

**ENVIRONMENTAL PROTECTION AGENCY****[FRL-8910-3, Docket EPA-HQ-OW-2005-0007]****Notice Regarding National Pollutant Discharge Elimination System (NPDES) Multi-Sector General Permit (MSGP) for Storm Water Discharges Associated With Industrial Activity****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice of availability.

**SUMMARY:** EPA previously announced the issuance in EPA Regions 1, 2, 3, 5, 6, 9, and 10 of the NPDES general permit for stormwater discharges from industrial activity, also referred to as the 2008 Multi-Sector General Permit (MSGP), in the **Federal Register** of September 29, 2008 (73 FR 56572). The permit was signed on September 29, 2008 and became effective on September 29, 2008. On February 26, 2009 (74 FR 8789), EPA issued the MSGP to certain states, federal facilities, and Indian Country located in EPA Region 10 after receipt of certifications pursuant to section 401 of the Clean Water Act (CWA). Today's notice of availability provides notice of EPA's deletion of a portion of a specific State's CWA Section 401 certification condition from Part 9.1.2.5 of the 2008 MSGP for the State of Massachusetts.

**FOR FURTHER INFORMATION CONTACT:** For further information on this final NPDES general permit, contact David Gray, EPA Region 1, Office of Ecosystem Protection, Industrial Permits Branch at tel.: 617-918-1577, or Greg Schaner, EPA Headquarters, Office of Water, Office of Wastewater Management at tel.: 202-564-0721, or send questions via e-mail to EPA's stormwater permit mailbox: [SWpermit@epa.gov](mailto:SWpermit@epa.gov).

**SUPPLEMENTARY INFORMATION:****A. General Information**

Pursuant to CWA Section 401(a) and EPA's implementing regulations, EPA may not issue a NPDES permit (including the 2008 MSGP) until the appropriate State certifications have been granted or waived. 40 CFR 124.53(a). Through the certification process, States were given the opportunity, before the 2008 MSGP was issued, to add conditions to the permit they believe are necessary to ensure that the permit complies with the CWA and other appropriate requirements of State law, including State water quality standards.

The Massachusetts Department of Environmental Protection (MassDEP)

issued its initial Section 401 certification for the 2008 MSGP on February 13, 2006; with subsequent modifications thereto dated June 8, 2006 and September 5, 2006. In a modified certification on March 27, 2009, MassDEP deleted tributyltin (included in certification condition #5) as a required benchmark monitoring parameter applicable to Sector Q (Water Transportation) and Sector R (Ship and Boat Building and Repair Yards). Pursuant to EPA's implementing regulations at 40 CFR 124.55(b), EPA may, at the request of a permittee, modify the 2008 MSGP based on a modified certification received after final agency action on the permit "only to the extent necessary to delete any conditions based on a condition in a certification invalidated by a court of competent jurisdiction or by an appropriate State board or agency." 40 CFR 124.55(b). In accordance with this provision, EPA has removed the monitoring parameter from the appropriate certification condition for the 2008 MSGP.<sup>1</sup> EPA's letter notifying the requesting permittee that its request to delete a portion of the permit condition was granted, and a copy of the 2008 MSGP reflecting the deletion, can be found in the docket for the 2008 MSGP (Docket ID No. EPA-HQ-OW-2005-0007).<sup>2</sup>

**B. How Can I Get Copies of These Documents and Other Related Information?**

1. *Docket.* EPA has established an official public docket for this action under Docket ID No. EPA-HQ-OW-2005-0007. The official public docket is the collection of materials, including the administrative record, for the final permit, required by 40 CFR 124.18. It is available for public viewing at the Water Docket in the EPA Docket Center, (EPA/DC) EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC 20460. Although all documents in the docket are listed in an index, some information is not publicly available, *i.e.*, CBI or other information whose disclosure is restricted by statute. Publicly available docket materials are available electronically through [www.regulations.gov](http://www.regulations.gov) and in hard copy at the EPA Docket Center Public Reading Room, open from 8:30 a.m. to 4:30 p.m., Monday through Friday,

<sup>1</sup> In addition, the regulations at 40 CFR 124.55(b) also require that EPA receive a request from a permittee for the deleted certification conditions to be removed from the permit. EPA received such requests to remove deleted conditions from Hyannis Marina, Hyannis, MA, on March 17, 2009.

