

Intersection of the southern tip of New Hanover County with Brunswick County at the Cape Fear River (33°55'43.0" N 77°56'13.6" W), southeastward along the extended intersection of the two counties, 3 nm into the Atlantic Ocean (33°53'07.5" N 77°55'34.5" W).

This petition was filed pursuant to the Clean Water Act, Section 312(f)(3), Public Law 92-500 as amended by Public Law 95-217 and Public Law 100-4. A NDZ is defined as a body of water in which the discharge of vessel sewage, both treated and untreated, is prohibited.

Section 312(f)(3) states:

"After the effective date of the initial standards and regulations promulgated under this section, if any State determines that the protection and enhancement of the quality of some or all of the waters within such States require greater environmental protection, such State may completely prohibit the discharge from all vessels of any sewage, whether treated or not, into such waters, except that no such prohibition shall apply until the Administrator determines that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for such water to which such prohibition would apply."

According to DENR DWQ the following facilities are located in New Hanover County for pumping out vessel holding tanks:

(1) Carolina Beach Municipal Marina, Carolina Beach, 910-458-2540, open 24 hours per day, 7 days per week, 6' draft at mean low tide.

(2) Carolina Beach State Park Marina, Carolina Beach State Park, Carolina Beach, 910-458-7770, 8 AM-5:45 PM, 7 days/week, 6' draft at mean low tide.

(3) Federal Point Yacht Club, 910 Basin Road, Carolina Beach, 910-458-4511, only available to club members, 5' draft at mean low tide.

(4) Mona Black Marina, Carolina Beach, 910-458-0575, open 24/7, 20' draft at mean low tide.

(5) Joyner Marina, Carolina Beach, 910-458-5053, open 7 AM-6 PM, 7 days per week, 6' draft at mean low tide.

(6) Bridge Tender Marina, City of Wilmington, 910-256-6550, 7 AM-8 PM, 7 days/week, 10' draft at mean low tide.

(7) Creekside Yacht Club, City of Wilmington, 910-350-0023, Operational December 2009, 4' draft at mean low tide.

(8) Sea Path Yacht Club, Town of Wrightsville Beach, 910-256-3747, 7 AM-7 PM, 7 days/week, 10' draft at mean low tide.

(9) Wrightsville Beach Marina & Transient Dock, Town of Wrightsville

Beach, 910-256-6666, 7 AM-7 PM, 7 days/week, 12' draft at mean low tide.

Two Marinas that are located within 7 nautical miles of the proposed NDZ are:

(A) Wilmington Marine Center, 910-395-5055, 8 AM-5 PM 7 days/week, 7' draft at mean low tide.

(B) Bald Head Island Marina, 910-457-7380, 8:30 AM-5:30 PM 7 days/week, 8' draft at mean low tide.

The total vessel population for New Hanover County as of August 5, 2008, was 13,940. This number reflects active vessel registrations and was obtained from the North Carolina Wildlife Resources Commission. During the period of 2006 to 2008, the total number of active registered vessels increased nearly 15%. The result is that there are nearly 1,800 more pleasure boats in the area waters today than just two years ago, with the largest increase occurring in boats between 16' and 25' in length. It is recognized that only a percentage of the vessels in the coastal waters of New Hanover County are equipped with a Marine Sanitation Device (MSD). To estimate the number of MSDs in use, percentages obtained from EPA (Region 2) were applied, and are listed below:

Boat length	Percent with MSDs
<16'	8.3
16'-25'	10.6
26'-40'	78.5
>40'	82.6

This yields an estimated 2,046 MSDs in use by registered boats within New Hanover County.

Through the use of a marina survey, the number of transient boats serviced by marinas in New Hanover County was calculated to be approximately 180 per month. This figure was arrived at by using the peak season transient boat figures from each marina. Using the figures for both county and transient boats, the total number of MSDs in the New Hanover County waters is estimated to be 2,194. There are 9 marinas within New Hanover County and this yields a ratio of about 244 boats per pumpout facility. This figure does not include the two marinas that are located within 7 nautical miles of this proposed NDZ area.

All vessel pumpout facilities that are described either discharge into State approved and regulated septic tanks or State approved on-site waste treatment plant, or the waste is collected into a large holding tank for transport to a sewage treatment plant. Thus all vessel sewage will be treated to meet existing standards for secondary treatment. Based on the examination of this

petition, its supporting documentation, and public response, EPA concurs with the State of North Carolina's determination that adequate and reasonably available facilities for the safe and sanitary removal and treatment of sewage from all vessels are present in New Hanover County North Carolina, and therefore this area is designated as a NDZ.

Dated: January 29, 2010.

J. Scott Gordon,

Acting Regional Administrator, Region 4.

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-SFUND-2009-0907; FRL-9114-6]

RIN 2050-ZA05

Guidance on Recommended Interim Preliminary Remediation Goals for Dioxin in Soil at CERCLA and RCRA Sites; Extension of Comment Period

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of public comment; extension of comment period.

SUMMARY: In response to requests from the public, the Environmental Protection Agency (EPA) is providing an additional 35 days for the public to provide its comments on the draft recommended interim preliminary remediation goals (PRGs) developed in the draft *Guidance on Recommended Interim Preliminary Remediation Goals for Dioxin in Soil at Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and Resource Conservation and Recovery Act (RCRA) Sites*. In EPA's initial notice, which was published in the **Federal Register** on January 7, 2010 (75 FR 984), the deadline for the public to provide its comments was February 26, 2010. The purpose of this notice is to provide additional time until April 2, 2010.

