods of preventing, reducing, and eliminating pollution from agriculture, including the legal, economic, and other implications of the use of such methods.

(q) Sewage in rural areas; national clearinghouse for alternative treatment information; clearinghouse on small flows

(1) The Administrator shall conduct a comprehensive program of research and investigation and pilot project implementation into new and improved methods of preventing, reducing, storing, collecting, treating, or otherwise eliminating pollution from sewage in rural and other areas where collection of sewage in conventional, communitywide sewage collection systems is impractical, uneconomical, or otherwise infeasible, or where soil conditions or other factors preclude the use of septic tank and drainage field systems.

(2) The Administrator shall conduct a comprehensive program of research and investigation and pilot project implementation into new and improved methods for the collection and treatment of sewage and other liquid wastes combined with the treatment and disposal of solid wastes.

(3) The Administrator shall establish, either within the Environmental Protection Agency, or through contract with an appropriate public or private non-profit organization, a national clearinghouse which shall (A) receive reports and information resulting from research, demonstrations, and other projects funded under this chapter related to paragraph (1) of this subsection and to subsection (e)(2) of section 1255 of this title; (B) coordinate and disseminate such reports and information for use by Federal and State agencies, municipalities, institutions, and persons in developing new and improved methods pursuant to this subsection; and (C) provide for the collection and dissemination of reports and information relevant to this subsection from other Federal and State agencies, institutions, universities, and persons.

(4) **SMALL FLOWS CLEARINGHOUSE.**—Notwithstanding section 1285(d) of this title, from amounts that are set aside for a fiscal year under section 1285(i) of this title and are not obligated by the end of the 24-month period of availability for such amounts under section 1285(d) of this title, the Administrator shall make available \$1,000,000 or such unobligated amount, whichever is less, to support a national clearinghouse within the Environmental Protection Agency to collect and disseminate information on small flows of sewage and innovative or alternative wastewater treatment processes and techniques, consistent with paragraph (3). This paragraph shall apply with respect to amounts set aside under section 1285(i) of this title for which the 24-month period of availability referred to in the preceding sentence ends on or after September 30, 1986.

(r) Research grants to colleges and universities

The Administrator is authorized to make grants to colleges and universities to conduct basic research into the structure and function of freshwater aquatic ecosystems, and to improve understanding of the ecological characteristics necessary to the maintenance of the chemical, physical, and biological integrity of freshwater aquatic ecosystems.

(s) River Study Centers

The Administrator is authorized to make grants to one or more institutions of higher edu-

cation (regionally located and to be designated as "River Study Centers") for the purpose of conducting and reporting on interdisciplinary studies on the nature of river systems, including hydrology, biology, ecology, economics, the relationship between river uses and land uses, and the effects of development within river basins on river systems and on the value of water resources and water related activities. No such grant in any fiscal year shall exceed \$1,000,000.

(t) Thermal discharges

The Administrator shall, in cooperation with State and Federal agencies and public and private organizations, conduct continuing comprehensive studies of the effects and methods of control of thermal discharges. In evaluating alternative methods of control the studies shall consider (1) such data as are available on the latest available technology, economic feasibility including cost-effectiveness analysis, and (2) the total impact on the environment, considering not only water quality but also air quality, land use, and effective utilization and conservation of freshwater and other natural resources. Such studies shall consider methods of minimizing adverse effects and maximizing beneficial effects of thermal discharges. The results of these studies shall be reported by the Administrator as soon as practicable, but not later than 270 days after October 18, 1972, and shall be made available to the public and the States, and considered as they become available by the Administrator in carrying out section 1326 of this title and by the States in proposing thermal water quality standards.

(u) Authorization of appropriations

There is authorized to be appropriated (1) not to exceed \$100,000,000 per fiscal year for the fiscal year ending June 30, 1973, the fiscal year ending June 30, 1974, and the fiscal year ending June 30, 1975, not to exceed \$14,039,000 for the fiscal year ending September 30, 1980, not to exceed \$20,697,000 for the fiscal year ending September 30, 1981, not to exceed \$22,770,000 for the fiscal year ending September 30, 1982, such sums as may be necessary for fiscal years 1983 through 1985, and not to exceed \$22,770,000 per fiscal year for each of the fiscal years 1986 through 1990, for carrying out the provisions of this section, other than subsections (g)(1) and (2), (p), (r), and (t) of this section, except that such authorizations are not for any research, development, or demonstration activity pursuant to such provisions; (2) not to exceed \$7,500,000 for fiscal years 1973, 1974, and 1975, \$2,000,000 for fiscal year 1977, \$3,000,000 for fiscal year 1978, \$3,000,000 for fiscal year 1979, \$3,000,000 for fiscal year 1980, \$3,000,000 for fiscal year 1981, \$3,000,000 for fiscal year 1982, such sums as may be necessary for fiscal years 1983 through 1985, and \$3,000,000 per fiscal year for each of the fiscal years 1986 through 1990, for carrying out the provisions of subsection (g)(1) of this section; (3) not to exceed \$2,500,000 for fiscal years 1973, 1974, and 1975, \$1,000,000 for fiscal year 1977, \$1,500,000 for fiscal year 1978, \$1,500,000 for fiscal year 1979, \$1,500,000 for fiscal year 1980, \$1,500,000 for fiscal year 1981, \$1,500,000 for fiscal year 1982, such sums as may be necessary for fiscal years 1983 through 1985, and \$1,500,000 per fiscal year for each of the fiscal years 1986 through

1990, for carrying out the provisions of subsection (g)(2) of this section; (4) not to exceed \$10,000,000 for each of the fiscal years ending June 30, 1973, June 30, 1974, and June 30, 1975, for carrying out the provisions of subsection (p) of this section; (5) not to exceed \$15,000,000 per fiscal year for the fiscal years ending June 30, 1973, June 30, 1974, and June 30, 1975, for carrying out the provisions of subsection (r) of this section; and (6) not to exceed \$10,000,000 per fiscal year for the fiscal years ending June 30, 1973, June 30, 1974, and June 30, 1975, for carrying out the provisions of subsection (t) of this section.

(v) Studies concerning pathogen indicators in coastal recreation waters

Not later than 18 months after October 10, 2000, after consultation and in cooperation with appropriate Federal, State, tribal, and local officials (including local health officials), the Administrator shall initiate, and, not later than 3 years after October 10, 2000, shall complete, in cooperation with the heads of other Federal agencies, studies to provide additional information for use in developing—

(1) an assessment of potential human health risks resulting from exposure to pathogens in coastal recreation waters, including non-gastrointestinal effects;

(2) appropriate and effective indicators for improving detection in a timely manner in coastal recreation waters of the presence of pathogens that are harmful to human health;

(3) appropriate, accurate, expeditious, and cost-effective methods (including predictive models) for detecting in a timely manner in coastal recreation waters the presence of pathogens that are harmful to human health; and

(4) guidance for State application of the criteria for pathogens and pathogen indicators to be published under section 1314(a)(9) of this title to account for the diversity of geographic and aquatic conditions.

(June 30, 1948, ch. 758, title I, § 104, as added Pub. L. 92-500, § 2, Oct. 18, 1972, 86 Stat. 819; amended Pub. L. 93-207, § 1(1), Dec. 28, 1973, 87 Stat. 906; Pub. L. 93-592, § 1, Jan. 2, 1975, 88 Stat. 1924; Pub. L. 95-217, §§ 4(a), (b), 6, 7, Dec. 27, 1977, 91 Stat. 1566, 1567; Pub. L. 95-576, § 1(a), Nov. 2, 1978, 92 Stat. 2467; Pub. L. 96-88, title V, § 509(b), Oct. 17, 1979, 93 Stat. 695; Pub. L. 96-483, § 1(a), Oct. 21, 1980, 94 Stat. 2360; Pub. L. 100-4, title I, §§ 101(a), 102, Feb. 4, 1987, 101 Stat. 8, 9; Pub. L. 102-154, title I, Nov. 13, 1991, 105 Stat. 1000; Pub. L. 105-362, title V, § 501(a)(1), (d)(2)(A), Nov. 10, 1998, 112 Stat. 3283; Pub. L. 106-284, § 3(a), Oct. 10, 2000, 114 Stat. 871; Pub. L. 107-303, title III, § 302(b)(1), Nov. 27, 2002, 116 Stat. 2361.)

CODIFICATION

In subsecs. (b)(4) and (g)(3)(A), "section 3324(a) and (b) of title 31 and section 6101 of title 41" substituted for references to sections 3648 and 3709 of the Revised Statutes on authority of Pub. L. 97-258, § 4(b), Sept. 13, 1982, 96 Stat. 1067, which Act enacted Title 31, Money and Finance, and Pub. L. 111-350, § 6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

AMENDMENTS

2002—Subsecs. (a)(5), (n)(3), (4), (o)(2). Pub. L. 107-303 repealed Pub. L. 105-362, § 501(a), (d). See 1998 Amendment notes below.

2000—Subsec. (v). Pub. L. 106-284 added subsec. (v).

1998—Subsec. (a)(5). Pub. L. 105-362, § 501(d)(2)(A)(i), which directed the substitution of “not later than 90 days after the date of convening of each session of Congress” for “in the report required under subsection (a) of section 1375 of this title”, was repealed by Pub. L. 107-303. See Effective Date of 2002 Amendment note below.

Subsec. (n)(3), (4). Pub. L. 105-362, § 501(a)(1), which directed the redesignation of par. (4) as (3) and striking out of former par. (3), was repealed by Pub. L. 107-303. See Effective Date of 2002 Amendment note below.

Subsec. (o)(2). Pub. L. 105-362, § 501(d)(2)(A)(ii), which directed the substitution of “not later than 90 days after the date of convening of each session of Congress” for “in the report required under subsection (a) of section 1375 of this title”, was repealed by Pub. L. 107-303. See Effective Date of 2002 Amendment note below.

1987—Subsec. (q)(4). Pub. L. 100-4, § 102, added par. (4).

Subsec. (u). Pub. L. 100-4, § 101(a), in cl. (1) struck out “and” after “1975,” “1980,” and “1981,” and inserted “such sums as may be necessary for fiscal years 1983 through 1985, and not to exceed \$22,770,000 per fiscal year for each of the fiscal years 1986 through 1990,” in cl. (2) struck out “and” after “1981,” and inserted “such sums as may be necessary for fiscal years 1983 through 1985, and \$3,000,000 per fiscal year for each of the fiscal years 1986 through 1990,” and in cl. (3) struck out “and” after “1981,” and inserted “such sums as may be necessary for fiscal years 1983 through 1985, and \$1,500,000 per fiscal year for each of the fiscal years 1986 through 1990,”.

1980—Subsec. (u). Pub. L. 96-483 in par. (1) inserted authorization of not to exceed \$20,697,000 and \$22,770,000 for fiscal years ending Sept. 30, 1981, and 1982, respectively; in par. (2) inserted authorization of the sum of \$3,000,000 for each of fiscal years 1981 and 1982; and in par. (3) inserted authorization of the sum of \$1,500,000 for each of fiscal years 1981 and 1982.

1978—Subsec. (u)(1). Pub. L. 95-576 authorized appropriation of not to exceed \$14,039,000 for fiscal year ending Sept. 30, 1980 and prohibited use of authorizations for any research, development, or demonstration activity pursuant to provisions of this section.

1977—Subsec. (n)(3). Pub. L. 95-217, § 6, substituted “any six-year period” for “any three year period”.

Subsec. (q)(3). Pub. L. 95-217, § 7, added par. (3).

Subsec. (u)(2). Pub. L. 95-217, § 4(a), substituted “1975, \$2,000,000 for fiscal year 1977, \$3,000,000 for fiscal year 1978, \$3,000,000 for fiscal year 1979, and \$3,000,000 for fiscal year 1980,” for “1975”.

Subsec. (u)(3). Pub. L. 95-217, § 4(b), substituted “1975, \$1,000,000 for fiscal year 1977, \$1,500,000 for fiscal year 1978, \$1,500,000 for fiscal year 1979, and \$1,500,000 for fiscal year 1980,” for “1975”.

1975—Subsec. (u)(1). Pub. L. 93-592, § 1(a), substituted “the fiscal year ending June 30, 1974, and the fiscal year ending June 30, 1975,” for “and the fiscal year ending June 30, 1974,”.

Subsec. (u)(2). Pub. L. 93-592, § 1(b), substituted “fiscal years 1973, 1974, and 1975” for “fiscal years 1973 and 1974”.

Subsec. (u)(3). Pub. L. 93-592, § 1(c), substituted “fiscal years 1973, 1974, and 1975” for “fiscal year 1973”.

Subsec. (u)(4), (5), (6). Pub. L. 93-592, § 1(d)-(f), substituted “June 30, 1974, and June 30, 1975,” for “and June 30, 1974,”.

1973—Subsec. (u)(2). Pub. L. 93-207 substituted “fiscal years 1973 and 1974” for “fiscal year 1973”.

