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By the Commission. Commissioner Norris voting present.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. 2010-1525 Filed 1-26-10; 8:45 am]

**BILLING CODE 6717-01-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-R01-OW-2009-0304, FRL-9106-3]

### Maine Marine Sanitation Device Standard—Notice of Determination

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

**ACTION:** Notice of Determination.

**SUMMARY:** The Regional Administrator of the Environmental Protection Agency—New England Region, has determined that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the coastal waters of Camden, Rockport, Rockland and portions of Owls Head.

**ADDRESSES:** *Docket:* 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 electronically in <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Ann Rodney, U.S. Environmental Protection Agency—New England Region, Office of Ecosystem Protection, Coastal and Oceans Protection Unit, Five Post Office Square, Suite 100, OEP06-1, Boston, MA 02109-3912. Telephone: (617) 918-1538. Fax number: (617) 918-0538. E-mail address: [rodney.ann@epa.gov](mailto:rodney.ann@epa.gov).

**SUPPLEMENTARY INFORMATION:** On July 13, 2009, EPA published a notice that the state of Maine had petitioned the Regional Administrator, Environmental Protection Agency, to determine that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the waters of Camden, Rockland, Rockport and portions of

Owls Head. Six comments were received on this petition. The response to comments can be obtained utilizing the above contact information.

The petition was filed pursuant to Section 312(f)(3) of Public Law 92-500, as amended by Public Laws 95-217 and 100-4, for the purpose of declaring these waters a No Discharge Area (NDA).

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 State 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.

This Notice of Determination is for the waters of Camden, Rockport, Rockland and portions of Owls Head. The NDA boundaries are as follows:

Waterbody/general area	From longitude	From latitude	To longitude	To latitude
From USCG navigational aid red and white bell "CH" west across the water to Northeast Point in Camden:	69° 2' 16.1" W	44° 12' 40.98" N	69° 2' 47.61" W	44° 12' 32.84" N
From Northeast point west following the shore to the head of navigation in Camden Harbor at the mouth of the Megunticook River in Camden:	69° 2' 47.61" W	44° 12' 32.84" N	69° 3' 51.14" W	44° 12' 37.58" N
South following the shore to the head of navigation in Rockport Harbor and the mouth of the Goose River in Rockport:	69° 3' 51.14" W	44° 12' 37.58" N	69° 4' 23.79" W	44° 11' 11.35" N
South following the shore to the extent of navigation of Rockland Harbor and the mouth of the Unnamed stream in Rockland:	69° 4' 23.79" W	44° 11' 11.35" N	69° 6' 11.65" W	44° 4' 41.42" N
East following the shore to Owls Head in the town of Owls Head:	69° 6' 11.65" W	44° 4' 41.42" N	69° 2' 36.46" W	44° 5' 30.58" N
East in a straight line across the water to USGC navigational green can "7":	69° 2' 36.46" W	44° 5' 30.58" N	69° 2' 30.06" W	44° 5' 24.95" N
North in a straight line across the water to USCG navigational aid red and white bell "CH":	69° 2' 30.06" W	44° 5' 24.95" N	69° 2' 16.1" W	44° 12' 40.98" N

The area includes the municipal waters of Camden, Rockport, Rockland, and portions of Owls Head.

The information submitted to EPA by the state of Maine certifies that there are six pumpout facilities located within this area. A list of the facilities, with locations, phone numbers, and hours of

operation is appended at the end of this determination.

Based on the examination of the petition and its supporting documentation, and information from site visits conducted by EPA New England staff, EPA has determined that adequate facilities for the safe and

sanitary removal and treatment of sewage from all vessels are reasonably available for the area covered under this determination.

This determination is made pursuant to Section 312(f)(3) of Public Law 92-500, as amended by Public Laws 95-217 and 100-4.

