

*programs/artd/air/title5/petitiondb/petitiondb.htm.*

**FOR FURTHER INFORMATION CONTACT:**

Pamela Blakley, Chief, Air Permits Section, Air Programs Branch, Air and Radiation Division, EPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, telephone (312) 886-4447.

**SUPPLEMENTARY INFORMATION:** The Act affords EPA a 45-day period to review, and object, as appropriate, to operating permits proposed by state permitting authorities. Section 505(b)(2) of the Act authorizes any person to petition the EPA Administrator within 60 days after the expiration of the EPA review period to object to a state operating permit if EPA has not done so. A petition must be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided by the state, unless the petitioner demonstrates that it was impracticable to raise issues during the comment period, or the grounds for the issues arose after this period.

On August 23, 2007, EPA received a petition from the Sierra Club requesting that EPA object to the Title V operating permit for Oak Creek. The Petitioner alleges that the permit is not in compliance with the requirements of the Act. Specifically, the Petitioner alleges that: (1) The permit must include a compliance schedule; (2) the permit application contains a false certification of compliance; (3) the permit application does not contain sufficient information to determine the applicability of the Prevention of Significant Deterioration program; (4) physical changes to the boilers at units 5 and 6 are subject to lower particulate matter (PM) emissions limits than are contained in the permit; (5) the permit must establish compliance demonstration requirements that ensure continuous compliance with emissions limits; (6) the facility's Compliance Assurance Monitoring (CAM) plan is deficient; (7) the facility's CAM plan ignores condensable PM; (8) the permit illegally exempts Oak Creek from applicable limits during start-up, shutdown, and malfunction; (9) plans referenced in the permit must be included in the permit and made available for public comment; and (10) the permit must require that the source submit all monitoring data and recordkeeping to the WDNR. On June 12, 2009, the Administrator issued an order granting the Oak Creek petition in part, and denying it in part. The order explains the reasons behind EPA's conclusion.

Dated: June 24, 2009.

**Walter W. Kovalick Jr.,**

*Acting Regional Administrator, Region 5.*

[FR Doc. E9-15806 Filed 7-2-09; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-8926-8]

**Farm, Ranch, and Rural Communities Committee**

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

**ACTION:** Notice of cancellation of a meeting.

**SUMMARY:** The Environmental Protection Agency, Office of Cooperative Environmental Management, announces the cancellation of a meeting of the Farm, Ranch, and Rural Communities Committee (FRRCC). This meeting, a teleconference on July 13, 2009, was announced in a **Federal Register** Notice published on June 9, 2009 (74 FR 27316). The purpose of this meeting was for the FRRCC to discuss and approve various draft advice letters for submission to the EPA.

**FOR FURTHER INFORMATION CONTACT:**

Alicia Kaiser, Designated Federal Officer, *kaiser.alicia@epa.gov*, 202-564-7273, U.S. EPA, Office of the Administrator (1101A), 1200 Pennsylvania Avenue, NW., Washington, DC 20460, or Christopher Ashcraft, Junior Designated Federal Officer, *ashcraft.christopher@epa.gov*, 202-564-2432, U.S. EPA, Office of the Administrator (1601M), 1200 Pennsylvania Avenue, NW., Washington, DC 20460.

Dated: June 25, 2009.

**Alicia Kaiser,**

*Designated Federal Officer.*

[FR Doc. E9-15799 Filed 7-2-09; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-8926-2]

**New York State Prohibition of Marine Discharges of Vessel Sewage; Receipt of Petition and Tentative Affirmative Determination**

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that a petition has been received from the State of New York requesting a

determination by the Regional Administrator, U.S. Environmental Protection Agency—Region 2, that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the South Shore Estuary Reserve, New York. The waters of the proposed No Discharge Zone fall within the jurisdictions of the Town of Southampton, the Town of Brookhaven, the Town of Islip, the Town of Babylon, the Town of Oyster Bay and the Town of Hempstead. The entities submitted an application prepared by the Peconic Baykeeper for the designation of a Vessel Waste No Discharge Zone. New York State Department of Environmental Conservation certified the need for greater protection of the water quality.

**DATES:** Comments regarding this tentative determination are due by August 5, 2009.

**ADDRESSES:** Submit your comments using one of the following methods:

*E-mail:* [chang.moses@epa.gov](mailto:chang.moses@epa.gov).

*Fax:* (212) 637-3891.

*Mail and hand delivery:* U.S.

Environmental Protection Agency—Region 2, 290 Broadway, 24th Floor, New York, NY 10007-1866. Deliveries are only accepted during the Regional Office's normal hours of operation (8 a.m.–5 p.m., Monday through Friday, excluding legal holidays), and special arrangements should be made for deliveries of boxed information.