CHANGE OF NAME

“United States Geological Survey” substituted for “Geological Survey” in subsec. (a)(5) pursuant to provision of title I of Pub. L. 102-154, set out as a note under section 31 of Title 43, Public Lands.

“Secretary of Health and Human Services” substituted for “Secretary of Health, Education, and Welfare” in subsec. (c) pursuant to section 509(b) of Pub. L. 96-88 which is classified to section 3508(b) of Title 20, Education.

EFFECTIVE DATE OF 2002 AMENDMENT

Pub. L. 107-303, title III, § 302(b), Nov. 27, 2002, 116 Stat. 2361, provided that:

“(1) IN GENERAL.—Effective November 10, 1998, section 501 of the Federal Reports Elimination Act of 1998 (Public Law 105-362; 112 Stat. 3283) is amended by striking subsections (a) [amending this section and section 1330 of this title], (b) [amending section 1324 of this title], (c) [amending section 1329 of this title], and (d) [amending this section and sections 1266, 1285, 1290, and 1375 of this title].

“(2) APPLICABILITY.—The Federal Water Pollution Control Act (33 U.S.C. 1254(n)(3)) [33 U.S.C. 1251 et seq.] shall be applied and administered on and after the date of enactment of this Act [Nov. 27, 2002] as if the amendments made by subsections (a), (b), (c), and (d) of section 501 of the Federal Reports Elimination Act of 1998 (Public Law 105-362; 112 Stat. 3283) had not been enacted.”

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

Enforcement functions of Secretary or other official in Department of Agriculture, insofar as they involve lands and programs under jurisdiction of that Department, related to compliance with this chapter with respect to pre-construction, construction, and initial operation of transportation system for Canadian and Alaskan natural gas were transferred to the Federal Inspector, Office of Federal Inspector for the Alaska Natural Gas Transportation System, until the first anniversary of date of initial operation of the Alaska Natural Gas Transportation System, see Reorg. Plan No. 1 of 1979, §§ 102(f), 203(a), 44 F.R. 33663, 33666, 93 Stat. 1373, 1376, effective July 1, 1979, set out in the Appendix to Title 5, Government Organization and Employees. Office of Federal Inspector for the Alaska Natural Gas Transportation System abolished and functions and authority vested in Inspector transferred to Secretary of Energy by section 3012(b) of Pub. L. 102-486, set out as an Abolition of Office of Federal Inspector note under section 719e of Title 15, Commerce and Trade. Functions and authority vested in Secretary of Energy subsequently transferred to Federal Coordinator for Alaska Natural Gas Transportation Projects by section 720d(f) of Title 15.

COLUMBIA RIVER BASIN SYSTEM; PROTECTION FROM OIL SPILLS AND DISCHARGES; CRITERIA FOR EVALUATION AND REPORT TO CONGRESS BY COMMANDANT OF COAST GUARD IN CONSULTATION WITH FEDERAL, ETC., AGENCIES

Pub. L. 95-308, § 8, June 30, 1978, 92 Stat. 359, set forth Congressional findings and declarations and evaluation criteria with respect to protection from oil spills and discharges and betterment of the Columbia River Basin system, with such evaluation by the Commandant of the Coast Guard to begin within 180 days after June 30, 1978, and immediate submission of the evaluation to appropriate Congressional committees.

CONTIGUOUS ZONE OF UNITED STATES

For extension of contiguous zone of United States, see Proc. No. 7219, set out as a note under section 1331 of Title 43, Public Lands.

§ 1254a. Research on effects of pollutants

In carrying out the provisions of section 1254(a) of this title, the Administrator shall conduct research on the harmful effects on the

overview

Clean Water Action Plan

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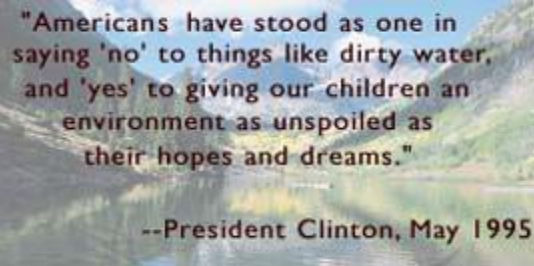
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Clean Water--The Road Ahead



Over the past quarter century, America has made tremendous strides in cleaning up its rivers, lakes, and coastal waters. In 1972, the Potomac River was too dirty to swim in, Lake Erie was dying, and the Cuyahoga River was so polluted it burst into flames. Many rivers and beaches were little more than open sewers. The improvement in the health of the nation's waters is a direct result of a concerted effort to enhance stewardship of natural resources and to implement the environmental provisions of federal, state, tribal and local laws. In particular, the Clean Water Act has stopped billions of pounds of pollution from fouling the nation's water, doubling the number of waterways safe for fishing and swimming. Today, rivers, lakes, and coasts are thriving centers of healthy communities.



Despite tremendous progress, 40 percent of the nation's waterways assessed by states are still unsafe for fishing and swimming. Pollution from factories and sewage treatment plants, soil erosion, and wetland losses have been dramatically reduced. But runoff from city streets, rural areas, and other sources continues to degrade the environment and puts drinking water at risk. Fish in many waters still contain dangerous levels of mercury, polychlorinated biphenyls (PCBs), and other toxic contaminants.

Clean Water Program at a Crossroads

After 25 years of progress, the nation's clean water program is at a crossroads. Implementation of the existing programs will not stop serious new threats to public health, living resources, and the nation's waterways, particularly from polluted runoff. These programs lack the strength, resources, and framework to finish the job of restoring rivers, lakes, and coastal areas. To fulfill the original goal of the Clean Water Act-- fishable and swimmable water for every American the nation must chart a new course to address the

pollution problems of the next generation.

Charting a New Course

In his 1998 State of the Union Address, President Clinton announced a major new Clean Water Initiative to speed the restoration of the nation's precious waterways. This new initiative aims to achieve clean water by strengthening public health protections, targeting community-based watershed protection efforts at high priority areas, and providing communities with new resources to control polluted runoff.

On October 18, 1997, the 25th anniversary of the Clean Water Act, Vice President Gore directed the Department of Agriculture (USDA) and the Environmental Protection Agency (EPA) to work with other federal agencies and the public to prepare an aggressive Action Plan to meet the promise of clean, safe water for all Americans. This Action Plan forms the core of President Clinton's Clean Water Initiative in which he proposed \$568 million in new resources in his FY 1999 budget to carry it out. The Action Plan builds on the solid foundation of existing clean water programs and proposes new actions to strengthen efforts to restore and protect water resources. In implementing this Action Plan, the federal government will:

- support locally led partnerships that include a broad array of federal agencies, states, tribes, communities, businesses, and citizens to meet clean water and public health goals;
- increase financial and technical assistance to states, tribes, local governments, farmers, and others; and
- help states and tribes restore and sustain the health of aquatic systems on a watershed basis.

Four Tools for Clean Water

Federal, state, tribal, and local governments have many tools they can use to clean up and protect water resources. Regulation, economic incentives, technical assistance, research, education, and accurate information all have a role to play in meeting clean water goals. This Action Plan is built around four key tools to achieve clean water goals.

A Watershed Approach

This Action Plan envisions a new collaborative effort by federal

state, tribal, and local governments; the public; and the private sector to restore and sustain the health of watersheds in the nation. The watershed approach is the key to setting priorities and taking action to clean up rivers, lakes, and coastal waters.

Strong Federal and State Standards

This Action Plan calls for federal, state, and tribal agencies to revise standards where needed and make existing programs more effective. Effective standards are key to protecting public health, preventing polluted runoff, and ensuring accountability.

Natural Resource Stewardship

Most of the land in the nation's watersheds is cropland, pasture, rangeland, or forests, and most of the water that ends up in rivers, lakes, and coastal waters falls on these lands first. Clean water depends on the conservation and stewardship of these natural resources. This Action Plan calls on federal natural resource and conservation agencies to apply their collective resources and technical expertise to state and local watershed restoration and protection.

Informed Citizens and Officials

Clear, accurate, and timely information is the foundation of a sound and accountable water quality program. Informed citizens and officials make better decisions about their watersheds. This Action Plan calls on federal agencies to improve the information available to the public, governments, and others about the health of their watersheds and the safety of their beaches, drinking water, and fish.

A Watershed Approach-- The Key to the Future

This Action Plan proposes a new collaborative effort by state, tribal, federal, and local governments, the private sector and the public to restore those watersheds not meeting clean water, natural resource, and public health goals and to sustain healthy conditions in other watersheds.

For the past 25 years, most water pollution control efforts relied on broadly applied national programs that reduced water pollution from individual sources such as discharges from sewage treatment plants

and factories, and from polluted runoff. Today, there is growing recognition that clean water strategies built on this foundation and tailored to specific watershed conditions are the key to the future.

Why Watersheds?

Clean water is the product of a healthy watershed--a watershed in which urban, agricultural, rangelands, forest lands, and all other parts of the landscape are well-managed to prevent pollution. Focusing on the whole watershed helps strike the best balance among efforts to control point source pollution and polluted runoff, and protect drinking water sources and sensitive natural resources such as wetlands. A watershed focus also helps identify the most cost-effective pollution control strategies to meet clean water goals.



Skipjack under sail on the Chesapeake Bay. The Chesapeake Bay Program is an international model of interagency and intergovernmental cooperation on a large watershed scale. The Program sets goals for water quality and habitat restoration based on sound science and achieves them by developing consensus-driven strategies. For example, federal agencies are working with agricultural and forest landowners to develop farmland and riparian forest buffers, feedlot and animal strategies, and to provide technical support. Photo Credit: EPA

Working at the watershed level encourages the public to get involved in efforts to restore and protect their water resources and is the foundation for building strong clean water partnerships. The watershed approach is the best way to bring state, tribal, federal, and local programs together to more effectively and efficiently clean up and protect waters. It is also the key to greater accountability and progress toward clean water goals.

Key Elements of the Watershed Approach

This Action Plan proposes a watershed approach built on several key elements.

Unified Watershed Assessments. States, tribes, and federal agencies currently set priorities for watershed action in many different ways. For example, state water quality agencies are developing lists of impaired water bodies, defining source water protection areas for drinking water, identifying coastal protection priorities, and defining priority areas for agricultural assistance programs. Similarly, federal, state and tribal natural resource agencies set their priorities for watershed restoration and protection in various ways to meet their mandates for natural resource conservation. These processes are designed to meet valid objectives, but too often opportunities to work together to meet common goals are overlooked.

This Action Plan creates a strategic opportunity for states and tribes, in cooperation with federal land and resource managers on federal lands, to take the lead in unifying these various existing efforts and leveraging scarce resources to advance the pace of progress toward clean water. As a number of states and tribes have demonstrated, they can meet existing requirements more efficiently and develop more coordinated and comprehensive priorities on a watershed basis.

Unified watershed assessments are a vehicle to identify:

- watersheds that will be targeted to receive significant new resources from the President's FY 1999 budget and beyond to clean up waters that are not meeting water quality goals;
- pristine or sensitive watersheds on federal lands where core federal and state programs can be brought together to prevent degradation of water quality; and
- threatened watersheds that need an extra measure of protection and attention.

Watershed Restoration Action Strategies. The Action Plan encourages states and tribes to work with local communities, the public, and federal environmental, natural resource, and land management agencies to develop strategies to restore watersheds that are not meeting clean water and natural resource goals. Watershed Restoration Action Strategies will spell out the most important causes of water pollution and resource degradation, detail the actions that all parties need to take to solve those problems, and set milestones by which to measure progress. Funds made available to

federal agencies through the FY 1999 Clean Water and Watershed Restoration Budget Initiative will be used to help states implement these strategies.

Watershed Pollution Prevention. Protecting pristine or sensitive waters and taking preventive action when clean water is threatened by new activities in the watershed can be the most cost-effective approach to meeting clean water goals. This Action Plan encourages states, tribal, and federal agencies to bring core programs and existing resources together to support watershed pollution prevention strategies to keep clean waters clean.

Watershed Assistance Grants. Federal agencies will provide small grants to local organizations that want to take a leadership role in building local efforts to restore and protect watersheds. These grants will ensure that local communities and stakeholders can effectively engage in the process of setting goals and devising solutions to restore their watersheds.

Strong Federal and State Standards

This Action Plan calls on federal, state, and tribal governments to strengthen existing programs to support an accelerated effort to attack the nation's remaining water quality problems. Federal, state, and tribal standards for water quality and polluted runoff are key tools for protecting public health, preventing polluted runoff, and ensuring accountability. Some of the specific actions called for in this Action Plan are identified below.

Improve Assurance that Fish and Shellfish are Safe to Eat

Federal agencies will work with states and tribes to expand programs to reduce contaminants that can make locally caught fish and shellfish unsafe to eat, particularly mercury and other persistent, bio-accumulative toxic pollutants, and to ensure that the public gets clear notice of fish consumption risks.