DATES: Comments must be received on or before April 2, 2010.

ADDRESSES: Provide your comments, identified by Docket ID No. EPA-HQ-SFUND-2009-0907, by one of the following methods:

- <http://www.regulations.gov>. Follow the on-line instructions for submitting your views.

- *E-mail: OSWER.Docket@epa.gov*. In contrast to EPA's electronic public docket, EPA's e-mail system is not an "anonymous access" system. If you send an e-mail comment directly to the

Docket without going through EPA's electronic public docket, EPA's e-mail system automatically captures your e-mail address. E-mail addresses that are automatically captured by EPA's e-mail system are included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

- **Fax:** 202-566-0272.

- **Mail:** EPA Docket Center, Environmental Protection Agency, Mail Code: 5305T, 1200 Pennsylvania Avenue, NW., Washington, DC 20460. Please include a total of two copies.

- **Hand Delivery:** EPA Docket Center (EPA/DC), Room 3334, EPA West Building, 1301 Constitution Avenue, NW., Washington, DC 20460, Attention Docket ID No. EPA-HQ-SFUND-2009-0907. Deliveries are only accepted from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. Special arrangements should be made for deliveries of boxed information. Please include a total of two copies.

Instructions: Direct your comments to Docket ID No. EPA-HQ-SFUND-2009-0907. 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 by statute 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.

Docket: This **Federal Register** notice and supporting documentation are

available in a docket EPA has established under Docket ID No. EPA-HQ-SFUND-2009-0907. All documents in the docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy at the OSWER Docket, EPA West, Room 3334, 1301 Constitution Avenue, NW., Washington, DC. The 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 Public Reading Room is (202) 566-1744, and the telephone number for the OSWER docket is (202) 566-0270.

FOR FURTHER INFORMATION CONTACT: Marlene Berg, Office of Superfund Remediation and Technology Innovation, 1200 Pennsylvania Avenue, NW., Mail Code: 5204P, Washington, DC 20460; by telephone/voicemail at (703) 603-8701; Fax: (703) 603-9112; or via e-mail at berg.marlene@epa.gov.

SUPPLEMENTARY INFORMATION: EPA is extending the deadline for interested parties to submit their comments by 35 days in response to a request from the American Chemistry Council's Chlorine Council for more time to submit comments on the draft recommended interim PRGs. The initial deadline published in the **Federal Register** on January 7, 2010 (75 FR 984), was for 50 days. Therefore, the new deadline will now be April 2, 2010.

Dated: February 12, 2010.

Mathy Stanislaus,

Assistant Administrator, Office of Solid Waste and Emergency Response.

[FR Doc. 2010-3368 Filed 2-19-10; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-9114-7]

Science Advisory Board Staff Office; Notification of a Public Teleconference of the Chartered Science Advisory Board

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The EPA Science Advisory Board (SAB) Staff Office announces a public notice for the chartered SAB to

hold a public teleconference on March 24, 2010 to conduct quality reviews of three draft reports.

DATES: The public teleconference will be held on March 24, 2010 from 1 p.m. to 5 p.m. (Eastern Time).

ADDRESSES: The public teleconference will be conducted by telephone only.

FOR FURTHER INFORMATION CONTACT: Any member of the public wishing to obtain general information concerning this public teleconference should contact Dr. Angela Nugent, Designated Federal Officer (DFO), EPA Science Advisory Board (1400F), 1200 Pennsylvania Avenue, NW., Washington, DC 20460; via telephone/voice mail (202) 343-9981; fax (202) 233-0643; or e-mail at nugent.angela@epa.gov. General information concerning the EPA Science Advisory Board can be found on the SAB Web site at <http://www.epa.gov/sab>.

SUPPLEMENTARY INFORMATION: Pursuant to the Federal Advisory Committee Act, 5 U.S.C., App. 2 (FACA), notice is hereby given that the EPA Science Advisory Board will hold a public teleconference to conduct quality reviews of three draft SAB Panel reports: (1) The SAB Drinking Water Committee's draft Review of EPA's Microbial Risk Assessment Protocol; (2) the SAB Ecological Processes and Effects Committee's draft Review of Empirical Approaches for Nutrient Criteria Derivation; and (3) the draft Report of the Risk and Technology Methods Review Panel. The SAB was established pursuant to 42 U.S.C. 4365 to provide independent scientific and technical advice to the Administrator on the technical basis for Agency positions and regulations. The SAB is a Federal Advisory Committee under FACA. The SAB will comply with the provisions of FACA and all appropriate SAB Staff Office procedural policies.

Background: (1) *The SAB Drinking Water Committee's Draft Review of EPA's Microbial Risk Assessment Protocol.* EPA's Office of Water (OW) conducts microbial risk assessments (MRA) as part of its responsibility for protecting human health and the environment from contaminants in water. OW has requested the SAB conduct a review of the draft "Protocol for Microbial Risk Assessment for Support Human Health Protection for Water-Based Media" and provide recommendations on how to improve the overall approach, the applicability of the protocol, the reasonableness of the protocol, the clarity of the protocol, the completeness and robustness of the protocol, and the ease of use of the protocol for conducting water-based