<sup>2</sup> In addition, the permit may be found at: <http://cfpub.epa.gov/npdes/stormwater/msgp.cfm>.

excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744 and the telephone number for the Water Docket is (202) 566-2426.

2. *Electronic Access.* You may access this **Federal Register** document electronically through the EPA Internet under the **Federal Register** listings at <http://www.epa.gov/fedrgstr/>.

An electronic version of the public docket is available through the Federal Docket Management System (FDMS) found at <http://www.regulations.gov>. You may use the FDMS to view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Once at the Web site, enter the appropriate Docket ID No. in the "Search" box to view the docket.

Certain types of information will not be placed in the EPA dockets. Information claimed as CBI and other information whose disclosure is restricted by statute, which is not included in the official public docket, will not be available for public viewing in EPA's electronic public docket. EPA policy is that copyrighted material will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket facility identified in Section B.1.

**Authority:** Clean Water Act, 33 U.S.C. 1251 *et seq.*

Dated: May 13, 2009.

**Ira Leighton,**

*Acting Regional Administrator, EPA Region 1.*

[FR Doc. E9-12472 Filed 5-27-09; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY****[FRL-8907-6]****State Allotment Percentages for the Drinking Water State Revolving Fund Program****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice.

**SUMMARY:** In this notice, EPA is announcing the revised Drinking Water State Revolving Fund (DWSRF) allotments that will be provided to the States, the District of Columbia, Puerto Rico, U.S. Territories, American Indian

Tribes, and Alaska Native Villages if the President's budget request for Fiscal Year 2010 is enacted. These allotments reflect the results from EPA's most recent Drinking Water Infrastructure Needs Survey and Assessment, which was released on March 26, 2009. The revised State allotment percentages will be the basis for distributing the DWSRF program appropriations to the States for the four years from Fiscal Years 2010 through 2013.

**DATES:** This notice is effective May 28, 2009.

**FOR FURTHER INFORMATION CONTACT:** For inquiries, contact Travis Creighton, Drinking Water Protection Division, Office of Ground Water and Drinking Water (4606M), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 564-3858; fax number: (202) 564-3757; e-mail address: [Creighton.travis@epa.gov](mailto:Creighton.travis@epa.gov). Copies of this document and information on the Drinking Water Infrastructure Needs Survey and Assessment and the DWSRF program can be found on EPA's Office of Ground Water and Drinking Water Web site at <http://www.epa.gov/safewater/>.

**SUPPLEMENTARY INFORMATION:** The 1996 Safe Drinking Water Act (SDWA) Amendments established a DWSRF program and Congress has appropriated \$10.3 billion, in total, for the program since its inception through Fiscal Year (FY) 2009. Congress directed that allotments for FY 1998 and each subsequent year would be distributed among States based on the results of an assessment by EPA of the relative infrastructure investment needs of the drinking water systems within each state (SDWA section 1452(a)(1)(D)(ii)), which must be conducted every four years.

#### EPA's Drinking Water Infrastructure Needs Survey and Assessment

EPA's first assessment, which reflected 1995 survey data, was released in February 1997; the second assessment, which reflected 1999 survey data, was released in February 2001; and the 2003 assessment was released in 2005. The 2007 Drinking Water Infrastructure Needs Survey and Assessment (Needs Assessment) was released on March 26, 2009 (EPA 816-R-09-001).

The 2007 Needs Assessment was completed in cooperation with the States. The States participated in both the design of the survey and in the collection of data. The survey examined the needs of water systems and used these data to determine the aggregate

infrastructure investment needs of drinking water systems within each individual State. The survey included: All of the nation's 584 largest systems, each serving over 100,000 people; a statistical sample of 2,266 systems, each serving 3,301-100,000 people; and a statistical sample of 600 small water systems, each serving fewer than 3,301 people.