Ensure Safe Beaches

Federal, state, and local governments will work to improve the capacity to monitor water quality at beaches, develop new standards, and use new technologies such as the Internet to report public health risks to recreational swimmers.

Expand Control of Storm Water Runoff

EPA will publish final Phase II storm water regulations for smaller cities and construction sites in 1999. EPA will also work with its partners to make sure that existing storm water control requirements for large urban and industrial areas are implemented.

Improve State and Tribal Enforceable Authorities to Address Polluted Runoff

Federal agencies will work with states and tribes to promote the establishment of state and tribal enforceable authorities to ensure the implementation of polluted runoff controls by the year 2000.

Define Nutrient Reduction Goals

EPA will establish by the year 2000 numeric criteria for nutrients (i.e., nitrogen and phosphorus) that reflect the different types of water bodies (e.g., lakes, rivers, and estuaries) and different ecoregions of the country and will assist states and tribes in adopting numeric water quality standards based on these criteria.

Reduce Pollution from Animal Feeding Operations

EPA will publish and, after public comment, implement an Animal Feeding Operations Strategy for important and necessary actions on standards and permits. In addition, by November 1998, EPA and USDA will jointly develop a broad, unified national strategy to minimize the environmental and public health impacts of Animal Feeding Operations.

Natural Resource Stewardship

Nearly 70 percent of the United States, exclusive of Alaska, is held in private ownership by millions of individuals. Fifty percent, or 907 million acres, is owned by farmers, ranchers, and their families. Another 400 million acres are federal lands. Most of the rainfall in the country falls on these lands before it enters rivers, lakes, and coastal waters. Effective management of these croplands, pastures, forests, wetlands, rangelands, and other resources is key to keeping clean water clean and restoring watersheds where water quality is impaired.

This Action Plan commits all federal natural resource conservation and environmental agencies to focus their expertise and resources to support the watershed approach described above. In addition, these agencies will work with states, tribes, and others to enhance critical

natural resources essential to clean water.

Federal Land Stewardship

More than 800 million acres of the United States, including Alaska, is federal land. These lands contain an immense diversity and wealth of natural resources, including significant sources of drinking water and public recreation opportunities.

By 1999, the U.S. Department of the Interior (DOI) and USDA will take the lead in developing a Unified Federal Policy to enhance watershed management for the protection of water quality and the health of aquatic systems on federal lands and for federal resource management. Federal land managers will improve water quality protection for over 2,000 miles of roads and trails each year through 2005 and decommission 5,000 miles each year by 2002. Federal land managers will also accelerate the cleanup rate of watersheds affected by abandoned mines and will implement an accelerated riparian stewardship program to improve or restore 25,000 miles of stream corridors by 2005.

Protect and Restore Wetlands

This Action Plan sets a goal of attaining a net increase of 100,000 wetland acres per year by the year 2005. This goal will be achieved by ensuring that existing wetland programs continue to slow the rate of wetland losses, improving federal restoration programs, and by expanding incentives to landowners to restore wetlands.

Protect Coastal Waters

Federal agencies, led by the National Oceanic and Atmospheric Administration (NOAA), will work in partnership to improve the monitoring of coastal waters, expand research of emerging problems like Pfiesteria, amend Fishery Management Plans to address water quality issues, and ensure the implementation of strong programs to reduce polluted runoff to coastal waters.

Provide Incentives for Private Land Stewardship

This Action Plan relies on a substantial increase in the technical and financial assistance available to private landowners as the primary means of accelerating progress toward reducing polluted runoff from agricultural, range, and forest lands.

USDA, working with federal, state, tribal, and private partners, will establish by 2002 two million miles of conservation buffers to reduce polluted runoff and protect watersheds, direct new funding for the Environmental Quality Incentives Program to support watershed restoration, and develop as many new agreements with states as practicable to use the Conservation Reserve Enhancement Program to improve watersheds. The Plan also envisions new and innovative methods to provide incentives for private landowners to implement pollution prevention plans, including risk management protection for adoption of new pollution prevention technologies and market recognition for producers that meet environmental goals.

In addition, DOI will expand its existing Partners for Wildlife Program, which restores degraded fish and wildlife habitats and improves water quality through partnerships with landowners. The program provides technical and financial assistance, and gives priority to threatened and endangered species.

Informed Citizens and Officials

Effective management of water resources requires reliable information about water quality conditions and new tools to communicate information to the public. Federal agencies, led by the U.S. Geological Survey (USGS), will work with states and tribes to improve monitoring and assessment of water quality, focusing on nutrients and related pollutants. Federal agencies will also work with states and tribes to develop and use state-of-the-art systems, such as EPA's Index of Watershed Indicators on the Internet, to communicate meaningful information to the public about water quality conditions in their communities.



Improvements in Connecticut River water quality have led to a resurgence in recreational fishing, especially in urban areas like Hartford, which has been the site of major fishing tournaments in recent years. Photo Credit: Riverfront Recapture

Clean Water and Watershed Restoration Budget Initiative

To support the new and expanded efforts to restore and protect the nation's waters as proposed in this Clean Water Action Plan, the President's FY 1999 budget proposes a Clean Water and Watershed Restoration Budget Initiative. The funding provided in this budget initiative will dramatically increase federal financial support for clean water programs in FY 1999 and beyond. Specifically, the Clean Water and Watershed Restoration Budget Initiative will:

- increase direct support to states and tribes to carry out a watershed approach to clean water;
- increase technical and financial assistance to farmers, ranchers, and foresters to reduce polluted runoff and enhance the natural resources on their lands;
- fund watershed assistance programs and grants to engage local communities and citizens in leadership roles in restoring their watersheds;
- accelerate progress in addressing critical water quality problems on federal lands, including those related to roads, abandoned mines, riparian areas, and rangelands;
- expand and coordinate water quality monitoring programs; and
- increase efforts to restore nationally significant watersheds, such as the Florida Everglades and the San Francisco Bay-Delta.

Clean Water and Watershed Restoration Budget

Funding Summary

Percent Increase 1999 over 1998	35%
Total Increase 1999-2003	2,338
Total Spending 1999-2003	10,516

Total Spending 1999-2003	10,516
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Funding by Agency	1998 Enacted	1999 Budget
Environmental Protection Agency:		
State Grant Assistance		
Polluted runoff control grants (Sec. 319)	105	200
State program management grants (Sec. 106)	96	116
Wetlands protection grants	15	15
Water quality cooperative agreements	20	19
Water quality program management	248	279
Total, EPA	484	629
Department of Agriculture:		
Natural Resources Conservation Service:Environmental Quality Incentives Program	200*	300*
Natural Resources Conservation Service: Locally led conservation	0	20
Natural Resources Conservation Service:Watershed health monitoring	0	3
Forest Service:Improve water quality on federal lands	239	308
Agriculture Research Service:Watershed health research	0	2
Total, USDA	439	633
Department of the Interior:		
Bureau of Land Management:Improve water quality on federal lands	133	157
Office of Surface Mining:Clean streams	5	7
U.S. Geological Survey:Water monitoring and assessment	125	147
Fish and Wildlife Service:Wetlands restoration	36	42
Bureau of Indian Affairs:Improve water quality on tribal lands	0	5
Total, DOI	299	358
National Oceanographic and Atmospheric Administration:		
Polluted runoff and toxic contaminants	0	13
Harmful algal blooms	0	9
Total, NOAA	0	22

Army Corps of Engineers:		
Wetlands program	106	117
Challenge 21:Floodplain restoration initiative	0	25
Total, ACE	106	142
Interagency Projects:		
Florida Everglades	228	282
California Bay Delta	85	143
Elimination of overlap between Everglades and other water programs listed above	-5	-5
Total,Interagency projects	308	420
Total Clean Water and Watershed Restoration Initiative (with Mandatory Spending)		
	1,636	2,204
*Indicates Mandatory Spending	Source:Office of Management and Budget	

A Continuing Commitment to Clean Water

The publication of this Action Plan is just the beginning of a long-term effort. Many of the proposed actions will provide for later public review and comment and federal agencies are committed to working closely with states, tribes, and others to ensure successful implementation of specific actions.

In addition, regular reports will keep the public apprised of progress and remaining challenges. By the end of the year 2000 and periodically thereafter, status reports on progress in implementing watershed restoration plans and related programs will be provided to the President, the nation's governors, tribal leaders, and the public.



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<http://cleanwater.gov/action/overview.html>
Revised August 10, 1998

APPENDIX B

2011 National Listing of Fish Advisories EPA-820-F-13-058,
December 2013

<http://water.epa.gov/scitech/swguidance/fishshellfish/fishadvisories/upload/Technical-Fact-Sheet-2011.pdf>

2011 National Listing of Fish Advisories

EPA-820-F-13-058
December 2013

Since 1993, the U.S. Environmental Protection Agency (EPA) has made available to the public an annual compendium of information on locally issued fish advisories and safe eating guidelines. This information is provided to EPA by the states, U.S. territories, Native American tribes, and local governments that issue fish consumption advisories and safe eating guidelines to inform people about the recommended level of consumption for fish caught in local waters. Fish consumption advisories provide advice to limit or avoid eating certain fish due to contamination with chemical pollutants. Safe eating guidelines are designations of monitored waters where there are no restrictions on eating specific types of fish. The **2011 National Listing of Fish Advisories (NLFA)**¹ database shows that the number of fish advisories issued continues to rise as additional waters are sampled.



The 2011 NLFA is available online at:

<http://water.epa.gov/scitech/swguidance/fishshellfish/fishadvisories>

Background

All 50 states, the District of Columbia, the U.S. territories of American Samoa and Guam (for simplicity, referred to here as “states”) and five Native American tribes have fish consumption advisories in place to protect consumers from the potential health risks of eating contaminated fish caught in local waters. The states and tribes have developed their own fish advisory programs over the years, and there is variability among states and tribes in the scope and extent of monitoring and in the specific advice that is provided when contaminated fish are found. Because of this variability, it is difficult to draw national conclusions or to establish national trends in fish advisories.

A fish consumption advisory is not a regulation, but rather a recommendation

issued to help protect public health. These advisories may include recommendations to limit or avoid eating certain fish and wildlife species caught from specific waterbodies or from waterbody types (e.g., all lakes) due to chemical contamination. An advisory may be issued for the general public, including recreational and subsistence fishers, or it may be issued specifically for sensitive populations, such as pregnant women, nursing mothers, and children.

A specific waterbody or waterbody type may be under advisory for more than one affected fish species or chemical contaminant. For this reason, the total number of advisories does not convey the geographic extent of the waters subject to state advice. Therefore, EPA also reports



¹ This fact sheet summarizes data submitted by the states and discusses changes in advisories for the 2011 data reporting cycle. Advisory data for the 2010 reporting cycle and previous years can be found on the EPA website at water.epa.gov/scitech/swguidance/fishshellfish/fishadvisories.



the data as the percentage of lake acres and river miles for which advisories are currently in effect on a national level (Figure 1).

States issue statewide advisories to warn the public of the potential human health risks from chemical contamination of certain species of fish from all waterbodies within the state. States also issue safe eating guidelines to inform the public that fish from specific waterbodies have been tested for chemical contaminants and that, based on those results, certain species of fish from those waterbodies are safe to eat without consumption restrictions. As states and tribes increase their monitoring activities, the quantity of available information about fish contamination also increases, resulting in better public health protection.

National Fish Advisory Program Website

The National Fish Advisory Program website (<http://water.epa.gov/scitech/swguidance/fishshellfish/fishadvisories/>) provides information about fish advisories, fish consumption advice, risks and benefits of fish consumption, national technical guidance and reports,

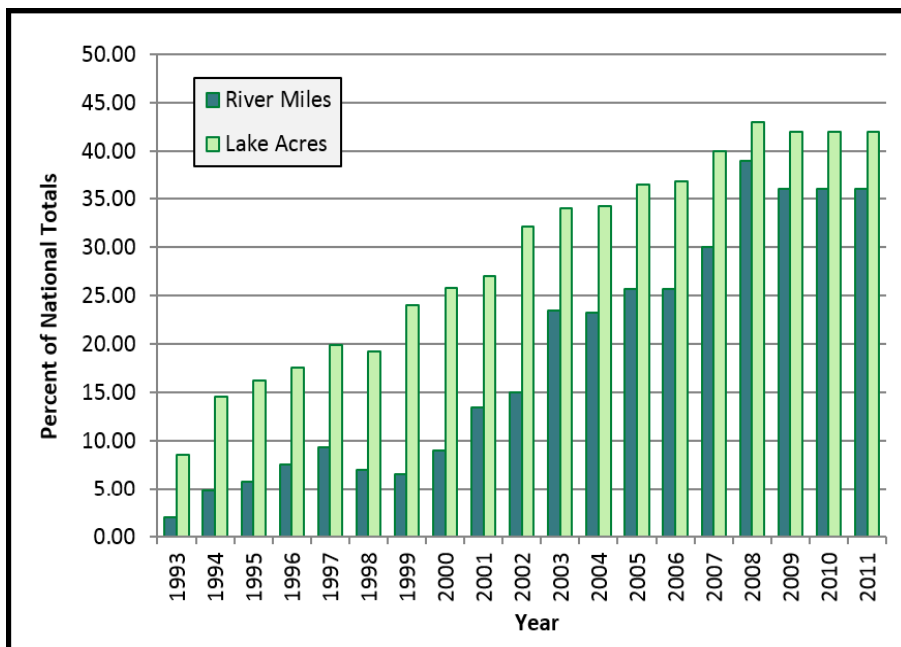


Figure 1. Percentage of total lake acres and river miles under advisory from 1993 to 2011.

the fish advisory newsletter, the NLFA database, and state fish advisory program contacts.