**FOR FURTHER INFORMATION CONTACT:**

Moses Chang, U.S. Environmental Protection Agency—Region 2, 290 Broadway, 24th Floor, New York, NY 10007-1866. Telephone: (212) 637-3867, Fax number: (212) 637-3891; e-mail address: [chang.moses@epa.gov](mailto:chang.moses@epa.gov).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that a petition has been received from the State of New York requesting a determination by the Regional Administrator, U.S. Environmental Protection Agency—Region 2, pursuant to section 312(f)(3) of Public Law 92-500 as amended by Public Law 95-217 and Public Law 100-4, that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for South Shore Estuary Reserve (SSER) and its harbors, bays and creeks within the following boundaries:

East Rockaway Inlet, approach to Reynolds Channel, flashing green buoy (N "9")

N40°-35.5'

W73°-44.9'

Jones Inlet, Jones Inlet red buoy (N "8")

N40°-35.2'

W73°-34.3'  
 Fire Island Inlet, Fire Island Inlet  
 flashing red buoy (N "10")  
 N40°-37.5'  
 W73°-17.9'  
 Moriches Inlet, flashing red tower on  
 east jetty terminus  
 N40°-45.8'  
 W72°-45.3'  
 Shinnecock Inlet, flashing green tower  
 on west jetty terminus  
 N40°-50.2'  
 W72°-28.7'

The SSER encompasses 110,720 acres of open water and intertidal area. The waterbodies included in the SSER are Shinnecock Bay (East and West), Quantuck Bay, Moriches Bay (East and West), Bellport Bay, Patchogue Bay, Nicoll Bay, Great South Bay (West, East and Great Cove), South Oyster Bay, East Bay Complex, Middle Bay Complex and Western South Shore Bay.

New York has provided documentation indicating the SSER vessel population and the number of pumpouts for each embayment. Shinnecock Bay—East is serviced by 3 pumpouts and has a vessel population of 864 (288 vessels per pumpout). Shinnecock Bay—West is serviced by 1 pumpout and has a vessel population of 1841 (1841 vessels per pumpout). Quantuck Bay is serviced by 1 pumpout and has a vessel population of 363 (363 vessels per pumpout). Moriches Bay—East is serviced by 2 pumpouts and has a vessel population of 951 (476 vessels per pumpout). Moriches Bay—West is serviced by 5 pumpouts and has a vessel population of 1829 (366 vessels per pumpout). Bellport Bay is serviced by 2 pumpouts and has a vessel population of 336 (168 vessels per pumpout). Patchogue Bay is serviced by 11 pumpouts and has a vessel population of 2814 (256 vessels per pumpout). Nicoll Bay is serviced by 6 pumpouts and has a vessel population of 1765 (294 vessels per pumpout). Great South Bay—East and Great Cove is serviced by 7 pumpouts and has a vessel population of 1810 (259 vessels per pumpout). Great South Bay—West is serviced by 12 pumpouts and has a vessel population of 5066 (422 vessels per pumpout). South Oyster Bay is serviced by 5 pumpouts and has a vessel population of 1453 (291 vessels per pumpout). East Bay Complex is serviced by 4 pumpouts and has a vessel population of 747 (187 vessels per pumpout). Middle Bay Complex is serviced by 8 pumpouts and has a vessel population of 3392 (424 vessels per pumpout). Western South Shore Bay is serviced by 2 pumpouts and has a vessel population of 705 (352 vessels per pumpout).

The criterion established by the Clean Vessel Act regarding an adequate number of pumpouts per vessel population is 1 pumpout per 300—600 vessels. All areas of the SSER meet or exceed this criterion with the exception of Shinnecock Bay—West, which has one pumpout per 1841 vessels. When facilities in this embayment are added to facilities in the adjacent waters (Shinnecock Bay—East and Quantuck Bay) a total of 5 pumpouts service a vessel population of 2492. The ratio is one pumpout per 498 vessels, which meets the criterion.

The facilities located in the Shinnecock Bay—East are as follows:

*Name:* Sherry and Joe Corrs Best Boat Works.

*Lat/Long:* N40.97938 W72.43858.

*Phone:* 631-283-7359.

*VHF Channel:* N/A.

*Dates of Operation:* Spring—Summer.

*Hours of Operation:* 9 a.m.—5 p.m.

*Fee:* \$5.

*Vessel Limitation Length/Draught:* None/4.5 feet.

*Method of Sewage Disposal:* Private contractor.

*Name:* Shinnecock Canal County Marina.

*Lat/Long:* N40.884444 W72.501944.

*Phone:* 631-852-8291 or 631-852-8899.

*VHF Channel:* N/A.

*Dates of Operation:* April 1—October 31.

*Hours of Operation:* 24 hours.

*Fee:* Free.

*Vessel Limitation Length/Draught:* 60 feet/8 feet.

*Method of Sewage Disposal:* Holding tank pumped out by septic truck.

*Name:* Southampton Town Pumpout Boat.

*Lat/Long:* N/A.

*Phone:* 631-283-6000.

*VHF Channel:* 73.

*Dates of Operation:* April—November.

*Hours of Operation:* 8 a.m.—5 p.m.

*Fee:* Free.

*Vessel Limitation Length/Draught:* N/A.

*Method of Sewage Disposal:* Pumps out at Shinnecock Canal County Marina.

The facility servicing Quantuck Bay, Shinnecock Bay—West and Moriches Bay—East is as follows:

*Name:* Southampton Town Pumpout Boat.

*Lat/Long:* N/A.

*Phone:* 631-283-6000.

*VHF Channel:* 73.

*Dates of Operation:* April—November.

*Hours of Operation:* 8 a.m.—5 p.m.

*Fee:* Free.

*Vessel Limitation Length/Draught:* N/A.

