

Craigville Beach Road. The proposed NDA encompasses approximately 2,150 surface acres in the Southwest corner in the Town of Barnstable. The area is roughly bounded by: 41°36'40.0" N by 70°26'41.1" W, 41°37'26.9" N by 70°19'05.4" W, 41°38'19.8" N by 70°19'21.9" W, and 41° 39'03.2" N—70°24'53.8" W.

The State of Massachusetts has certified that there will be two pump-out facilities located within the proposed area to service vessels in the Three Bay/Centerville Harbor Area. The first, is a pump-out boat operated by the Harbormasters Office, and docked at the Oyster Harbor Marine when not in use. The boat has a holding capacity of 300 gallons. The pump-out boat is available Wednesday through Sunday from 0930 to 1630 (9:30 a.m.—4:30 p.m.) from Memorial Day to Thanksgiving. The pump-out boat is accessible by VHF marine radio via Channel 9 and by calling the Marine and Environmental Affairs Division (MEAD) in Barnstable at (508) 790-6273. The second pump-out facility is a self service trailer unit and located at the Oyster Harbor Marine, with a holding capacity of 250 gallons, and provides access for vessels up to 50 feet in length and a draft of 4 feet at mean low water. This facility is available daily from June 15 through September 15 from approximately 0800 to 1700 (8 a.m. to 5 p.m.). During the early spring and late fall this facility is available by contacting the Harbormaster Office by phone at (508) 790-6273.

The town of Barnstable maintains public facilities at four locations, Loops Beach, Craigville Beach, Covells Beach and Dowse's Beach, and are seasonal. In addition the three marinas located within the proposed NDA provide on-shore toilet facilities for marina patrons and their guests.

The waste from the pump-out boat is off loaded to the trailer unit and then transported to the Barnstable Water Pollution Control Facility. The Barnstable Board of Health issues a waste permit for this disposal.

The number of mooring permits indicate that 1,667 vessels reside within the Three Bay/Centerville Harbor Area and 1584 are identified as recreational and 83 are commercial vessels. The Three Bay/Centerville Harbor Area is primarily a "parking lot" harbor and 70% of the vessel population is under 25 feet in length, and therefore do not have any type of Marine Sanitation Device (MSD). There are a number of locations in the Three Bay/Centerville Harbor Area with public launching ramps, however, the size and condition of the ramps and the depth of the water

generally limit use to vessels 25 feet and under. In addition to the vessels that reside in the Three Bay/Centerville Harbor Area, there is a transient population estimated at 110 vessels which have MSDs.

The resources of the Three Bay/Centerville Harbor Area are recreational and commercial. There are four public beaches, the Dead Neck Audubon Bird/Wildlife Refuge, and town conservation lands located within the proposed No Discharge Area. The area is also used by both recreational and commercial shell fishermen for the harvest of quahogs, and soft-shell clams.

Comments and reviews regarding this request for action may be filed on or before June 22, 2001. Such communications, or requests for information or a copy of the applicant's petition, should be addressed to Ann Rodney, U.S. Environmental Protection Agency—New England Region, 1 Congress Street, Suite 1100, CWQ, Boston, MA 02114-2023. Telephone: (617) 918-1538.

**Ira Leighton,**

*Acting Regional Administrator, Region 1.*

[FR Doc. 01-12890 Filed 5-22-01; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6983-7]

### Notice of Availability for Public Review and Comment of the Continuing Planning Process (CPP) for the State of Missouri

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

**ACTION:** Notice of availability for public review and comment of the continuing planning process (CPP) for the State of Missouri.

**SUMMARY:** The Clean Water Act (the Act) at section 303(e) and EPA's implementing regulation at 40 CFR 130.5, require that each State shall establish and maintain a continuing planning process (CPP) consistent with the Act. Each State is responsible for managing its water quality program to implement the processes specified in the CPP, and EPA is responsible for periodically reviewing the adequacy of the State's CPP. This document is being published in accordance with paragraph 3 of the settlement agreement in the matter of American Canoe Association, *et al.*, v. EPA, No. 98-1195-CV-W-SOW-ECF Cons. with 98-4282-CV-W-SOW-ECF. Consistent with the settlement agreement, EPA is publishing

this notice of availability of the CPP to interested parties. The current CPP in force for the Missouri Department of Natural Resources (MDNR) is the 58 page document entitled Continuing Planning Process dated May 1984. By November 27, 2001 EPA will prepare a preliminary written summary of its review of the CPP and will make that summary available upon request to interested parties for their review and comment. There will be a 60 day comment period following the completed summary. Copies of the CPP will be available beginning May 28, 2001 by contacting the person listed in the following **FOR FURTHER INFORMATION CONTACT** section. Once available, copies of EPA's preliminary written summary may also be requested.