**PUMPOUT FACILITIES WITHIN THE NO DISCHARGE AREA**  
(Camden, Rockport, and Rockland)

Name	Location	Contact info.	Hours	Mean low water depth
Harbormaster .....	Town Landing Camden .....	207-236-3353, VHF 16 .....	8am-5pm, 7 days .....	N/A.
Wayfarer Marine .....	59 Sea Street Camden .....	207-236-4378, VHF 9 .....	8am-5pm, 7days .....	10 ft.
Journey's End Marina .....	120 Tilson Ave. Rockland .....	207-598-4444, VHF 9 .....	8am-5pm, 7 days .....	8 ft.
Landings Marina .....	Commercial Street Rockland ..	207-596-6573, VHF 9 .....	9am-5pm, 7 days .....	5 ft.
City of Rockland .....	Rockland Public Landing Rockland.	207-594-0312, VHF 9 .....	9am-5pm, 7 days .....	6 ft.
Trident Yacht Basin .....	60 Ocean Street Rockland .....	207-236-8100, VHF 9 .....	9am-5pm, 7 days .....	23 ft.

Dated: January 15, 2010.

**H. Curtis Spalding,**

*Regional Administrator, New England Region.*

[FR Doc. 2010-1581 Filed 1-26-10; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION  
AGENCY**

[EPA-HQ-OPP-2009-0681; FRL-8437-2]

**Draft Test Guidelines; Notice of  
Availability and Request for Comments**

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

**ACTION:** Notice.

**SUMMARY:** EPA is announcing the availability of four draft test guidelines for Product Performance of Public Health Uses of Antimicrobial Agents for public review and comment.

**DATES:** Comments must be received on or before March 29, 2010.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2009-0681, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

- *Mail:* Office of Pesticide Programs (OPP) Regulatory Public Docket (7502P), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

- *Delivery:* OPP Regulatory Public Docket (7502P), Environmental Protection Agency, Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. Deliveries are only accepted during the Docket Facility's normal hours of operation (8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays). Special arrangements should be made for deliveries of boxed information. The Docket Facility telephone number is (703) 305-5805.

*Instructions:* Direct your comments to docket ID number EPA-HQ-OPP-2009-0681. EPA's policy is that all comments received will be included in the docket

without change and may be made available on-line 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 [www.regulations.gov](http://www.regulations.gov) or e-mail. The [www.regulations.gov](http://www.regulations.gov) website 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](http://www.regulations.gov), your e-mail address will be automatically captured and included as part of the comment that is placed in the 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:* All documents in the docket are listed in the docket index available at <http://www.regulations.gov>. 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, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either in the electronic docket at <http://www.regulations.gov>, or, if only available in hard copy, at the OPP Regulatory Public Docket in Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. The hours of operation of this Docket

Facility are from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Docket Facility telephone number is (703) 305-5805.

*Electronic access to the OPPTS Test Guidelines:* To access the OPPTS harmonized test guidelines electronically, please go to <http://www.epa.gov/oppts> and select "Test Methods & Guidelines" on the left side navigation menu. You may also access the guidelines in <http://www.regulations.gov> grouped by series under dockets ID numbers EPA-HQ-OPPT-2009-0150 through EPA-HQ-OPPT-2009-0159, and EPA-HQ-OPPT-2009-0576.

**FOR FURTHER INFORMATION CONTACT:** *For general information contact:*

Communications Services Branch (7506P), Field and External Affairs Division, Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone numbers: (703) 305-5017 and TDD: (202) 554-0551; fax number: (703) 305-5558.

*For technical information contact:* Michele Wingfield, Antimicrobials Division (7510P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-6349; fax number: (703) 305-5620; e-mail address: [wingfield.michele@epa.gov](mailto:wingfield.michele@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Introduction**

These draft guidelines are part of a series of test guidelines established by the Office of Prevention, Pesticides and Toxic Substances (OPPTS) for use in testing pesticides and chemical substances to develop data for submission to the Agency under the Toxic Substances Control Act (TSCA) (15 U.S.C. 2601, *et seq.*), the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) (7 U.S.C. 136, *et seq.*), and section 408 of the Federal Food, Drug and Cosmetic (FFDCA) (21 U.S.C. 346a).

The OPPTS test guidelines serve as a compendium of accepted scientific