*Method of Sewage Disposal:* Pumps out at Shinnecock Canal County Marina. The facility located in Moriches Bay—East is as follows:

*Name:* Remsenburg Marina.

*Lat/Long:* N40.8157 W72.72324.

*Phone:* 631-325-1677.

*VHF Channel:* N/A.

*Dates of Operation:* April 1—November 1, 7 days a week.

*Hours of Operation:* 8 a.m.—5 p.m.

*Fee:* \$5.

*Vessel Limitation Length/Draught:* 45 feet/4 feet.

*Method of Sewage Disposal:* Waste emptied and disposed of by contractor.

The facilities located in Moriches Bay—West are as follows:

*Name:* Windswept Marina.

*Lat/Long:* N40.791389 W72.753333.

*Phone:* 631-878-2100.

*VHF Channel:* N/A.

*Dates of Operation:* April 1—November 1.

*Hours of Operation:* 8 a.m.—5 p.m.

*Fee:* Free.

*Vessel Limitation Length/Draught:* 45 feet/6 feet.

*Method of Sewage Disposal:* Waste emptied and disposed of by contractor.

*Name:* Senix Marina.

*Lat/Long:* N40.795 W72.805833.

*Phone:* 631-874-2092.

*VHF Channel:* N/A.

*Dates of Operation:* April 1—November 1.

*Hours of Operation:* 8 a.m.—5 p.m.

*Fee:* \$5.

*Vessel Limitation Length/Draught:* 45 feet/4 feet.

*Method of Sewage Disposal:* Waste emptied and disposed of by contractor.

*Name:* Waterways Marina.

*Lat/Long:* N40.78756 W72.81813.

*Phone:* 631-874-8066.

*VHF Channel:* N/A.

*Dates of Operation:* March 15—November 15.

*Hours of Operation:* 8 a.m.—4 p.m.

*Fee:* Free.

*Vessel Limitation Length/Draught:* 60 feet/4 feet.

*Method of Sewage Disposal:* Pumped into sewage treatment plant.

*Name:* Brookhaven Town Marina.

*Lat/Long:* N40.80199 W72.83084.

*Phone:* 631-395-3993.

*VHF Channel:* N/A.

*Dates of Operation:* April 1—November 1.

*Hours of Operation:* 8 a.m.—5 p.m.

*Fee:* \$5.

*Vessel Limitation Length/Draught:* 45 feet/4 feet.

*Method of Sewage Disposal:* Waste emptied weekly and disposed of by contractor.

*Name:* Brookhaven Town Pumpout Boat.  
*Lat/Long:* N/A.  
*Phone:* N/A.  
*VHF Channel:* 73.  
*Dates of Operation:* April 1–November 1.  
*Hours of Operation:* 8 a.m.–5 p.m.  
*Fee:* \$5.  
*Vessel Limitation Length/Draught:* N/A.  
*Method of Sewage Disposal:* Waste emptied and disposed of by contractor.  
 The facility located in Bellport Bay is as follows:  
*Name:* Beaver Dam Boat Marina.  
*Lat/Long:* N40.77222 W72.91778.  
*Phone:* 631–286–7816.  
*VHF Channel:* 73.  
*Dates of Operation:* April 1–November 1.  
*Hours of Operation:* 8 a.m.–5 p.m.  
*Fee:* \$5.  
*Vessel Limitation Length/Draught:* 45 feet/4 feet.  
*Method of Sewage Disposal:* Waste emptied and disposed of by contractor.  
 The facilities located in Patchogue Bay are as follows:  
*Name:* Patchogue Shores Marina.  
*Lat/Long:* N40.75 W72.975278.  
*Phone:* 631–475–0790.  
*VHF Channel:* 73.  
*Dates of Operation:* April 1–November 1.  
*Hours of Operation:* 8 a.m.–5 p.m.  
*Fee:* \$5.  
*Vessel Limitation Length/Draught:* 45 feet/4 feet.  
*Method of Sewage Disposal:* Waste emptied and disposed of by contractor.  
*Name:* Brookhaven Town Pumpout Boats (2), these boats also service vessels in Bellport Bay and Moriches Bay—West.  
*Lat/Long:* N/A.  
*Phone:* N/A.  
*VHF Channel:* 73.  
*Dates of Operation:* April 1–November 1.  
*Hours of Operation:* 8 a.m.–5 p.m.  
*Fee:* \$5.  
*Vessel Limitation Length/Draught:* N/A.  
*Method of Sewage Disposal:* Waste emptied and disposed of by contractor.  
*Name:* Dockside Mobile Pumpout—pumpout boat and mobile truck  
*Lat/Long:* N/A.  
*Phone:* 631–447–1189.  
*VHF Channel:* N/A.  
*Dates of Operation:* All year.  
*Hours of Operation:* 8 a.m.–5 p.m.  
*Fee:* Varies based on location.  
*Vessel Limitation Length/Draught:* N/A.  
*Method of Sewage Disposal:* Waste emptied and disposed of by contractor.