The NLFA database also contains data on waterbodies under advisory and the concentrations of contaminants in fish tissue for 49 states. By searching the NLFA application, users can generate national, regional, and state reports that summarize advisory and fish tissue information.

Synopsis of the 2011 National Listing of Fish Advisories

The EPA’s *2011 National Listing of Fish Advisories* indicates that the number of waterbodies with active fish advisories had a net increase of 223, from 4,598 in 2010 to 4,821 in 2011.

Approximately 17.7 million lake acres and 1.36 million river miles were under advisory in 2011, representing 42.3 percent of the nation’s total lake acreage and 36 percent of the nation’s total river miles (Figure 1). While the number of advisories increased between 2010 and 2011, the percent of the nation’s river miles under advisory remained unchanged because advisories issued were for small waterbodies. As shown in Figure 2, 37 states (including the District of Columbia) had statewide advisories in effect in 2011.

Waterbodies are often under advisory for multiple contaminants, species and/or species size classes. A change to the number of acres or miles in the national percentages reported above



Photo Credit: Rob Shaut

indicates that advisories have been issued at new waterbodies (not already under advisory for another contaminant and/or species) or that **all** active advisories have been rescinded at a particular waterbody. In 2011, five rescinded advisories were subtracted from the national total. Those advisories were in Arkansas (1), Colorado (2), and Nebraska (2).

Safe Eating Guidelines

The EPA encourages states to issue safe eating guidelines when providing advisory information to inform the public that certain species of fish from specific waterbodies have been tested and have been shown to contain very low levels of contaminants. Safe eating guidelines are recommendations for unlimited or unrestricted consumption of specific species of fish from a given waterbody. Safe eating guidelines issued

by states promote healthy eating. The states help promote recreational fishing by identifying monitored waters where designated fish are safe to eat.

Safe eating guidelines are currently in effect at 1,040 waterbodies. This represents an increase of 132 waterbodies between 2010 and 2011. In 2011, safe eating guidelines were in effect in 21 states covering approximately 53,252 river miles (2 percent of the national total as reported in 2011) and 2.9 million lake acres (10 percent of the national total as reported in 2011). The river-mile and lake-acre figures represent an increase of 7 rivers (22 miles) and 124 lakes (371,286 acres) since 2010.

Bioaccumulative Contaminants

Although there are advisories in the United States for 34 different chemical contaminants, 94 percent of all advisories in effect in 2011 involved the following five bioaccumulative

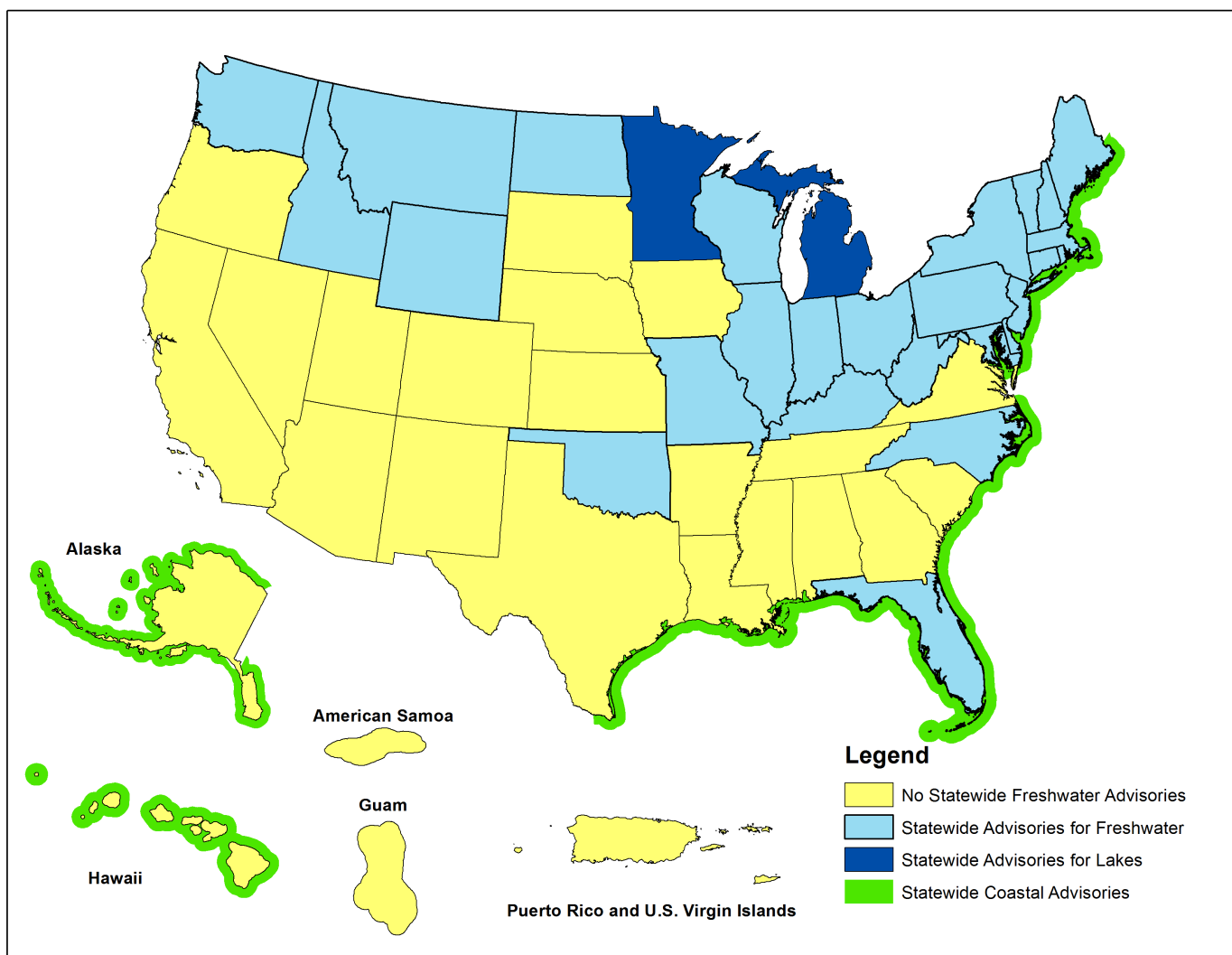


Figure 2. States with statewide advisories in effect in 2011.

2011 National Listing of Fish Advisories

chemical contaminants: mercury, polychlorinated biphenyls (PCBs), chlordane, dioxins, and dichlorodiphenyltrichloroethane (DDT) (Figures 3 and 4, Table 1). These chemical contaminants accumulate in the tissues of aquatic organisms at concentrations many times higher than concentrations in the water and can persist for many years in sediments, where bottom-dwelling organisms that are lower on the food chain can accumulate them and pass them to fish that are higher on the food chain. As a result, top predators in a food chain (e.g., largemouth bass, walleye) may have higher concentrations of bioaccumulative contaminants in their tissues than concentrations of contaminants found in the water.

Other bioaccumulative compounds that states monitor include perfluorooctane sulfonate (PFOS), perfluorooctanoic acid (PFOA) and pentachloroanisole. PFOS and PFOA are known as contaminants of emerging concern, broadly defined as “a chemical or material that is a perceived, potential, or real threat to human health or the environment, or lacks published health standards. A contaminant may also be “emerging” because of the discovery of a new source or a new exposure pathway to humans, or a new detection method or treatment technology has been developed” (USEPA 2013)². While no fish advisories due to PFOA, PFOS, or pentachloroanisole were issued in 2011, several state programs are beginning to collect data for these compounds.

Mercury: As of 2011, 50 states, 1 U.S. territory, and 3 tribes had mercury advisories in effect. Eighty-one percent of all

² USEPA. (2013). *Emerging Contaminants: Perfluorooctane Sulfonate (PFOS) and Perfluorooctanoic Acid (PFOA); Emerging Contaminants Fact Sheet—PFOs and PFOA*. Retrieved October 29, 2013, from: http://www.epa.gov/fedfac/pdf/ec_technical_fs_pfos_pfoa_march_2013.pdf.

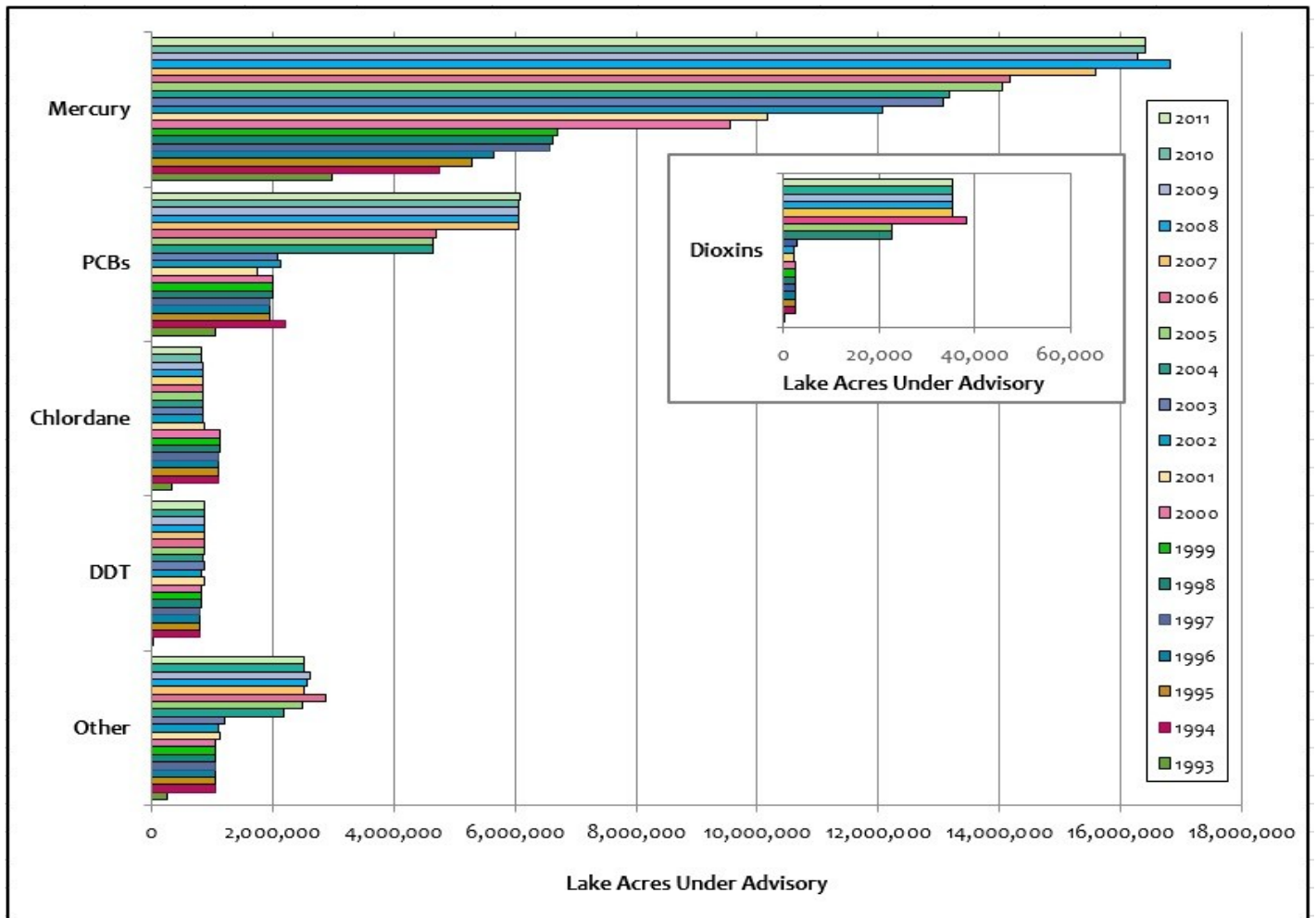


Figure 3. Total lake acres under advisory for mercury, PCBs, chlordane, dioxins, DDT, and other contaminants from 1993 to 2011.