The sample design for the survey and assessment produces a statistically-valid State-by-State bottom-line estimate of the total need, which reflects the capital costs for all drinking water infrastructure projects allowed for inclusion in the survey. The 2007 Needs Assessment also presents capital needs for each State by system size and by category of need (*i.e.*, treatment, distribution and transmission, storage, source, and "other").

In general, an infrastructure project was included in the Needs Assessment if project documentation demonstrated that meeting the need would address the public health objectives of SDWA. The total State need includes both projects that are currently needed and future projects that will be needed over the next 20 years. Projects to correct immediate public health threats (*e.g.*, replacing a deteriorated filter plant) are given the same weight in the assessment as less critical needs (*e.g.*, replacing a storage tank that is expected to reach the end of its useful life in five years). The Needs Assessment excluded capital projects that are ineligible for DWSRF program assistance, such as dams, reservoirs and projects needed solely for growth.

The 2007 Needs Assessment found that the total national need is \$334.8 billion (Table 1). This estimate represents the needs of the approximately 52,000 community water systems and 21,400 not-for-profit non-community water systems that are eligible to receive DWSRF program assistance. These systems are found in all 50 States, the District of Columbia, Puerto Rico, on American Indian lands and in Alaska Native Villages, and the Virgin Island and Pacific Island territories.

TABLE 1—2007 DRINKING WATER INFRASTRUCTURE NEEDS SURVEY AND ASSESSMENT 20-YEAR NEEDS

Type of need	Need (billions)
States .....	\$324.0
Territories .....	0.9
American Indian and Alaska Native Villages .....	2.9

TABLE 1—2007 DRINKING WATER INFRASTRUCTURE NEEDS SURVEY AND ASSESSMENT 20-YEAR NEEDS—Continued

Type of need	Need (billions)
Costs for Proposed and Recent Regulations .....	7.0
Total National Need .....	334.8

**Note:** Numbers may not total due to rounding.

The total national need also includes \$7.0 billion in capital needs associated with recently promulgated and proposed regulations, as identified in EPA Economic Analyses accompanying the rules. Although these needs are included in the total national need, they were not apportioned to the States based on the unanimous recommendation of the State representatives who participated in the survey design. The States expressed concern that the methods available for allocating the costs of these more recent or proposed regulations would not yet be represented in the capital improvement plans of water systems at the time of the 2007 survey. The total State need, which is the figure that EPA will use to calculate the State allotments, includes only the needs of the 50 States, the District of Columbia, and Puerto Rico. The 2007 Needs Assessment estimates that the total State need is \$324.0 billion.

#### Allocation Method

On October 31, 1996, EPA solicited public comment on six options for using the results of the first Drinking Water Infrastructure Needs Survey and Assessment to allocate DWSRF program funds to the States (61 FR 56231). On March 18, 1997, EPA announced its decision to allocate DWSRF program funds for FYs 1998 through 2001 appropriations based on each State's proportional share of the total eligible needs for the States as derived from the 1995 Needs Assessment (62 FR 12900). EPA used this same method when allocating DWSRF program funds for FYs 2002 through 2005, utilizing the results of the 1999 Needs Assessment, and for FYs 2006 through 2009, utilizing the results of the 2003 Needs Assessment. EPA has made the determination that it will continue to use this method for allocating DWSRF program funds for FYs 2010 through 2013 appropriations, utilizing the results of the 2007 Needs Assessment.

The funds available to the States will be the level of funds appropriated by

Congress, less the national set-asides, which includes an allocation for American Indian and Alaska Native Village water systems. Of the funds available to States, the SDWA includes specific allocations for the Pacific Islands, the Virgin Islands, and the District of Columbia. Each State will receive an allotment of DWSRF program funds based on its proportional share of the total State need (\$324.0 billion), provided that each State receives a minimum allocation of one percent of the funds available to States, as required by the SDWA. The 2007 Needs Assessment found that 20 States, Puerto Rico, and the District of Columbia each had less than one percent of the total national need; for 2010 to 2013, each of these DWSRF grantees will be eligible for one percent of the annual DWSRF funds made available to States (or, in aggregate, 22 percent of the total DWSRF funds made available to States).