*Name:* Morgan's Swan Marina.  
*Lat/Long:* N40.7481 W72.99726.  
*Phone:* 631–785–3524.  
*VHF Channel:* 73.  
*Dates of Operation:* Memorial Day–September.  
*Hours of Operation:* Tuesday–Sunday, 10 a.m.–4 p.m.  
*Fee:* \$5.  
*Vessel Limitation Length/Draught:* 34 feet/5 feet.  
*Method of Sewage Disposal:* Waste emptied and disposed of by contractor.  
*Name:* Watch Hill.  
*Lat/Long:* N40.69147 W72.98933.  
*Phone:* 631–597–3109.  
*VHF Channel:* 9.  
*Dates of Operation:* April 1–November 1.  
*Hours of Operation:* 8 a.m.–5 p.m.  
*Fee:* Free.  
*Vessel Limitation Length/Draught:* 45 feet/4.5 feet.  
*Method of Sewage Disposal:* Waste emptied and disposed of by contractor.  
*Name:* Davis Park Marina.  
*Lat/Long:* N40.68581 W73.00312.  
*Phone:* 631–597–6830.  
*VHF Channel:* 9.  
*Dates of Operation:* Every day from the third week of May through the end of October.  
*Hours of Operation:* 8 a.m.–9 p.m.  
*Fee:* Free.  
*Vessel Limitation Length/Draught:* 40 feet/3.5 feet.  
*Method of Sewage Disposal:* Waste emptied and disposed of by contractor.  
*Name:* Sandspit Marina.  
*Lat/Long:* N40.74715 W73.01513.  
*Phone:* 631–475–1592.  
*VHF Channel:* 9.  
*Dates of Operation:* May–November.  
*Hours of Operation:* 24 hours a day.  
*Fee:* Free.  
*Vessel Limitation Length/Draught:* 35+ feet/2 feet.  
*Method of Sewage Disposal:* Waste emptied and disposed of by contractor.  
*Name:* Island View Marina.  
*Lat/Long:* N40.75035 W73.01805.  
*Phone:* 631–447–1234.  
*VHF Channel:* N/A.  
*Dates of Operation:* April 1–December 15.  
*Hours of Operation:* Monday–Thursday 8 a.m.–6 p.m., Friday–Sunday 8 a.m.–8 p.m.  
*Fee:* \$10.  
*Vessel Limitation Length/Draught:* 65 feet/5 feet.  
*Method of Sewage Disposal:* Waste emptied and disposed of by contractor.  
*Name:* Leeward Cove Marina.  
*Lat/Long:* N40.75619 W73.01926.  
*Phone:* 631–654–3106.  
*VHF Channel:* N/A.  
*Dates of Operation:* All year.

*Hours of Operation:* 9 a.m.–5 p.m.  
*Fee:* \$1.00 (Coin operated).  
*Vessel Limitation Length/Draught:* 50 feet/6 feet.  
*Method of Sewage Disposal:* Cesspool.  
*Name:* Blue Point Marina.  
*Lat/Long:* N40.74679 W73.02737.  
*Phone:* 631–363–6045.  
*VHF Channel:* N/A.  
*Dates of Operation:* May–November.  
*Hours of Operation:* 24 hours.  
*Fee:* Free.  
*Vessel Limitation Length/Draught:* 32 feet/6 feet.  
*Method of Sewage Disposal:* Waste emptied and disposed of by contractor.  
*Name:* Browns River Marina.  
*Lat/Long:* N40.7250 W73.0706.  
*Phone:* 631–589–5550.  
*VHF Channel:* N/A.  
*Dates of Operation:* Year round.  
*Hours of Operation:* 24 hours.  
*Fee:* Free.  
*Vessel Limitation Length/Draught:* 60 feet/6 feet.  
*Method of Sewage Disposal:* Waste emptied and disposed of by contractor.  
 The facilities located in Nicoll Bay are as follow:  
*Name:* West Sayville Boat Basin.  
*Lat/Long:* N40.72117 W73.09324.  
*Phone:* 631–589–4141.  
*VHF Channel:* N/A.  
*Dates of Operation:* All Year (self serve March 1–December 1).  
*Hours of Operation:* 24 hours.  
*Fee:* \$5 (voluntary).  
*Vessel Limitation Length/Draught:* None/5 feet.  
*Method of Sewage Disposal:* Waste emptied and disposed of by contractor.  
*Name:* Sailors Haven.  
*Lat/Long:* N40.65714 W73.10440.  
*Phone:* 631–597–6171.  
*VHF Channel:* N/A.  
*Dates of Operation:* May 15–October 15.  
*Hours of Operation:* 24 hours.  
*Fee:* Free.  
*Vessel Limitation Length/Draught:* None/2.5 feet.  
*Method of Sewage Disposal:* Waste emptied and disposed of by contractor.  
*Name:* Timber Point East County Marina.  
*Lat/Long:* N40.71273 W73.14414.  
*Phone:* 631–854–0938.  
*VHF Channel:* N/A.  
*Dates of Operation:* June–October.  
*Hours of Operation:* 7 a.m.–7 p.m.  
*Fee:* Free.  
*Vessel Limitation Length/Draught:* 40 feet/4.5 feet.  
*Method of Sewage Disposal:* Waste emptied and disposed of by contractor.  
*Name:* Heckster State Park.  
*Lat/Long:* N40.70332 W73.14691.