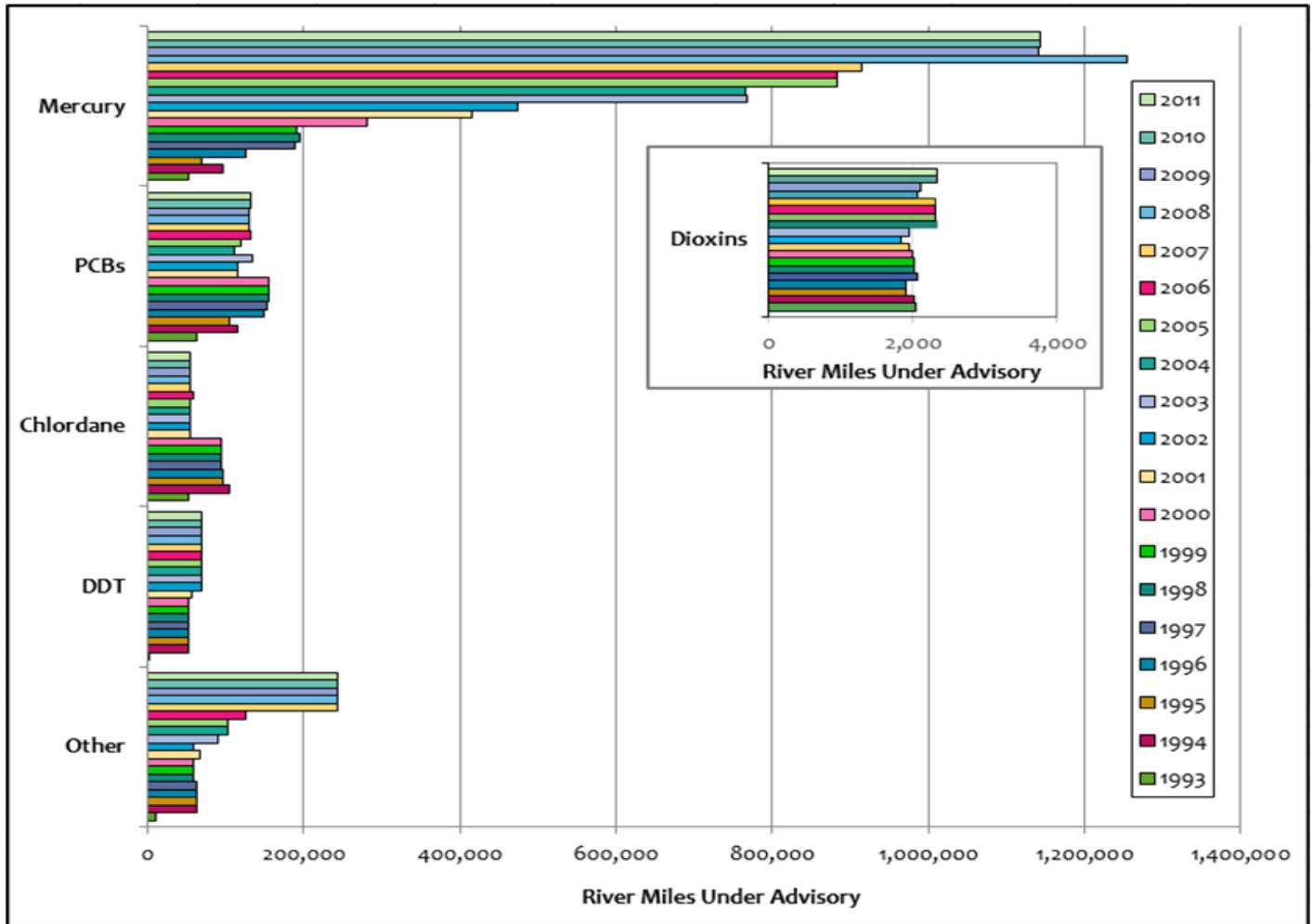


Figure 4. Total river miles under advisory for mercury, PCBs, chlordanes, dioxins, DDT, and other contaminants from 1993 to 2011.

Table 1. Number of waterbodies under advisory and size of waters under advisory, by contaminant, for 2010 and 2011 — as documented in the NLFA database.

Contaminant	Number of Waterbodies Under Advisory		Lake Acres		River Miles	
	2010	2011	2010	2011	2010	2011
Mercury	3,710	3,921	16,396,422	16,404,769	1,143,327	1,144,045
PCBs	1,084	1,102	6,071,877	6,080,041	131,224	131,657
Chlordane	60	60	824,290	824,290	53,893	53,893
Dioxins	128	129	35,400	35,400	2,333	2,333
DDT	58	67	876,470	876,571	68,884	68,927

advisories in effect were issued, at least in part, because of mercury. In 2011, 211 new mercury advisories were issued (173 lakes; 37 rivers; 1 bayou). In total, approximately 16.4 million lake acres and 1.1 million river miles were under advisory for mercury in 2011, an increase of 8,347 acres and 718 miles from 2010.

PCBs: Twenty-three percent of all advisories in effect in 2011 were due to PCBs. Between 2010 and 2011, PCB advisories were issued for 8 lakes and 11 rivers. Approximately 6.1 million lake acres and 132,000 river miles were under advisory for PCBs in 2011, representing an increase of 8,154 lake acres and 433 river miles from 2010.

Chlordane: All registered uses of the pesticide chlordane were banned in the United States in 1988. Between 2010 and 2011, lake acres and river miles under advisory for chlordane remained the same. No new advisories were issued.

Dioxins: No new lake or river advisories were issued for dioxins in 2011. One new dioxin advisory was issued for an estuary in 2011. In 2011 there were 35,400 lake acres and 2,333 river miles under advisory for dioxin, the same numbers as in 2010.



Photo Credit: Rob Stuart

DDT: The use of DDT, a highly persistent organochlorine pesticide, was banned in the United States in 1975. Nine new DDT advisories were issued in 2011, increasing from 58 in 2010 to 67 in 2011. In 2011 there were 876,571 lake acres and 68,927 river miles under advisory for DDT, an increase of 101 acres and 43 miles.

Other Contaminants: In 2011, approximately six percent of all active advisories were issued for other contaminants, which include petroleum compounds, heavy metals, and organochlorine pesticides. These advisories cover approximately 2.5 million lake acres and 243,304 river miles. Aldrin is the only new contaminant for which an advisory was issued in 2011. The Texas Department of State Health Services issued an advisory for the insecticides aldrin and dieldrin after a laboratory test showed elevated levels of the contaminants along with PCBs in fish samples collected from Lake Worth, Texas.

National Advice Concerning Mercury in Fish

In 2004, the EPA and the U.S. Food and Drug Administration (FDA) issued advice for women who might become pregnant, pregnant women, nursing mothers, and children:

By adhering to the following three recommendations for selecting and eating fish or shellfish, women and young children will receive the health benefits of eating fish and shellfish and be confident that they have reduced their exposure to the harmful effects of mercury:

- Do not eat shark, swordfish, king mackerel, or tilefish because they contain high levels of mercury.
- Eat up to 12 ounces (two average meals) each week of a variety of fish and shellfish that are lower in mercury.
 - Five of the most commonly consumed fish that are low in mercury are shrimp, canned light tuna, salmon, pollock, and catfish.
 - Albacore (“white”) tuna is another commonly consumed fish that has more mercury than canned light tuna. Eat up to 6 ounces (one average meal) of albacore tuna per week.
- Check local advisories about the safety of fish caught by family and friends in local lakes, rivers, and coastal areas. If no advice is available, eat up to 6 ounces (one average meal) per week of fish caught from local waters, but do not consume any other fish during that week.

Follow these same recommendations when including fish and shellfish in a young child’s diet, but serve smaller portions.

For more information about the ways to reduce mercury exposure, consult EPA’s brochure, *What You Need to Know*

About Mercury in Fish and Shellfish, available on EPA's NLFA website at http://water.epa.gov/scitech/swguidance/fishshellfish/outreach/advice_index.cfm. On the website, this publication is available to download in several languages, including Cambodian, Chinese, Hmong, Korean, Portuguese, Vietnamese and Spanish.

EPA Fish Contamination Studies

Monitoring the concentrations of persistent, bioaccumulative, and toxic (PBT) chemicals in fish tissue is an important national activity for assessing the quality of U.S. waters, estimating human health risk from fish consumption, and tracking the effectiveness of pollution control programs. Since 1998, EPA has conducted fish tissue studies to support critical agency missions that include evaluating water quality of U.S. lakes and rivers based on chemical concentrations in fish, providing information to the general public on the range and levels of chemical contaminants found in fish commonly caught and consumed by recreational and subsistence fishers, and generating data to measure the effectiveness of air and water pollution control programs.

In 2009, EPA released the results of a national screening-level survey of 268 PBT chemicals in fish from U.S. lakes and reservoirs including mercury, arsenic, dioxins and furans, the full complement of PCB congeners, and a large number of pesticides and semivolatile organic compounds. Results from this statistically-designed study allowed EPA to estimate the percentage of lakes and reservoirs in the United States with chemical concentrations in fish tissue that are above levels of potential concern for humans who eat fish.

In addition to monitoring the legacy persistent organic contaminants and toxic metals that form the basis for most of the advisories described in this report, EPA has expanded the evaluation of contaminants in fish tissue to include contaminants of emerging concern. EPA's sampling and analysis activities include the collection and analysis of fish tissue samples to determine the occurrence of pharmaceuticals and personal care products (PPCPs), brominated flame retardants (i.e., polybrominated diphenyl ethers or PBDEs), and perfluorinated compounds (PFCs, e.g., PFOA or PFOS) as part of national studies of fish from lakes and rivers.



Photo Credit: Patrick Trakand

Fish tissue samples collected from urban river segments as a part of the 2008-09 National Rivers and Streams Assessment (NRSA) were analyzed for the presence of PPCPs, PBDEs, and PFCs. In addition, a suite of persistent organic compounds were analyzed and mercury levels determined in all river samples (urban and non-urban) in this national study. In 2010, the EPA also collected fish tissue samples at 157 statistically representative nearshore locations in the five Great Lakes (about 30 sites per lake) as part of the National Coastal Condition Assessment. Samples from the Great Lakes are being analyzed for mercury, PCBs, PBDEs, PFCs, and fatty acids. EPA will collect fish tissue samples during the 2013-14 NRSA to allow the evaluation of temporal trends in fish tissue contamination (for mercury, PBDEs, and PFCs) by comparing results to the 2008-09 NRSA. For more information about these studies, contact Leanne Stahl (stahl.leanne@epa.gov).

Fish Contamination Program Activities

Fish Consumption Rate Analysis

In support of federal, state and tribal water quality and advisory programs, EPA is reviewing fish consumption rates based on data reported by the Centers for Disease Control and Prevention in the National Health and Nutrition Examination Survey (NHANES). Fish consumption data from five NHANES cycles (2003-2012) are being analyzed to determine trends in fish consumption as well as the extent to which fish consumption rates (FCRs) may have changed since the analysis of fish consumption data that was derived from the U.S. Department of Agriculture's Continuing Survey of Food Intake by Individuals (CSFII), in 2000. The CSFII data served as the basis for the current EPA default FCRs of 17.5 grams of fish/day for recreational fishers and 142.5 grams fish/day for

2011 National Listing of Fish Advisories

subsistence fishers. EPA expects to complete the FCR analysis in 2014.

National Guidance on Conducting Fish Consumption Surveys

EPA is in the process of updating its National Guidance on Conducting Fish and Wildlife Consumption Surveys, last published in 1998 (see <http://water.epa.gov/scitech/swguidance/fishshellfish/fishadvisories/index.cfm>).

EPA expects that this new guidance will take approximately two years to develop and publish.

NHANES Analysis

In support of the EPA 2011-2015 Strategic Plan, EPA has analyzed the measurement of blood mercury levels in women of reproductive age as reported in NHANES. EPA has finalized and is preparing to release a report detailing the analysis of NHANES 1999-2010 survey data. The report presents EPA's investigation of trends over time in blood mercury concentrations and fish consumption in women 16-49 years of age. EPA expects to release the report in the fall of 2013 on the EPA Fish Advisory Program website at <http://water.epa.gov/scitech/swguidance/fishshellfish/fishadvisories/>.

Additionally, EPA is analyzing the 1999-2000 and 2003-2010 NHANES data and developing a report on the distribution of PFOS concentrations in U.S. women of reproductive age (16 to 49 years) and the relationship with finfish and shellfish consumption. EPA plans to release a report in Spring 2014 on the Fish Advisory Program website.