**Footnote—**The Missouri Department of Natural Resources (MDNR) has acknowledged that the 1984 CPP needs updating. The MDNR 2000 Water Planning 604(b) grant contains a workplan element that calls for the review and revision of the current CPP, with a preliminary draft scheduled for May, 2001 and a final draft tentatively scheduled for submission to the Missouri Clean Water Commission in late 2001. This process is underway. When an official draft is made available by MDNR for public review, this office will likewise make it available for public review. EPA intends to review and comment on the draft.

**FOR FURTHER INFORMATION CONTACT:** Robert Steiert, Water, Wetlands and Pesticide Division, Geographic Planning and Coordination Branch at (913) 551-7433 or by E-mail at [steiert.robert@epa.gov](mailto:steiert.robert@epa.gov).

Dated: May 16, 2001,

**Nat Scurry,**

*Acting Deputy Regional Administrator, Region VII.*

[FR Doc. 01-13047 Filed 5-22-01; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6983-1]

### Clean Water Act Section 303(d): Final Agency Action on 11 Total Maximum Daily Loads (TMDLs) and Final Agency Action on 26 Determinations That TMDLs Are Not Needed

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

**ACTION:** Notice of availability.

**SUMMARY:** This notice announces final agency action on 11 TMDLs prepared by EPA Region 6 for waters listed in

Louisiana's Mermentau and Vermilion/Teche river basins, under section 303(d) of the Clean Water Act (CWA). This notice also announces final agency action removing 26 waterbody/pollutant combinations from the Louisiana 303(d) list because new data/information shows that water quality standards are being met. EPA evaluated these waters and prepared the 11 TMDLs in response to a Court Order dated October 1, 1999, in the lawsuit *Sierra Club, et al. v. Clifford et al.*, No. 96-0527, (E.D. La.). Under this court order, EPA is required to prepare TMDLs when needed for waters on the Louisiana 1998 section 303(d) list by December 31, 2007. EPA is also required to add or delete waters to the schedule as new data confirms that waters are or are not meeting water quality standards. Documents from the administrative record files for the 26 determinations that TMDLs are not needed and for the final 11 TMDLs, including TMDL calculations and responses to comments, may be viewed at [www.epa.gov/region6/water/tmdl.htm](http://www.epa.gov/region6/water/tmdl.htm). The administrative record files may be obtained by calling or writing Ms. Caldwell at the above address. Please contact Ms. Caldwell to schedule an inspection.

**FOR FURTHER INFORMATION CONTACT:** Ellen Caldwell at (214) 665-7513.

**SUPPLEMENTARY INFORMATION:** In 1996, two Louisiana environmental groups,

the Sierra Club and Louisiana Environmental Action Network (plaintiffs), filed a lawsuit in Federal Court against the United States Environmental Protection Agency (EPA), styled *Sierra Club, et al. v. Clifford et al.*, No. 96-0527, (E.D. La.). Among other claims, plaintiffs alleged that EPA failed to establish Louisiana TMDLs in a timely manner. Discussion of the court order may be found at 65 FR 54032 (September 6, 2000).

#### **EPA Takes Final Agency Action on 11 TMDLs**

By this notice EPA is taking a final agency action on the following 2 fecal coliform TMDLs for waters located within the Mermentau and Vermilion/Teche basins:

A TMDL for subsegment 060205 (Bayou Teche) was written and included in the same TMDL written for subsegments 060301 (of Bayou Teche) and 060401 (also of Bayou Teche) as referenced at 65 FR 19762-19764 of the **Federal Register** published on April 12, 2000 as well as 66 FR 18087-18089 of the **Federal Register** published on April 5, 2001. However, as no explicit reference was given to subsegment 060205 in either of the aforementioned notices, this notice is to serve as notice that the TMDL is inclusive of subsegment 060205. As cited in the **Federal Register** notices described

above, the TMDL written for subsegment 060205, as well as subsegments 060301 and 060401, may be viewed at [www.epa.gov/region6/water/tmdl.htm](http://www.epa.gov/region6/water/tmdl.htm) (click on "Finalized TMDL Reports \* \* \*").