#### **President's Request for Allotments for American Indian and Alaska Native Water Systems and for United States Territories**

The President's budget request for FY 2010 includes an increase in the minimum funding to be made available to American Indian and Alaska Native water systems from 1.5% to 2.0% of the total funding appropriated for the DWSRF. The President also requested an increase in the minimum funding to be made available to United States Territories from 0.33% to 1.5% of the total available to the States, the District of Columbia and Puerto Rico.

#### **Allocation of Funds**

Table 2 contains each State's expected DWSRF program allotment based on an appropriation of \$1,500,000,000 and national set-aside assumptions. The appropriation amount is based on the President's budget request of \$1,500,000,000 for FY 2010. The national set-asides for Fiscal Year 2010 include funds for American Indian and Alaska Native Village water systems at

the level of 2.0% percent of the total appropriation or \$30,000,000 for FY 2010 under the President's budget request. An additional national set-aside for FY 2010 includes \$2,000,000 for monitoring for unregulated contaminants. If funds are appropriated for the DWSRF program at the level of \$1,500,000,000, the total funds available to the States, the District of Columbia, and Territories would equal \$1,468,000,000. Because the percentages are based on allotting all available funds annually to the States regardless of the year in the four-year cycle, they can be used for general planning purposes for the entire four-year cycle. Once the appropriated amount and national set-asides are known, a State's allotment can be estimated by subtracting the national set-asides from the total funds available for allotment and then applying the appropriate percentage shown below. For succeeding years, EPA will annually notify each State of their allotment from a specific fiscal year's appropriation after the final budget has been passed.

**TABLE 2—DWSRF STATE PERCENTAGES AND DOLLAR ALLOTMENTS BASED ON THE PRESIDENT'S BUDGET REQUEST FOR FY 2010 AND THE 2007 NEEDS ASSESSMENT**

State	FY 2010 allotment (\$)	2010 allotment (%)
Alabama .....	18,196,000	1.24
Alaska .....	14,680,000	1.00
Arizona .....	29,483,000	2.01
Arkansas .....	22,215,000	1.51
California .....	137,318,000	9.35
Colorado .....	26,038,000	1.77
Connecticut .....	14,680,000	1.00
Delaware .....	14,680,000	1.00
Florida .....	47,932,000	3.27
Georgia .....	34,688,000	2.36
Hawaii .....	14,680,000	1.00
Idaho .....	14,680,000	1.00
Illinois .....	55,411,000	3.77
Indiana .....	24,485,000	1.67
Iowa .....	25,060,000	1.71
Kansas .....	17,960,000	1.22
Kentucky .....	21,191,000	1.44
Louisiana .....	27,742,000	1.89
Maine .....	14,680,000	1.00
Maryland .....	22,777,000	1.55
Massachusetts .....	27,367,000	1.86
Michigan .....	44,591,000	3.04
Minnesota .....	24,635,000	1.68
Mississippi .....	15,278,000	1.04
Missouri .....	28,375,000	1.93
Montana .....	14,680,000	1.00
Nebraska .....	14,680,000	1.00
Nevada .....	14,680,000	1.00
New Hampshire .....	14,680,000	1.00
New Jersey .....	31,361,000	2.14
New Mexico .....	14,680,000	1.00
New York .....	96,724,000	6.59
North Carolina .....	38,497,000	2.62
North Dakota .....	14,680,000	1.00
Ohio .....	47,168,000	3.21
Oklahoma .....	18,239,000	1.24
Oregon .....	14,680,000	1.00
Pennsylvania .....	43,011,000	2.93

TABLE 2—DWSRF STATE PERCENTAGES AND DOLLAR ALLOTMENTS BASED ON THE PRESIDENT'S BUDGET REQUEST FOR FY 2010 AND THE 2007 NEEDS ASSESSMENT—Continued