Report on Assessing the Effectiveness of a Mississippi Delta Fish Advisory

In cooperation with the Mississippi Department of Environmental Quality (MDEQ) and the FDA, EPA conducted a survey to evaluate the effectiveness of the Regional Mississippi Delta fish advisory issued by MDEQ in 2001. MDEQ issued the advisory because certain species of fish harvested from Delta waters had high levels of DDT and toxaphene. EPA and MDEQ conducted the survey to understand the extent to which the Delta residents who catch and/or eat wild caught fish from the Delta were aware of the advisory, and for those aware, the changes they have made in the types of fish they catch and eat since hearing of the advisory. The final report can be accessed on the EPA Fish Advisory Program website at: <http://water.epa.gov/scitech/swguidance/fishshellfish/fishadvisories/>.

Additional Information:

For more information about specific advisories within a state, contact the appropriate state agency listed on EPA's Fish Advisory Program website:

<http://water.epa.gov/scitech/swguidance/fishshellfish/fishadvisories>.

For more information about the NLFA or EPA's Fish Advisory Program, contact:

Jeff Bigler, National Program Manager
National Fish Advisory Program
U.S. Environmental Protection Agency
Office of Science and Technology (4305T)
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Telephone: (202) 566-0389
E-mail: bigler.jeff@epa.gov

APPENDIX C

Federal Register Notice for Original Information Collection Request for the National Listing of Advisories April 21, 2000 (Volume 65, Number 78, pages 21415–21416).

Federal Register Notice for Renewal Information Collection Request for the National Listing of Advisories August 14, 2003 (Volume 68, Number 157, pages 48605–48606).

Federal Register Notice for Renewal Information Collection Request for the National Listing of Advisories April 12, 2007 (Volume 72, Number 70, pages 18475–18477).

Federal Register Notice for Renewal Information Collection Request for the National Listing of Advisories October 25, 2010 (Volume 75, Number 205, pages 65478–65479).

- CAG-23.
Omitted
- CAG-24.
Docket#, CP00-14, 000, Buccaneer Gas Pipeline Company, L.L.C.
Other#, CP00-15, 000, Buccaneer Gas Pipeline Company, L.L.C.
CP00-16, 000, Buccaneer Gas Pipeline Company, L.L.C.
- CAG-25.
Docket#, CP00-45, 000, Eastern Shore Natural Gas Company
- CAG-26.
Docket#, CP00-6, 000, Gulfstream Natural Gas System, L.L.C.
Other#, CP00-7, 000, Gulfstream Natural Gas System, L.L.C.
CP00-8, 000, Gulfstream Natural Gas System, L.L.C.
- CAG-27.
Omitted
- CAG-28.
Docket#, CP96-684, 001, Interenergy Sheffield Processing Company, Bear Paw Energy, L.L.C.
- CAG-29.
Omitted
- CAG-30.
Docket#, RP99-471, 001, Williams Field Services Group, Inc. v. El Paso Natural Gas Company
- CAG-31.
Docket#, CP97-315, 003, Independence Pipeline Company
Other#, CP97-319, 002, ANR Pipeline Company
CP97-320, 001, Independence Pipeline Company
CP97-321, 001, Independence Pipeline Company
CP98-200, 002, National Fuel Gas Supply Corporation
CP98-540, 002, Transcontinental Gas Pipe Line Corporation
- CAG-32.
Docket#, CP96-687, 002, Iroquois Gas Transmission System

Hydro Agenda

- H-1.
Reserved

Electric Agenda

- E-1.
Reserved

Oil and Gas Agenda

- I.
Pipeline Rate Matters
- PR-1.
Reserved
- II.
Pipeline Certificate Matters
- PC-1.
Reserved

David P. Boergers,
Secretary.

[FR Doc. 00-10204 Filed 4-19-00; 3:51 pm]

BILLING CODE 6717-01-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6582-7]

Agency Information Collection Activities: Proposed Collection; Comment Request; Information Collection Request for the National Listing of Advisories

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit the following new Information Collection Request (ICR) to the Office of Management and Budget (OMB): Information Collection Request for the National Listing of Advisories (EPA ICR Number 1959.01). Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below.

DATES: Comments must be submitted on or before June 20, 2000.

ADDRESSES: Jeffrey Bigler, U.S. Environmental Protection Agency, Office of Science and Technology, 401 M Street SW., Maildrop 4305, Washington, DC 20460, (202) 260-1305, by e-mail at bigler.jeff@epa.gov, or download a copy off the Internet at <http://www.epa.gov/icr> and refer to EPA ICR No. 1959.01.

FOR FURTHER INFORMATION CONTACT: Jeffrey Bigler at EPA, (202) 260-1305, by e-mail at bigler.jeff@epa.gov.

SUPPLEMENTARY INFORMATION:

Affected Entities

Entities potentially affected by this action are those which issue fish consumption advisories within their state, territory, or tribal jurisdictions.

Title

Information Collection Request for the National Listing of Advisories (EPA ICR Number 1959.01). This is a request for a new collection.

Abstract

Release of chemical contaminants into our Nation's waters from industrial pollution, sprawling urbanization, and introduction of new pesticides in agriculture poses potentially serious public health problems. Recent studies have confirmed that adverse health effects can result from consumption of chemically-contaminated fish from contaminated waters. These adverse affects have been one of EPA's long

standing concerns. They are also directly related to such Clean Water Act responsibilities as water quality standards, surface water quality, and to the Agency's effort to ensure that the waters of the United States are both "fishable" and "swimmable." Based on results from the 1998 National Listing of Fish and Wildlife Advisories (NLFWA) database, fish consumption advisories have been issued by 47 states and from 100 to 200 new advisories are issued every year nationwide.

EPA believes there is a need to maintain and improve the existing quality and availability of public information concerning fish advisories, which includes but is not limited to monitoring and risk assessment activities and the issuance of advisories. Primary responsibility for these activities lies with each state, territory, or tribal jurisdiction, however, several agencies often share responsibilities for these activities. Consequently, EPA's Office of Water will conduct an annual fish advisory survey which will be sent to environmental and health officials from state, territorial, and tribal agencies specifically responsible for the issuance of fish advisories. This survey will collect information (electronically via the Internet and on paper) on the location of advisories and agencies and persons responsible for maintaining and issuing advisories for lakes and rivers, and for estuarine and coastal marine waterbodies. Responses to the questionnaire (either on paper or electronically via the Internet) are needed to assess public health risks of consuming chemically-contaminated fish, and to make this information available to the public.

The EPA will use the information to update existing advisory information in the EPA's National Listing of Fish and Wildlife Advisories (NLFWA) electronic database which has archived fish advisory data since 1994. The results of the nationwide data collection effort are shared with the states, territories, tribes, other federal agencies and the general public through access to the NLFWA database which can be queried for specific information and through distribution of the annual Fish Advisory Fact Sheet via the Internet. Results of this and past surveys will be available at EPA's NLFWA web site (<http://www.epa.gov/OST/fish/>). Information from these surveys has stimulated nationwide dialogue on fish consumption advisories involving agencies and the public. This information is being used to identify and clarify issues that will lead to the continued development of national guidance to assist states on sampling

and analysis, risk assessment procedures, risk management practices, and risk communication procedures that will further protect human health.

The purpose of the new collection is two-fold. First, the survey is needed to continue to collect and update quantitative information on the number of advisories issued by states, territories, and tribes annually, including detailed information on species sampled, chemical contaminants involved, waterbodies under advisory (including freshwater, estuarine, and marine waterbodies), target populations to which the advisory refers (e.g., pregnant women, nursing mothers, and young children), geographic location of each advisory, and tissue residue data supporting the states' advisories. In addition, the expanded questionnaire portion of the survey will provide information on monitoring procedures used to collect and analyze fish samples, risk assessment methodologies used to evaluate fish tissue residue data and issue advisories, and risk communication procedures used to communicate the human health risks of consuming chemically-contaminated species. From this information, EPA can determine how to most effectively provide assistance to state, territorial, and tribal fish advisory programs to improve effectiveness among jurisdictions through the use of appropriate procedures for sampling, chemical analysis, risk assessment, and risk communication. Completion of this survey is voluntary and the information requested is part of the state public record associated with issuing the advisories. Over the last few years, the states have requested guidance from EPA in their fish advisory programs and a more comprehensive questionnaire will provide the states with the opportunity to identify those advisory areas for which they most need EPA assistance.

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 are listed in 40 CFR part 9 and 48 CFR chapter 15.

The EPA would like to solicit comments to:

(i) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(ii) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information,

including the validity of the methodology and assumptions used;

(iii) Enhance the quality, utility, and clarity of the information to be collected; and

(iv) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Burden Statement:

The annual public reporting and record keeping burden for this collection of information is estimated to average 36.5 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; 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: State, territory, and tribal environmental and health agencies (50 states, District of Columbia, 5 territories, and 36 tribal agencies).

Estimated Number of Respondents: 92.

Frequency of Response: Annually.

Estimated Total Annual Hours Burden: 3,358 hours.

Estimated Total Annualized Cost Burden (non-labor costs): \$552.00.

Geoffrey H. Grubbs,

Director, Office of Science and Technology.
[FR Doc. 00-10035 Filed 4-20-00; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6583-9]

Agency Information Collection Activities: Submission for OMB Review; Comment Request; Resource Conservation and Recovery Act (RCRA) Corrective Action Information Request

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that the following Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval: RCRA Corrective Action Information Request (EPA ICR No. 1939.01). The ICR describes the nature of the information collection and its expected burden and cost; where appropriate, it includes the actual data collection instrument.

DATES: Comments must be submitted on or before May 22, 2000.

FOR FURTHER INFORMATION CONTACT: For a copy of the ICR contact Sandy Farmer at EPA by phone at (202) 260-2740, by email at farmer.sandy@epamail.epa.gov, or download off the Internet at <http://www.epa.gov/icr> and refer to EPA ICR No. 1939.01. For technical questions about the ICR contact Heather Harris at (703) 308-6101.

SUPPLEMENTARY INFORMATION:

Title: Resource Conservation and Recovery Act (RCRA) Corrective Action Information Request (EPA ICR No. 1939.01). This is a new collection.

Abstract: This information collection is in response to an April 15, 1999 request from Congress concerning the RCRA Corrective Action program. Included in this inquiry were certain questions which only the state offices have the information to answer. EPA intends to obtain this information from the states by means of a questionnaire. The questionnaire includes facility specific questions on all RCRA Cleanup Baseline facilities, enforcement orders, state authority, and federal funding. Responses to this request will be mandatory and all information will be used to respond to Congress and to provide an accurate picture of the current state of the program. 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

via the Internet in lieu of paper; see 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link. The Commission strongly encourages electronic filings.

Magalie R. Salas,
Secretary.

[FR Doc. 03-20687 Filed 8-13-03; 8:45 am]

BILLING CODE 6717-01-P

ENVIRONMENTAL PROTECTION AGENCY

[OW-2003-0076, FRL-7544-3]

Agency Information Collection Activities: Proposed Collection; Comment Request; National Listing of Advisories, EPA ICR Number 1959.02, OMB Control Number 2040-0026

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit a continuing Information Collection Request (ICR) to the Office of Management and Budget (OMB). This is a request to renew an existing approved collection. This ICR is scheduled to expire on January 31, 2004. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below.

DATES: Comments must be submitted on or before October 14, 2003.

ADDRESSES: Submit your comments, referencing Docket ID No. OW-2003-0076, to EPA online using EDOCKET (our preferred method), by e-mail to OW-Docket@epa.gov, or by mail to: EPA Docket Center, Environmental Protection Agency, Water Docket MC4101T, 1200 Pennsylvania Ave., NW., Washington, DC 20460, attention: Information Collection Request for the National Listing of Advisories.

FOR FURTHER INFORMATION CONTACT: Jeffrey D. Bigler, National Program Manager, National Fish and Wildlife Contamination Program (4305T), Office of Science and Technology, U.S. EPA, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 566-0389; fax number: (202) 566-0409; e-mail address: bigler.jeff@epa.gov.

SUPPLEMENTARY INFORMATION: The EPA has established a public docket for this ICR under Docket ID number OW-2003-

0076, which is available for public viewing at the Water Docket in the EPA Docket Center (EPA/DC), EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the Water Docket is (202) 566-2426. An electronic version of the public docket is available through EPA Dockets (EDOCKET) at <http://www.epa.gov/edocket>. Use EDOCKET to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available electronically. Once in the system, select "search," then key in the docket ID number identified above.

Any comments related to this ICR should be submitted to EPA within 60 days of this notice. The EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing in EDOCKET as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose public disclosure is restricted by statute. When EPA identifies a comment containing copyrighted material, EPA will provide a reference to that material in the version of the comment that is placed in EDOCKET. The entire printed comment, including the copyrighted material, will be available in the public docket. Although identified as an item in the official docket, information claimed as CBI, or whose disclosure is otherwise restricted by statute, is not included in the official public docket, and will not be available for public viewing in EDOCKET. For further information about the electronic docket, see EPA's **Federal Register** notice describing the electronic docket at 67 FR 38102 (May 31, 2002), or go to <http://www.epa.gov/edocket>.