Phone: 631-581-2100.  
 VHF Channel: N/A.  
 Dates of Operation: April 1–November 1.  
 Hours of Operation: 7 a.m.–Sunset.  
 Fee: Free with entrance fee to park.  
 Vessel Limitation Length/Draught: None/3 feet.  
 Method of Sewage Disposal: Waste emptied and disposed of by contractor.  
 The facilities located in Great South Bay—East and Great Cove are as follows:  
 Name: Atlantique Marina.  
 Lat/Long: N40.64340 W73.17353.  
 Phone: 631-583-8610.  
 VHF Channel: 9.  
 Dates of Operation: When Marina is open during boating season.  
 Hours of Operation: 9 a.m.–6:30 p.m.  
 Fee: Free.  
 Vessel Limitation Length/Draught: None/10 feet.  
 Method of Sewage Disposal: Waste emptied and disposed of by contractor.  
 Name: East Islip Marina.  
 Lat/Long: N40.70744 W73.18954.  
 Phone: 631-224-5413.  
 VHF Channel: N/A.  
 Dates of Operation: During Marina Season.  
 Hours of Operation: 8 a.m.–4 p.m.  
 Fee: Free.  
 Vessel Limitation Length/Draught: None/6 feet.  
 Method of Sewage Disposal: Waste emptied and disposed of by contractor.  
 Name: Islip Pumpout Boat.  
 Lat/Long: N/A.  
 Phone: N/A.  
 VHF Channel: 73.  
 Dates of Operation: April 1–November 1.  
 Hours of Operation: 7 a.m.–Sunset.  
 Fee: Free.  
 Vessel Limitation Length/Draught: N/A.  
 Method of Sewage Disposal: Waste emptied and disposed of by contractor.  
 Name: Bay Shore Marina.  
 Lat/Long: N40.71276 W73.23727.  
 Phone: 631-224-5648.  
 VHF Channel: 73.  
 Dates of Operation: April 1–November 1.  
 Hours of Operation: 7 a.m.–Sunset.  
 Fee: Free.  
 Vessel Limitation Length/Draught: 30 feet/3 feet.  
 Method of Sewage Disposal: Waste emptied and disposed of by contractor.  
 Name: Captree State Park.  
 Lat/Long: N40.64208 W73.25290.  
 Phone: 631-321-3533.  
 VHF Channel: 73.  
 Dates of Operation: April 1–November 1.

Hours of Operation: 7 a.m.–Sunset.  
 Fee: Free.  
 Vessel Limitation Length/Draught: None/3 feet.  
 Method of Sewage Disposal: Waste emptied and disposed of by contractor.  
 Name: Robert Moses State Park.  
 Lat/Long: N40.62483 W73.26657.  
 Phone: 631-669-1000 or 631-669-0470.  
 VHF Channel: 73.  
 Dates of Operation: April 1–November 1.  
 Hours of Operation: 7 a.m.–sunset.  
 Fee: Free.  
 Vessel Limitation Length/Draught: None/3 feet.  
 Method of Sewage Disposal: Waste emptied and disposed of by contractor.  
 The facilities located in Great South Bay—West are as follows:  
 Name: Babylon Fishing Station.  
 Lat/Long: N40.686111 W73.31611.  
 Phone: 631-669-4503.  
 VHF Channel: 78.  
 Dates of Operation: April 1–December 1.  
 Hours of Operation: 8 a.m.–5 p.m.  
 Fee: \$5.  
 Vessel Limitation Length/Draught: Unlimited/5 feet.  
 Method of Sewage Disposal: Waste pumped directly into the sewer system.  
 Name: Babylon Marine.  
 Lat/Long: N40.68646 W73.32479.  
 Phone: 631-587-0333.  
 VHF Channel: N/A.  
 Dates of Operation: Spring and Summer.  
 Hours of Operation: Monday–Saturday 8 a.m.–5 p.m., Sunday 9 a.m.–5 p.m.  
 Fee: Free with gas purchase, \$10 without.  
 Vessel Limitation Length/Draught: None/4 feet.  
 Method of Sewage Disposal: Waste pumped directly into sewer system.  
 Name: Bergen Point Marina.  
 Lat/Long: N40.677222 W73.338056.  
 Phone: 631-957-7440.  
 VHF Channel: N/A.  
 Dates of Operation: May–November.  
 Hours of Operation: 24 hours/7 days.  
 Fee: Free.  
 Vessel Limitation Length/Draught: Unlimited.  
 Method of Sewage Disposal: Bergen Point STP.  
 Name: Cedar Beach Marina.  
 Lat/Long: N40.635156 W73.34457.  
 Phone: 631-669-5949.  
 VHF Channel: N/A.  
 Dates of Operation: Weekends beginning 2nd weekend of May, full-time June 28–Columbus Day.  
 Hours of Operation: 24 hours a day.