State	FY 2010 allotment (\$)	2010 allotment (%)
Puerto Rico .....	14,680,000	1.00
Rhode Island .....	14,680,000	1.00
South Carolina .....	14,680,000	1.00
South Dakota .....	14,680,000	1.00
Tennessee .....	16,315,000	1.11
Texas .....	93,293,000	6.36
Utah .....	14,680,000	1.00
Vermont .....	14,680,000	1.00
Virginia .....	24,885,000	1.70
Washington .....	37,477,000	2.55
West Virginia .....	14,680,000	1.00
Wisconsin .....	25,308,000	1.72
Wyoming .....	14,680,000	1.00
District of Columbia .....	14,680,000	1.00
U.S. Territories* .....	22,020,000	1.50
Total Funds Available to the States, the District of Columbia, Puerto Rico, and U.S. Territories .....	1,468,000,000	.....
American Indian & Alaska Native Water Systems .....	30,000,000	.....
Monitoring for Unregulated Contaminants .....	2,000,000	.....
Total SRF Appropriation .....	1,500,000,000	.....

\* Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands.

Dated: May 14, 2009.

**Paul F. Simon,**

*Acting Director, Office of Ground Water and Drinking Water.*

[FR Doc. E9-12470 Filed 5-27-09; 8:45 am]

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## EXPORT-IMPORT BANK OF THE UNITED STATES

### Notice of Open Special Meeting of the Sub-Saharan Africa Advisory Committee (SAAC) of the Export-Import Bank of the United States (Export-Import Bank)

**SUMMARY:** The Sub-Saharan Africa Advisory Committee was established by Public Law 105-121, November 26, 1997, to advise the Board of Directors on the development and implementation of policies and programs designed to support the expansion of the Bank's financial commitments in Sub-Saharan Africa under the loan, guarantee and insurance programs of the Bank. Further, the committee shall make recommendations on how the Bank can facilitate greater support by U.S. commercial banks for trade with Sub-Saharan Africa.

**Time and Place:** June 3, 2009, at 9:30 a.m. to 12 p.m. The meeting will be held at the Export-Import Bank in Room 1143, 811 Vermont Avenue, NW., Washington, DC 20571.

**Agenda:** Presentation of recently published "U.S.-African Trade Profile" by Department of Commerce; discussion

and update on the 2008 committee recommendations to U.S. Congress followed by a preliminary discussion on this year's recommendations including a possible sub-Saharan Africa special initiative; and an update on the Bank's on-going business development initiatives.

**Public Participation:** The meeting will be open to public participation, and the last 10 minutes will be set aside for oral questions or comments. Members of the public may also file written statement(s) before or after the meeting. If any person wishes auxiliary aids (such as a sign language interpreter) or other special accommodations, please contact, prior to June 3, 2009, Barbara Ransom, Room 1241, 811 Vermont Avenue, NW., Washington, DC 20571, Voice: (202) 565-3525 or TDD (202) 565-3377.

**FOR FURTHER INFORMATION CONTACT:** For further information, contact Barbara Ransom, Room 1241, 811 Vermont Avenue, NW., Washington, DC 20571, (202) 565-3525.

**Kamil Cook,**

*General Counsel (Acting).*

[FR Doc. E9-12321 Filed 5-27-09; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

[FCC 09-37]

### Notice of Debarment; Schools and Libraries Universal Service Support Mechanism

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** The Enforcement Bureau (the "Bureau") debar Ms. Judy Green from the schools and libraries universal service support mechanism (or "E-Rate Program") for a period of ten years. The Bureau takes this action to protect the E-Rate Program from waste, fraud and abuse.

**DATES:** Debarment commences on the date Ms. Judy Green receives the debarment letter or May 28, 2009, whichever date come first, for a period of three years.

**FOR FURTHER INFORMATION CONTACT:** Rebekah Bina, Federal Communications Commission, Enforcement Bureau, Investigations and Hearings Division, Room 4-C330, 445 12th Street, SW., Washington, DC 20554. Rebekah Bina may be contacted by phone at (202) 418-7931 or e-mail at [Rebekah.Bina@fcc.gov](mailto:Rebekah.Bina@fcc.gov). If Ms. Bina is unavailable, you may contact Ms. Vickie Robinson, Assistant Chief, Investigations and Hearings Division, by telephone at (202) 418-1420 and by e-mail at [vickie.robinson@fcc.gov](mailto:vickie.robinson@fcc.gov).