A TMDL for subsegment 050303 (Bayou Castor) was written and included in the same TMDL written for subsegment 050301 (Bayou Nezpique) as referenced at 65 FR 19762-19764 of the **Federal Register** published April 12, 2000 as well as 65 FR 18087-18089 of the **Federal Register** published April 5, 2001. However, as no explicit reference was given to subsegment 050303 in either of the aforementioned notices, this notice is to serve as notice that the TMDL is inclusive of subsegment 050303. As cited in the **Federal Register** notices described above, the TMDL written for subsegment 050303, as well as subsegment 050301, may be viewed at [www.epa.gov/region6/water/tmdl.htm](http://www.epa.gov/region6/water/tmdl.htm) (click on "Finalized TMDL Reports \* \* \*").

As comment on these TMDLs has already been requested previously, no further comment is requested.

Also by this notice EPA is taking a final agency action on the following 9 TMDLs for waters located within the Mermentau and Vermilion/Teche basins:

Subsegment	Waterbody name	Pollutant
050703 .....	White Lake .....	Total Dissolved Solids.
050703 .....	White Lake .....	Chloride.
060801 .....	Vermilion River—Headwaters To Bayou Fusilier Bourbeaux Junction to New Flanders.	Sulfate.
060802 .....	Vermilion River—From New Flanders to Intracoastal Waterway .....	Sulfate.
060205 .....	Bayou Teche—Headwaters at Bayou Courtableau to I-10 .....	Sulfate.
060205 .....	Bayou Teche—Headwaters at Bayou Courtableau to I-10 .....	Chloride.
060201 .....	Bayou Cocodrie—from U.S. Hwy 167 to the Bayou Boeuf-Cocodrie Diversion Canal (Scenic).	Total Dissolved Solids.
060206 .....	Indian Creek Reservoir .....	Temperature.
060202 .....	Bayou Cocodrie-Cocodrie Diversion Canal to its intersection with Bayou Boeuf.	Total Dissolved Solids.

EPA requested the public to provide EPA with any significant data or information that may impact the 9

TMDLs at 65 FR 67742 (November 13, 2000). The comments received and EPA's response to comments may be

found at [www.epa.gov/region6/water/tmdl.htm](http://www.epa.gov/region6/water/tmdl.htm).

#### **FINAL AGENCY ACTION REMOVING 26 WATERBODY/POLLUTANTS FROM THE LOUISIANA 303(D) LIST BECAUSE TMDLS ARE NOT NECESSARY**

Subsegment	Waterbody description	Pollutant	Reason for delisting
050101 .....	Bayou Des Cannes—Headwaters to Mermentau River.	Oil & Grease .....	Assessment of new data and information shows it is meeting WQS.
050103 .....	Bayou Mallet .....	Oil & Grease .....	Assessment of new data and information shows it is meeting WQS.
050201 .....	Bayou Plaquemine Brule-Headwaters to Bayou Des Cannes.	Oil & Grease .....	Assessment of new data and information shows it is meeting WQS.
050901 .....	Mermentau River Basin Coastal .....	Oil & Grease .....	Assessment of new data and information shows it is meeting WQS.

**FINAL AGENCY ACTION REMOVING 26 WATERBODY/POLLUTANTS FROM THE LOUISIANA 303(d) LIST BECAUSE TMDLS ARE NOT NECESSARY—Continued**