Affected entities: Entities potentially affected by this action are Administrators of Public Health and Environmental Quality Programs in State and tribal governments (NAICS 92312/SIC 9431 and NAICS 92411/SIC 9511).

Title: National Listing of Advisories.

Abstract: The National Listing of Fish and Wildlife Advisories (NLFWA) Database contains information on the number of new advisories issued by each state, territory, or tribe annually. The advisory information collected identifies the waterbody under advisory,

the fish or shellfish species and size ranges included in the advisory, the chemical contaminants and residue levels causing the advisory to be issued, the waterbody type (river, lake, estuary, coastal waters), and the target populations to whom the advisory is directed. This information is collected under the authority of section 104 of the Clean Water Act, which provides for the collection of information to be used to protect human health and the environment. The results of the survey are shared with states, territories, tribes, other federal agencies, and the general public through the NLFWA database and the distribution of annual fish advisories fact sheets. The responses to the survey are voluntary and the information requested is part of the state public record associated with the advisories. No confidential business information is requested. 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 40 CFR. The EPA would like to are listed in 40 CFR part 9.

The EPA would like to solicit comments to:

(i) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;

(ii) Evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(iii) Enhance the quality, utility, and clarity of the information to be collected; and

(iv) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

Burden Statement: The annual public reporting burden for the collection of information (averaged over the first three years of the information collection request) is 3,566 labor hours per year. This includes one response per year from 92 respondents with an average of 38.76 hours per response. The total annualized cost to the respondents is estimated at \$529.00. No capital or startup costs are required. 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; 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.

Dated: August 8, 2003.

Geoffrey H. Grubbs,

Director, Office of Science and Technology.
[FR Doc. 03-20779 Filed 8-13-03; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[OW-2003-0064, FRL-7544-6]

Agency Information Collection Activity: Proposed Collection; Comment Request; Questionnaire for Nominees for the Annual National Clean Water Act Recognition Awards Program, EPA ICR 1287.06, OMB Control Number 2040-0101

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit a continuing Information Collection Request (ICR) to the Office of Management and Budget (OMB). This is a request to renew an existing approved collection. This ICR is scheduled to expire on February 29, 2004. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below.

DATES: Comments must be submitted on or before October 14, 2003.

ADDRESSES: Submit your comments, referencing docket ID number OW-2003-0064, to EPA online using EDOCKET (our preferred method), by e-mail to ow-docket@epa.gov, or by mail to: EPA Docket Center, Environmental Protection Agency, Office of Water Docket, MC 4101-T, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Maria E. Campbell, Municipal

Assistance Branch, MC 4204-M, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: 202-564-0628; fax number: 202-501-2396; e-mail address: campbell.maria@epa.gov.

SUPPLEMENTARY INFORMATION: EPA has established a public docket for this ICR under Docket ID number OW-2003-0064, which is available for public viewing at the Office of Water Docket in the EPA Docket Center (EPA/DC), EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the Office of Water Docket is (202) 566-2426. An electronic version of the public docket is available through EPA Dockets (EDOCKET) at <http://www.epa.gov/edocket>. Use EDOCKET to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available electronically. Once in the system, select "search," then key in the docket ID number identified above.

Any comments related to this ICR should be submitted to EPA within 60 days of this notice. EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing in EDOCKET as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose public disclosure is restricted by statute. When EPA identifies a comment containing copyrighted material, EPA will provide a reference to that material in the version of the comment that is placed in EDOCKET. The entire printed comment, including copyrighted material, will be available in the public docket. Although identified as an item in the official docket, information claimed as CBI, or whose disclosure is otherwise restricted by statute, is not included in the official public docket, and will not be available for public viewing in EDOCKET. For further information about the electronic docket, see EPA's **Federal Register** notice describing the electronic docket at 67 FR 38102 (May 31, 2002), or go to <http://www.epa.gov/edocket>.

Affected entities: Entities potentially affected by this action are public wastewater treatment plants, municipalities, industries, universities, manufacturing sites and States.

Title: Questionnaire for Nominees for the Annual National Clean Water Act Recognition Awards Program.

Abstract: This ICR requests re-approval to collect data from EPA's National Clean Water Act Recognition Awards nominees. The awards are for the following program categories: Operations and Maintenance (O&M) Excellence, Biosolids (Biosolids) Management Excellence, Combined Sewer Overflow Control (CSO) Program Excellence and Storm Water (SW) Management Excellence.

Note: Information collection approval for the Pretreatment Awards Program is included in the National Pretreatment Program ICR (OMB No. 2040.0009, EPA ICR No. 0002.09), approved through September 30, 2003. The National Clean Water Act Recognition Awards Program is managed by EPA's Office of Wastewater Management (OWM). The Awards Program is authorized under Section 501(e) of the Clean Water Act, as amended. The Awards Program is intended to provide recognition to municipalities and industries which have demonstrated outstanding technological achievements, innovative processes, devices or other outstanding methods in their waste treatment and pollution abatement programs. Approximately 50 awards are presented annually. The achievements of these award winners are summarized in reports, news articles, national publications, and **Federal Register** Notice.

Submission of information on behalf of the respondents is voluntary. No confidential information is requested. The Agency only collects information from award nominees under a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR part 9 and 48 CFR chapter 15. 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 40 CFR are listed in 40 CFR part 9. Based on the data collection, national panels will evaluate the nominees' efforts and recommend finalists. The collections will be used by the respective awards programs to evaluate and determine which abatement achievements should be recognized. A regulation in the **Federal Register** on February 8, 2002, (67 FR 6138, February 8, 2002) establishes a framework for the annual Clean Water Act Recognition Awards.

As currently structured, the O&M awards category has nine sub-categories which recognize municipal achievements. The biosolids awards category has four sub-categories which recognize municipal biosolids operations, technology and research

particular application, either a competing development application or a notice of intent to file such an application. Submission of a timely notice of intent to file a development application allows an interested person to file the competing application no later than 120 days after the specified comment date for the particular application. A competing license application must conform with 18 CFR 4.30(b) and 4.36.

p. *Notice of Intent*: A notice of intent must specify the exact name, business address, and telephone number of the prospective applicant, and must include an unequivocal statement of intent to submit, if such an application may be filed, either a preliminary permit application or a development application (specify which type of application). A notice of intent must be served on the applicant(s) named in this public notice.

q. *Proposed Scope of Studies Under Permit*: A preliminary permit, if issued, does not authorize construction. The term of the proposed preliminary permit would be 36 months. The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on the results of these studies, the Applicant would decide whether to proceed with the preparation of a development application to construct and operate the project.

r. *Comments, Protests, or Motions To Intervene*: Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, 385.211, 385.214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

s. *Filing and Service of Responsive Documents*: Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", and "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The

Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. An additional copy must be sent to Director, Division of Hydropower Administration and Compliance, Federal Energy Regulatory Commission, at the above-mentioned address. A copy of any notice of intent, competing application or motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

t. *Agency Comments*: Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Philis J. Posey,

Acting Secretary.

[FR Doc. E7-6922 Filed 4-11-07; 8:45 am]

BILLING CODE 6717-01-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OW-2007-0201; FRL-8297-9]

Agency Information Collection Activities: Proposed Collection; Comment Request; Information Collection Request for the National Listing of Fish Advisories, EPA ICR Number 1959.03, OMB Control Number 2040-0226

AGENCY: Environmental Protection Agency.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit a request to renew an existing approved Information Collection Request (ICR) to the Office of Management and Budget (OMB). This ICR is scheduled to expire on September 30, 2007. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below.

DATES: Comments must be submitted on or before June 11, 2007.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-HQ-OW-2007-0201, by one of the following methods:

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

- *E-mail:* OW-Docket@epa.gov.

- *Fax:* 202-566-9744.

- *Mail:* EPA Docket Center

[Information Collection Request for the National Listing of Fish Advisories], Environmental Protection Agency, Water Docket MC4101T, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

- *Hand Delivery:* EPA Docket, EPA West Room 3334, 1301 Constitution Ave., NW., Washington, DC 20460. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID No. EPA-HQ-OW-2007-0201. 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 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. For additional information about EPA's public docket visit the EPA Docket Center homepage at <http://www.epa.gov/epahome/dockets.htm>.

FOR FURTHER INFORMATION CONTACT: Erica Fleisig, National Fish Advisory Program (4305T), Office of Science and Technology, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 566-1057; fax number: (202) 566-0409; e-mail address: fleisig.eric@epa.gov.

SUPPLEMENTARY INFORMATION:**How Can I Access the Docket and/or Submit Comments?**

EPA has established a public docket for this ICR under Docket ID No. EPA-HQ-OW-2007-0201, which is available for online viewing at www.regulations.gov, or in person viewing at the Water Docket in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC. The EPA/DC Public Reading Room is open from 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is 202-566-1744, and the telephone number for the Water Docket is (202) 566-2426.

Use www.regulations.gov to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the docket, and to access those documents in the public docket that are available electronically. Once in the system, select "search," then key in the docket ID number identified in this document.

What Information Is EPA Particularly Interested in?

Pursuant to section 3506(c)(2)(A) of the PRA, EPA specifically solicits comments and information to enable it to:

- (i) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;
- (ii) Evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- (iii) Enhance the quality, utility, and clarity of the information to be collected; and
- (iv) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses. In particular, EPA is requesting comments from very small businesses (those that employ less than 25) on examples of specific additional efforts that EPA could make to reduce the paperwork burden for very small businesses affected by this collection.

What Should I Consider When I Prepare My Comments for EPA?

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible and provide specific examples.
2. Describe any assumptions that you used.
3. Provide copies of any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.
5. Offer alternative ways to improve the collection activity.
6. Make sure to submit your comments by the deadline identified under **DATES**.
7. To ensure proper receipt by EPA, be sure to identify the docket ID number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

What Information Collection Activity or ICR Does This Apply to?

Affected entities: Entities potentially affected by this action are Administrators of Public Health and Environmental Quality Programs in State and tribal governments (NAICS 92312/SIC 9431 and NAICS 92411/SIC 9511).

Title: Information Collection Request for the National Listing of Fish Advisories.

ICR numbers: EPA ICR No. 1959.03, OMB Control No. 2040-0226.

ICR status: This ICR is currently scheduled to expire on September 30, 2007. 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, and 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: The National Listing of Fish Advisories (NLFA) database contains information on the number of new advisories issued by each state, territory, or tribe annually. The advisory information collected identifies the waterbody under advisory, the fish or shellfish species and size ranges included in the advisory, the chemical

contaminants and residue levels causing the advisory to be issued, the waterbody type (river, lake, estuary, coastal waters), and the target populations to whom the advisory is directed. This information is collected under the authority of section 104 of the Clean Water Act, which provides for the collection of information to be used to protect human health and the environment. The results of the survey are shared with states, territories, tribes, other federal agencies, and the general public through the NLFA database and the distribution of annual fish advisory fact sheets. The responses to the survey are voluntary and the information requested is part of the state public record associated with the advisories. No confidential business information is requested. 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 40 CFR are listed in 40 CFR part 9.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average 38.76 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, 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.

The ICR provides a detailed explanation of the Agency's estimate, which is only briefly summarized here:

Estimated total number of potential respondents: 92.

Frequency of response: Annual.

Estimated total average number of responses for each respondent: 3.

Estimated total annual burden hours: 3,566 labor hours.

Estimated total annual burden costs: \$124,755.08. No capital or startup costs are required.

Are There Changes in the Estimates From the Last Approval?

There is no change in the total estimated respondent burden compared with that identified in the ICR currently approved by OMB.

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 6, 2007.

Ephraim King,

Director, Office of Science and Technology.
[FR Doc. E7-6947 Filed 4-11-07; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collection(s) Being Submitted for Review to the Office of Management and Budget

April 4, 2007.

SUMMARY: The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act (PRA) of 1995, Public Law 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of

information on the respondents, including the use of automated collection techniques or other forms of information technology.

DATES: Written Paperwork Reduction Act (PRA) comments should be submitted on or before June 11, 2007. If you anticipate that you will be submitting PRA comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the FCC contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Jasmeet K. Seehra, Office of Management and Budget, Room 10236 NEOB, Washington, DC 20503, (202) 395-3123, or via fax at 202-395-5167 or via Internet at Jasmeet_K_Seehra@omb.eop.gov and to Judith-B.Herman@fcc.gov, Federal Communications Commission, Room 1-B441, 445 12th Street, SW., DC 20554 or an e-mail to PRA@fcc.gov. If you would like to obtain or view a copy of this information collection after the 60-day comment period, you may do so by visiting the FCC PRA Web page at: <http://www.fcc.gov/omd/pr>.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection(s), contact Judith B. Herman at 202-418-0214 or via the Internet at Judith-B.Herman@fcc.gov.

SUPPLEMENTARY INFORMATION: *OMB Control Number:* 3060-XXXX.

Title: Consummation of Assignments and Transfers of Control of Station Authorization.

Form No.: N/A.