Fee: Free.  
 Vessel Limitation Length/Draught: 45 feet/14 feet.  
 Method of Sewage Disposal: Settling pools onsite, truck pumpout if necessary.  
 Name: Surfside 3 Marina.  
 Lat/Long: N40.66984 W73.35807.  
 Phone: 631-957-5900.  
 VHF Channel: N/A.  
 Dates of Operation: All Year.  
 Hours of Operation: 8 a.m.–8 p.m.  
 Fee: Free with gas purchase, \$10 without.  
 Vessel Limitation Length/Draught: 50 feet/4 feet.  
 Method of Sewage Disposal: Waste pumped directly into sewer system.  
 Name: Boatland.  
 Lat/Long: N40.675556 W73.358611.  
 Phone: 631-957-5550.  
 VHF Channel: N/A.  
 Dates of Operation: April 1–October 1.  
 Hours of Operation: Monday–Thursday 8 a.m.–5 p.m., Friday–Sunday 7 a.m.–7 p.m.  
 Fee: \$5.  
 Vessel Limitation Length/Draught: 50 feet/5 feet.  
 Method of Sewage Disposal: Waste pumped directly into sewer system.  
 Name: The Anchorage.  
 Lat/Long: N40.67066 W73.35812.  
 Phone: 631-225-5656.  
 VHF Channel: N/A.  
 Dates of Operation: April–October.  
 Hours of Operation: 9 a.m.–7 p.m.  
 Fee: \$10.  
 Vessel Limitation Length/Draught: 60 feet/5 feet.  
 Method of Sewage Disposal: Waste emptied and disposed of by contractor.  
 Name: LaSala Boat Yard.  
 Lat/Long: N40.5931 W73.5403.  
 Phone: 516-623-5757.  
 VHF Channel: N/A.  
 Dates of Operation: Boating Season.  
 Hours of Operation: 8 a.m.–5 p.m.  
 Fee: Free.  
 Vessel Limitation Length/Draught: 40 feet/4 feet.  
 Method of Sewage Disposal: Waste pumped directly into sewer system.  
 Name: Tanner Park.  
 Lat/Long: N40.66023 W73.39365.  
 Phone: 631-789-4159.  
 VHF Channel: N/A.  
 Dates of Operation: Boating Season.  
 Hours of Operation: 24 hours a day.  
 Fee: Free.  
 Vessel Limitation Length/Draught: 60 feet/5 feet.  
 Method of Sewage Disposal: Waste emptied and disposed of by contractor.  
 Name: Gilgo Beach Marina.  
 Lat/Long: N40.61879 W73.39796.

Phone: 631-826-1255.  
 VHF Channel: N/A.  
 Dates of Operation: April 1–November 1.  
 Hours of Operation: Monday–Friday 8 a.m.–5 p.m., Saturday and Sunday 7 a.m.–7 p.m.  
 Fee: Free.  
 Vessel Limitation Length/Draught: 60 feet/4.5 feet.  
 Method of Sewage Disposal: Waste emptied and disposed of by contractor.  
 Name: Delmarine, Inc.  
 Lat/Long: N40.66333 W73.4225.  
 Phone: 631-598-2946.  
 VHF Channel: N/A.  
 Dates of Operation: Boating Season.  
 Hours of Operation: Monday–Friday 8 a.m.–5 p.m., Saturday 8 a.m.–12 p.m.  
 Fee: Available only to private slip users.  
 Vessel Limitation Length/Draught: N/A.  
 Method of Sewage Disposal: Waste pumped directly into sewer system.  
 The facilities located in South Oyster Bay are as follows:  
 Name: TOBAY Heading Marina.  
 Lat/Long: N40.615 W73.426667.  
 Phone: 516-679-3900.  
 VHF Channel: 16.  
 Dates of Operation: Memorial Day–October.  
 Hours of Operation: 9 a.m.–7 p.m.  
 Fee: Free.  
 Vessel Limitation Length/Draught: 45 feet/4 feet.  
 Method of Sewage Disposal: 2 cesspools and leaching field, pump truck if needed.  
 Name: Town of Oyster Bay Pumpout Boat.  
 Lat/Long: N/A.  
 Phone: 516-679-3900.  
 VHF Channel: 9.  
 Dates of Operation: Memorial Day–October.  
 Hours of Operation: 9 a.m.–7 p.m.  
 Fee: Free.  
 Vessel Limitation Length/Draught: N/A.  
 Method of Sewage Disposal: Empties at TOBAY Marina.  
 Name: Treasure Island Marine Basin Corp.  
 Lat/Long: N40.649444 W73.498056.  
 Phone: 516-221-7156.  
 VHF Channel: N/A.  
 Dates of Operation: April–November.  
 Hours of Operation: Weekdays 8 a.m.–5 p.m., Weekends 9 a.m.–4 p.m.  
 Fee: Free for customers, \$20 otherwise.  
 Vessel Limitation Length/Draught: 35 feet/5 feet.  
 Method of Sewage Disposal: Waste pumped directly into sewer system.  
 Name: Precision Marina.