Subsegment	Waterbody description	Pollutant	Reason for delisting
060802 .....	Vermilion River—from New Flanders (Ambassador Caffery) Bridge at Hwy 3073 to Intracoastal Waterway.	Oil & Grease .....	Assessment of new data and information shows it is meeting WQS.
060904 .....	Vermilion River—B890 Basin New Iberia Southern Drainage Canal.	Oil & Grease .....	Assessment of new data and information shows it is meeting WQS.
060907 .....	Franklin Canal .....	Oil & Grease .....	Assessment of new data and information shows it is meeting WQS.
061101 .....	Bayou Petite Anse .....	Oil & Grease .....	Assessment of new data and information shows it is meeting WQS.
060804 .....	Intracoastal Waterway .....	Oil & Grease .....	Assessment of new data and information shows it is meeting WQS.
060901 .....	Bayou Petite Anse .....	Oil & Grease .....	Assessment of new data and information shows it is meeting WQS.
050402 .....	Lake Arthur and Lower Mermentau .....	Oil & Grease .....	Assessment of new data and information shows it is meeting WQS.
050602 .....	Intracoastal Waterway .....	Oil & Grease .....	Assessment of new data and information shows it is meeting WQS.
050701 .....	Grand Lake .....	Oil & Grease .....	Assessment of new data and information shows it is meeting WQS.
050702 .....	Intracoastal Waterway .....	Oil & Grease .....	Assessment of new data and information shows it is meeting WQS.
050703 .....	White Lake .....	Oil & Grease .....	Assessment of new data and information shows it is meeting WQS.
060205 .....	Bayou Teche—Headwaters at Bayou Courtableau to I-10.	Oil & Grease .....	Assessment of new data and information shows it is meeting WQS.
060212 .....	Chatlin Lake Canal and Bayou DuLac .....	Oil & Grease .....	Assessment of new data and information shows it is meeting WQS.
060701 .....	Tete Bayou .....	Oil & Grease .....	Assessment of new data and information shows it is meeting WQS.
060702 .....	Lake Fausse Point and Dauterive Lake .....	Oil & Grease .....	Assessment of new data and information shows it is meeting WQS.
060906 .....	Intracoastal Waterway .....	Oil & Grease .....	Assessment of new data and information shows it is meeting WQS.
060910 .....	Boston Canal and Associated Canals (Estuarine).	Oil & Grease .....	Assessment of new data and information shows it is meeting WQS.
061103 .....	Freshwater Bayou Canal .....	Oil & Grease .....	Assessment of new data and information shows it is meeting WQS.
050501 .....	Bayou Queue de Tortue—Headwaters to Mermentau River.	Oil & Grease .....	Assessment of new data and information shows it is meeting WQS.
060902 .....	Bayou Carlin (Delcambre Canal)—Lake Peigneur To Bayou Petite Anse (Estuarine).	Oil & Grease .....	Assessment of new data and information shows it is meeting WQS.
060803 .....	Vermilion River Cutoff .....	Oil & Grease .....	Assessment of new data and information shows it is meeting WQS.
061102 .....	Intracoastal Waterway .....	Oil & Grease .....	Assessment of new data and information shows it is meeting WQS.

EPA requested the public to provide to EPA any significant data or information that may impact the determination that 26 TMDLs are not necessary at 66 FR 15472 (March 19, 2001). No comments were received.

Dated: May 3, 2001.

**Sam Becker,**

*Acting Director, Water Quality Protection Division, Region 6.*

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**ENVIRONMENTAL PROTECTION AGENCY**

**[FRL-6982-9]**

**Clean Water Act Section 303(d): Availability of Total Maximum Daily Loads (TMDLs)**

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

**ACTION:** Notice of availability.

**SUMMARY:** This notice announces the availability for comment of the administrative record file for one TMDL prepared by EPA Region 6 for waters listed in Louisiana's Mermentau and Vermilion/Teche river basins, under section 303(d) of the Clean Water Act (CWA). EPA prepared this TMDL in response to a Court Order dated October

1, 1999, in the lawsuit *Sierra Club, et al. v. Clifford et al.*, No. 96-0527, (E.D. La.). Under this court order, EPA is required to prepare TMDLs when needed for waters on the Louisiana 1998 section 303(d) list by December 31, 2007.

**DATES:** Comments on this TMDL must be submitted in writing to EPA on or before June 22, 2001.

**ADDRESSES:** Comments on this TMDL should be sent to Ellen Caldwell, Environmental Protection Specialist, Water Quality Protection Division, U.S. Environmental Protection Agency Region 6, 1445 Ross Ave., Dallas, TX 75202-2733. For further information, contact Ellen Caldwell at (214) 665-7513. The administrative record file for this TMDL is available for public inspection at this address as well.