Type of Review: New collection.

Respondents: Business or other for-profit.

Number of Respondents: 586 respondents; 586 responses.

Estimated Time Per Response: 1 hour.

Frequency of Response: On occasion reporting requirement.

Obligation to Respond: Required to obtain or retain benefits.

Total Annual Burden: 586 hours.

Total Annual Cost: N/A.

Privacy Act Impact Assessment: N/A.

Nature and Extent of Confidentiality: There is no need for confidentiality pertaining to the information collection requirements in this collection.

Needs and Uses: The Commission will submit this new information collection to the OMB after this 60-day comment period to obtain the full three-year clearance from them. The Federal Communications Commission ("Commission") is requesting that the Office of Management and Budget (OMB) approve the establishment of a new collection for consummation of assignments and transfers of control of

station authorization. In addition, the Commission is requesting the OMB's approval of mandatory electronic filing of consummations of assignments and transfers of control of licenses for all telecommunications services.

A consummation is a party's notification to the Commission that a transaction (assignment or transfer of control of station authorization) has been completed within a designated period of time. A consummation is applicable to all international telecommunications services, including International High Frequency (IHF), Section 214 Applications (ITC), Satellite Space Stations (SAT), Submarine Cable Landing Licenses (SCL) and Satellite Earth Station (SES) stations.

Currently, applicants send multiple letters to various offices within the Commission for each file number and call sign that are part of the consummation. The new, proposed consummation module will eliminate the applicant's requirement to notify the Commission by letter with the details of the consummation. With this new collection, the applicant will complete an on-line form (consummation module) in the Commission's electronic International Bureau Filing System ("IBFS"). After the applicant enters the FCC Registration Number (FRN) in the form, the system will generate a list of file numbers and call signs that are related to the FRN. The applicant can select the file numbers and call signs that are part of the consummation. The consummation module: (1) Saves time for the applicants and the Commission staff because the information is readily accessible for viewing and processing 24 hours a day/7 days a week, (2) eliminates the applicants completion by paper and mailing of letters, and (3) expedites the Commission staff's receipt of consummations in a timely manner.

The Commission has authority for this information collection pursuant to 47 CFR 1.767, 25.119, 63.24(e), 73.3540 and 73.3541. Without this collection of information, the Commission would not have critical information such as a change in a controlling interest in the ownership of the licensee. Furthermore, the Commission would not have the authority to review assignments and transfers of control of satellite licenses to determine whether the initial license was obtained in good faith with the intent to construct a satellite system.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. E7-6936 Filed 4-11-07; 8:45 am]

BILLING CODE 6712-01-P

file a motion to intervene pursuant to Rule 214 of the Commission's Rules of Practice and Procedures (18 CFR 385.214).¹ Only intervenors have the right to seek rehearing of the Commission's decision.

Affected landowners and parties with environmental concerns may be granted intervenor status upon showing good cause by stating that they have a clear and direct interest in this proceeding which would not be adequately represented by any other parties. You do not need intervenor status to have your comments considered.

Additional information about the project is available from the Commission's Office of External Affairs, at (866) 208-FERC or on the FERC Web site (<http://www.ferc.gov>) using the eLibrary link. Click on the eLibrary link, click on "General Search" and enter the docket number excluding the last three digits in the Docket Number field (*i.e.*, CP10-457). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at FercOnlineSupport@ferc.gov or toll free at (866) 208-3676, or for TTY, contact (202) 502-8659. The eLibrary link also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to <http://www.ferc.gov/esubscribenow.htm>.

Kimberly D. Bose,

Secretary.

[FR Doc. 2010-26825 Filed 10-22-10; 8:45 am]

BILLING CODE 6717-01-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OW-2007-0201, FRL-9216-9]

Agency Information Collection Activities: Proposed Collection; Comment Request; National Listing of Fish Advisories (Renewal), EPA ICR Number 1959.04, OMB Control Number 2040-0226

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to renew an existing approved Information Collection Request (ICR) to the Office of Management and Budget (OMB). This ICR is scheduled to expire on February 28, 2011. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below.

DATES: Comments must be submitted on or before December 27, 2010.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-HQ-OW-2007-0201, by one of the following methods:

- *Online:* <http://www.regulations.gov>.

Follow the on-line instructions for submitting comments.

- *E-mail:* OW-Docket@epa.gov.

• *Mail:* EPA Docket Center, Environmental Protection Agency, Water Docket, Mailcode C28221T, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

• *Hand Delivery:* EPA Docket, EPA West Room 3334, 1301 Constitution Ave., NW., Washington, DC 20460. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID No. EPA-HQ-OW-2007-0201. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <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 <http://www.regulations.gov> or e-mail. The <http://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 <http://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. For additional information about EPA's public docket visit the EPA Docket Center homepage at <http://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT: LCDR Samantha Fontenelle, Office of Science and Technology, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 566-2083; fax number: (202) 566-0409; e-mail address: fontenelle.samantha@epa.gov.

SUPPLEMENTARY INFORMATION:

How can I access the docket and/or submit comments?

EPA has established a public docket for this ICR under Docket ID No. EPA-HQ-OW-2007-0201, which is available for online viewing at <http://www.regulations.gov>, or in person viewing at the Water Docket in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC. The EPA/DC Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is 202-566-1744, and the telephone number for the Water Docket is (202) 566-2426.

Use <http://www.regulations.gov> to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the docket, and to access those documents in the public docket that are available electronically. Once in the system, select "search," then key in the Docket ID number identified in this document.

What information is EPA particularly interested in?

Pursuant to section 3506(c)(2)(A) of the PRA, EPA specifically solicits comments and information to enable it to:

(i) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;

(ii) Evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information,

¹ Interventions may also be filed electronically via the Internet in lieu of paper. See the previous discussion on filing comments electronically.

including the validity of the methodology and assumptions used;

(iii) Enhance the quality, utility, and clarity of the information to be collected; and

(iv) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses. In particular, EPA is requesting comments from very small businesses (those that employ less than 25) on examples of specific additional efforts that EPA could make to reduce the paperwork burden for very small businesses affected by this collection.

What should I consider when I prepare my comments for EPA?

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible and provide specific examples.
2. Describe any assumptions that you used.
3. Provide copies of any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.
5. Offer alternative ways to improve the collection activity.
6. Make sure to submit your comments by the deadline identified under **DATES**.
7. To ensure proper receipt by EPA, be sure to identify the Docket ID number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

What information collection activity or ICR does this apply to?

Affected entities: Entities potentially affected by this action are Administrators of Public Health and Environmental Quality Programs in State and Tribal governments (NAICS 92312/SIC 9431 and NAICS 92411/SIC 9511).

Title: National Listing of Fish Advisories (Renewal).

ICR numbers: EPA ICR No. 1959.04, OMB Control No. 2040-0226.

ICR status: This ICR is currently scheduled to expire on February 28, 2011. 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: The National Listing of Fish Advisories (NLFA) Database contains information on the number of advisories issued by each State, territory, or Tribe annually. The advisory information collected identifies the waterbody under advisory, the fish or shellfish species and size ranges included in the advisory, the chemical contaminants and residue levels causing the advisory to be issued, the waterbody type (river, lake, estuary, coastal waters), and the target populations to whom the advisory is directed. This information is collected under the authority of section 104 of the Clean Water Act, which provides for the collection of information to be used to protect human health and the environment. The results of the survey are shared with States, territories, Tribes, other Federal agencies, and the general public through the NLFA database and the distribution of biennial fish advisory fact sheets. The responses to the survey are voluntary and the information requested is part of the State public record associated with the advisories. No confidential business information is requested.

Burden Statement: The annual public reporting and recordkeeping burden for the collection of information is estimated to average 36.26 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, 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.

The ICR provides a detailed explanation of the Agency's estimate, which is only briefly summarized here:

Estimated total number of potential respondents: Up to 92.

Frequency of response: Annual.
Estimated total average number of responses for each respondent: 3.
Estimated total annual burden hours: 3,336 labor hours.
Estimated total annual burden costs: \$125,697.09. No capital or startup costs are required.

Are there changes in the estimates from the last approval?

There is a decrease of 229 hours in the total estimated respondent burden compared with that identified in the ICR currently approved by OMB. This decrease reflects a change in how the States, Tribes and territories provide the fish advisory data to EPA. The data tool is no longer being used by States to enter data into the NLFA database.

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: October 15, 2010.

Ephraim S. King,

Director, Office of Science and Technology.

[FR Doc. 2010-26882 Filed 10-22-10; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-9216-8]

National Environmental Justice Advisory Council; Notification of Public Meeting and Public Comment

AGENCY: Environmental Protection Agency.

ACTION: Notification of Public Meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act (FACA), Public Law 92-463, the U.S. Environmental Protection Agency (EPA) hereby provides notice that the National Environmental Justice Advisory Council (NEJAC) will meet on the dates and times described below. All meetings are open to the public. Members of the public are encouraged to provide comments relevant to the specific issues

APPENDIX D

Email Request to States

NLFA Advisory Template

Fish Tissue Template

You are receiving this email because you have been previously identified as the Fish Advisory Program Coordinator for your State, Territory or Tribe. **Please let me know if you have received this email in error by replying to this message.**

The United States Environmental Protection Agency (EPA) is in the process of updating the online National Listing of Fish Advisories (NLFA) database (<http://water.epa.gov/scitech/swguidance/fishshellfish/fishadvisories/general.cfm#tabs-4>). We plan to update the database with new, revised and rescinded advisories you issued in 2011 as well as the fish tissue data that serve as the basis for making advisory decisions. As in the past, we are asking for your support to help ensure the accuracy and completeness of your state, territory and tribal data in the NLFA. Please note this data collection request is authorized under the U.S. Office of Management and Budget Information Collection Request 2040-0226.

We would like to receive information for all advisories issued, rescinded or updated in 2011 as well as the supporting tissue data. This should include the fish tissue data for all waterbodies assessed, even if an advisory is not issued. This information will allow us to evaluate the combined extent of monitoring and assessment efforts on a national basis. If you have not had an opportunity to provide advisory and tissue data for 2009 and 2010, please provide this data along with your 2011 advisory information.

For the advisory updates, we are asking that you provide the following:

- Waterbodies assessed with locational data
- Advisory information
- Species-specific information
- Population affected
- Contaminant causing the advisory

Attached is an Excel file that includes a descriptive template for your use to enter the information. The template includes examples and additional descriptive tabs for various fields in the template. We recommend using the worksheet because providing the data elements in the template will facilitate an easier transfer of the data to the NLFA database.

EPA continues to place increased emphasis on the collection of fish tissue contaminant data as our goal is to develop a comprehensive national database of fish tissue data used for making advisory determinations. To help ensure a comprehensive database, we would like to obtain all fish tissue contaminant data collected for making advisory determinations – including for those waterbodies where chemical levels were determined to be too low to result in an advisory. Below is a list of the key parameters we are requesting for the fish tissue data:

- Waterbody name
- Locational information
- Contaminant information
- Fish species and length
- Composite or individual
- Sample information
- Detection limits

A separate template for fish tissue data is also attached. The fish tissue template includes example tissue data and descriptive tabs. Once again we recommend using the Excel worksheet to submit your data.

As in previous years, EPA is being supported in this data collection effort by a contractor. This year's contractor, Battelle, will be supporting the EPA lead, LCDR Samantha Fontenelle, and may be following up with you by phone and/or email to assist with the collection of advisory information and tissue data.

We would like to receive your data by February 15, 2013. All files should be submitted to Battelle's Melissa Kennedy via their file exchange server at <https://fx.battelle.org/>. To send a file please follow the instructions below:

1. In the **From box:** enter your name and email address if not already populated. Users can check the **Remember Me** box to store their name and email address for subsequent use.
2. In the **To box:** enter kennedym@battelle.org.
3. Check the box **Send me email each time recipient downloads a file** if you want to be notified of each file download.
4. In the **Files section:** select the file to upload (send) by clicking the **Browse** button beside the **File 1** field. If necessary, select a 2nd or 3rd file option to attach additional files.
5. In the **Notes** box of the **Files:** enter any special comments or notes.
6. Click the **Send Files** button to upload the files to the FX system.

If you have any questions regarding this request or the National Fish Advisory Program, please contact me by replying to this email or at 202-566-0389. Alternatively, you may contact LCDR Samantha Fontenelle at 202 566-2083 or fontenelle.samantha@epa.gov. For questions or issues related to submitting data please contact our contractor Melissa Kennedy at Battelle at 614-424-7601 or kennedym@battelle.org.

Once again, we greatly appreciate your assistance and thank you for your continued support of USEPA's National Fish and Wildlife Contamination Program.

Jeffrey D. Bigler
National Program Manager
National Fish and Wildlife Contamination Program
Office of Science and Technology
U.S. Environmental Protection Agency
Email: Bigler.Jeff@epamail.epa.gov
Phone: 202-566-0389