Lat/Long: N40.647222 W73.498611.  
 Phone: 516-785-3013.  
 VHF Channel: N/A.  
 Dates of Operation: April–November.  
 Hours of Operation: Summer 8 a.m.–6 p.m., Winter 8 a.m.–4 p.m.  
 Fee: \$5.  
 Vessel Limitation Length/Draught: 35/5 feet.  
 Method of Sewage Disposal: Waste pumped directly into sewer system.  
 The facilities located in East Bay Complex are as follows:  
 Name: Wantagh County Park.  
 Lat/Long: N40.645556 W73.514722.  
 Phone: 516-571-7460.  
 VHF Channel: N/A.  
 Dates of Operation: April–November.  
 Hours of Operation: 24 hours a day.  
 Fee: Free.  
 Vessel Limitation Length/Draught: 40 feet/5 feet.  
 Method of Sewage Disposal: Waste pumped directly into sewer system.  
 Name: Blue Water Yacht Club.  
 Lat/Long: N40.5931 W73.5403.  
 Phone: 516-623-5757.  
 VHF Channel: N/A.  
 Dates of Operation: April–November.  
 Hours of Operation: 24 hours a day.  
 Fee: Free.  
 Vessel Limitation Length/Draught: 40 feet/5 feet.  
 Method of Sewage Disposal: Waste pumped directly into sewer system.  
 This facility services vessels in Western South Shore Bay, Middle Bay, and East Bay:  
 Name: Town of Hempstead Pumpout Boat.  
 Lat/Long: N/A.  
 Phone: 516-431-9200.  
 VHF Channel: 73.  
 Dates of Operation: Mid-May–October.  
 Hours of Operation: 9 a.m.–5 p.m.  
 Fee: Free.  
 Vessel Limitation Length/Draught: N/A.  
 Method of Sewage Disposal: Waste pumped into sewage treatment plant.  
 The facilities located in Middle Bay Complex are as follows:  
 Name: West End Boat Basin.  
 Lat/Long: N40.59056 W73.5556.  
 Phone: 516-785-1600.  
 VHF Channel: N/A.  
 Dates of Operation: April 1–October 15.  
 Hours of Operation: 9 a.m.–4:30 p.m.  
 Fee: Free.  
 Vessel Limitation Length/Draught: 50 feet/7 feet.  
 Method of Sewage Disposal: Waste emptied and disposed of by contractor.  
 Name: Al Grover's High and Dry.  
 Lat/Long: N40.64417 W73.57333.

Phone: 516-546-8880.  
 VHF Channel: N/A.  
 Dates of Operation: April–October.  
 Hours of Operation: 8 a.m.–5 p.m.  
 Fee: \$40.  
 Vessel Limitation Length/Draught: 35 feet/7 feet.  
 Method of Sewage Disposal: Waste pumped directly into sewer system.  
 Name: Guy Lombardo Marina.  
 Lat/Long: N40.629444 W73.58.  
 Phone: 516-378-3417.  
 VHF Channel: N/A.  
 Dates of Operation: April 1–November 1.  
 Hours of Operation: 24 hours a day.  
 Fee: Free.  
 Vessel Limitation Length/Draught: None/5 feet.  
 Method of Sewage Disposal: Waste emptied and disposed of by contractor.  
 Name: Town of Hempstead East Marina.  
 Lat/Long: N40.59361 W73.584722.  
 Phone: 516-897-4128.  
 VHF Channel: N/A.  
 Dates of Operation: April–November.  
 Hours of Operation: Monday–Thursday 9 a.m.–5 p.m., Friday–Sunday 6 a.m.–6 p.m., Self service 24 hours a day.  
 Fee: Free.  
 Vessel Limitation Length/Draught: None/5 feet.  
 Method of Sewage Disposal: Waste emptied and disposed of by contractor.  
 Name: Empire Point Marina.  
 Lat/Long: N40.61556 W73.64889.  
 Phone: 516-889-1067.  
 VHF Channel: N/A.  
 Dates of Operation: Year round.  
 Hours of Operation: Self service 24 hours.  
 Fee: \$5.  
 Vessel Limitation Length/Draught: 100 feet/30 feet.  
 Method of Sewage Disposal: Waste emptied and disposed of by contractor.  
 The facility located in Western South Shore Bay is as follows:  
 Name: Crow's Nest Marina.  
 Lat/Long: N40.63597 W73.6577.  
 Phone: 516-766-2020.  
 VHF Channel: N/A.  
 Dates of Operation: May–October, Monday–Friday.  
 Hours of Operation: 9 a.m.–4 p.m.  
 Fee: Free for marina patrons, \$25 for visitors.  
 Vessel Limitation Length/Draught: 35 feet/4 feet.  
 Method of Sewage Disposal: Waste emptied and disposed of by contractor.  
 The EPA hereby makes a tentative affirmative determination that adequate facilities for the safe and sanitary removal and treatment of sewage from

all vessels are reasonably available for the South Shore Estuary Reserve in the Counties of Nassau and Suffolk, New York. A 30-day period for public comment has been opened on this matter which may result in a New York State prohibition of any sewage discharges from vessels in for the South Shore Estuary Reserve in the Counties of Nassau and Suffolk, New York.

Dated: June 25, 2009.

**George Pavlou,**

*Acting Regional Administrator, Region 2.*

[FR Doc. E9-15796 Filed 7-2-09; 8:45 am]

BILLING CODE 6560-50-P

## FEDERAL COMMUNICATIONS COMMISSION

### Schedule Change; FCC To Hold Open Commission Meeting Thursday, July 2, 2009

July 1, 2009.

Please note that the time for the Federal Communications Commission Open Meeting is rescheduled from 10 a.m. to 11:30 a.m.

The Meeting will include a presentation on the status of the Commission's process for developing a National Broadband Plan and a presentation on the Digital Television transition.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. E9-15922 Filed 7-1-09; 4:15 pm]

BILLING CODE 6712-01-P

## FEDERAL COMMUNICATIONS COMMISSION

[DA 09-1345]

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

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** The Enforcement Bureau (the "Bureau") gives notice of Mr. Douglas A. Benit's suspension from the schools and libraries universal service support mechanism (or "E-Rate Program"). Additionally, the Bureau gives notice that debarment proceedings are commencing against him. Mr. Benit, or any person who has an existing contract with or intends to contract with him to provide or receive services in matters arising out of activities associated with or related to the schools and libraries

support, may respond by filing an opposition request, supported by documentation to Rebekah Bina, Federal Communications Commission, Enforcement Bureau, Investigations and Hearings Division, Room 4-C330, 445 12th Street, SW., Washington, DC 20554.

**DATES:** Opposition requests must be received by August 5, 2009. However, an opposition request by the party to be suspended must be received 30 days from the receipt of the suspension letter or August 5, 2009, whichever comes first. The Bureau will decide any opposition request for reversal or modification of suspension or debarment within 90 days of its receipt of such requests.

#### 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. Michele Berlove, Acting Assistant Chief, Investigations and Hearings Division, by telephone at (202) 418-1477 and by e-mail at [Michele.Berlove@fcc.gov](mailto:Michele.Berlove@fcc.gov).

**SUPPLEMENTARY INFORMATION:** The Bureau has suspension and debarment authority pursuant to 47 CFR 54.8 and 47 CFR 0.111(a)(14). Suspension will help to ensure that the party to be suspended cannot continue to benefit from the schools and libraries mechanism pending resolution of the debarment process. Attached is the suspension letter, DA 09-1345, which was mailed to Mr. Benit and released on June 17, 2009. The complete text of the notice of suspension and initiation of debarment proceedings is available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portal II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. In addition, the complete text is available on the FCC's Web site at <http://www.fcc.gov>. The text may also be purchased from the Commission's duplicating inspection and copying during regular business hours at the contractor, Best Copy and Printing, Inc., Portal II, 445 12th Street, SW., Room CY-B420, Washington, DC 20555, telephone (202) 488-5300 or (800) 378-3160, facsimile (202) 488-5563, or via e-mail <http://www.bcpweb.com>.

Federal Communications Commission.

**Hillary S. DeNigro,**

*Chief, Investigations and Hearings Division, Enforcement Bureau.*

The suspension letter follows:

June 17, 2009

DA 09-1345

VIA CERTIFIED MAIL RETURN

RECEIPT REQUESTED

AND E-MAIL ([edwishnow@aol.com](mailto:edwishnow@aol.com))

AND FACSIMILE (248) 258-6007

Mr. Douglas A. Benit, c/o Edward C. Wishnow, 240 Daines, Birmingham, MI 48009

Re: Notice of Suspension and Initiation of Debarment Proceedings, File No. EB-09-IH-0402

Dear Mr. Benit: The Federal Communications Commission ("FCC" or "Commission") has received notice of your conviction of mail fraud, in violation of 18 U.S.C. 2, 1341, and 1346 in connection with your participation in the schools and libraries universal service support mechanism ("E-Rate program").<sup>1</sup> Consequently, pursuant to 47 CFR 54.8, this letter constitutes official notice of your suspension from the E-Rate program. In addition, the Enforcement Bureau ("Bureau") hereby notifies you that we are commencing debarment proceedings against you.<sup>2</sup>

<sup>1</sup> Any further reference in this letter to "your conviction" refers to your guilty plea and subsequent conviction of one count of mail fraud. *United States v. Douglas A. Benit*, Criminal Docket No. 2:06CR20285-1, Plea Agreement (D. Mich. filed Nov. 24, 2008 and entered Nov. 25, 2008) ("*Douglas Benit Plea Agreement*"); *United States v. Douglas A. Benit*, Criminal Docket No. 2:06CR20285-1, Judgment (D. Mich. filed Mar. 31, 2009 and entered Apr. 1, 2009) ("*Douglas Benit Judgment*"). See also *United States v. Douglas A. Benit*, Criminal Docket No. 2:06CR20285, Indictment (D. Mich. filed May 24, 2006 and entered May 25, 2006) ("*Benit Indictment*"). You also plead guilty to one count of bank fraud, in violation of 18 U.S.C. 2 and 1344. See *Douglas Benit Plea Agreement*; see also *Douglas Benit Judgment*. This notice of suspension and initiation of debarment proceedings arises from your conviction of mail fraud, and as such, does not discuss your guilty plea and subsequent conviction of bank fraud.

<sup>2</sup> 47 CFR 54.8; 47 CFR 0.111 (delegating to the Enforcement Bureau authority to resolve universal service suspension and debarment proceedings). The Commission adopted debarment rules for the schools and libraries universal service support mechanism in 2003. See *Schools and Libraries Universal Service Support Mechanism*, Second Report and Order and Further Notice of Proposed Rulemaking, 18 FCC Rcd 9202 (2003) ("*Second Report and Order*") (adopting section 54.521 to suspend and debar parties from the E-rate program). In 2007, the Commission extended the debarment rules to apply to all of the Federal universal service support mechanisms. *Comprehensive Review of the Universal Service Fund Management, Administration, and Oversight; Federal-State Joint Board on Universal Service; Schools and Libraries Universal Service Support Mechanism; Lifeline and Link Up; Changes to the Board of Directors for the National Exchange Carrier Association, Inc.*, Report

Continued