

\$2,109.00 to \$3,163.50 per year under the requirements of Section A and Section B, respectively.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for the EPA's regulations in 40 CFR are listed in 40 CFR part 9.

Submit your comments on the Agency's need for this information, the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden to the EPA using the docket identified at the beginning of this general permit. You may also send your ICR-related comments to OMB's Office of Information and Regulatory Affairs via email to [oira\\_submissions@omb.eop.gov](mailto:oira_submissions@omb.eop.gov), Attention: Desk Officer for the EPA. Since OMB is required to make a decision concerning the ICR between 30 and 60 days after receipt, OMB must receive comments no later than May 26, 2016. The EPA will respond to any ICR-related comments in the final general permit.

*B. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments*

This action has tribal implications. However, it will neither impose substantial direct compliance costs on federally recognized tribal governments, nor preempt tribal law. The proposed general permit has tribal implications because it may affect traditional practices of some tribes.

The EPA consulted with tribal officials under the EPA Policy on Consultation and Coordination with Indian Tribes early in the process of developing this general permit to allow them to have meaningful and timely input into its development.

On June 2, 2015, EPA mailed a Tribal Leader Notification letter with a consultation plan to all coastal tribes in the Lower 48 States and Alaska, who could be potentially impacted by the proposed general permit. EPA held two teleconferences on June 16th and 30th. Via teleconference and email, the Agency received input from three tribes: Aleutian Pribilof Island Association, Coquille tribe, and Trinidad Rancheria tribe. In addition, EPA coordinated with the Alaska Eskimo Whaling Commission through a briefing and discussion on July 17, 2015. Tribal concerns during consultation focused on the potential to impact traditional hunting and whaling practices, and providing coverage under the general permit to tribes.

After considering tribal input, EPA made certain changes to address tribal

concerns. The initial scope of the proposed general permit would have applied to only the at sea disposal of large carcasses (e.g., whales, walrus), from land, which have died and subsequently washed ashore or died after becoming stranded. Through additional outreach with Alaska Native villages, we learned that the initial scope of the general permit was inadequate for subsistence users; consequently, we broadened the scope to include all marine mammal carcasses. Additionally, coverage under the general permit was initially intended for state and municipal governments; however, based upon comments from two tribal representatives, coverage will be extended to all tribal governments.

Dated: April 18, 2016.

**Bill Long,**

*Acting Director, Oceans and Coastal Protection Division.*

**General Permit for Ocean Disposal of Marine Mammal Carcasses**

*A. General Requirements for Governmental Entities and Stranding Agreement Holders*

Except as provided in Section B below, any officer, employee, agent, department, agency, or instrumentalality of federal, state, tribal, or local unit of government, as well as any MMHSRP Stranding Agreement Holder, is hereby granted a general permit to transport and dispose of marine mammal carcasses in ocean waters subject to the following conditions:

1. The Permittee shall consult with the MMHSRP of NMFS prior to initiating any disposal activities.
2. A disposal site must be at least three miles seaward of the baseline from which the territorial sea is measured, as provided for in the Convention on the Territorial Sea and the Contiguous Zone. The Permittee shall consult with and obtain written concurrence (via email or letter) from the applicable USCG District Office, NMFS Regional Office, and EPA Regional Office on ocean disposal site selection. A fact sheet containing points of contact at USCG, NMFS, and EPA is available at <http://www.epa.gov/ocean-dumping/ocean-disposal-marine-mammal-carcasses>.
3. If a determination is made that the carcass must be sunk, rather than released at the disposal site, the transportation and dumping of any materials other than the materials necessary to ensure the sinking of the carcass are not authorized under this general permit and constitute a violation of the MPRSA. If materials are used to sink the carcass, the Permittee must consult with and obtain written concurrence (via email or letter) from the applicable EPA Regional Office on the selection of materials. Any materials described in 40 CFR 227.5 (prohibited materials) or 40 CFR 227.6 (constituents prohibited as other than trace amounts) may not be used.

4. The Permittee shall submit a report on the dumping activities authorized by this general permit to the applicable EPA Regional Office within 30 days after carcass disposal. This report shall include:

- a. A description of the carcass(es) disposed;
  - b. The date, time, and location (by latitude and longitude) at the degree of precision available to the person reporting the information, for example, locational technology available on board the tow vessel used for ocean disposal;
  - c. The name, title, affiliation, and contact information of the person in charge of the disposal operation and the person in charge of the vessel or vehicle that transported the carcass (if different than the person in charge of the disposal);
  - d. A statement of need and rationale for selecting ocean disposal rather than other disposal options; and
  - e. Copies of correspondence from USCG and NMFS that indicate their concurrence on the selection of the disposal site.
5. The Permittee shall immediately notify EPA of any violation of any condition of this general permit.

*B. Requirements for Alaska Native Subsistence Users*

Notwithstanding Section A, any Alaska Native subsistence user is hereby granted a general permit to transport and dispose of marine mammal carcasses in ocean waters subject to the following conditions:

1. The Permittee shall submit a report on the dumping activities authorized by this general permit to EPA Region 10 within 30 days after disposal of a carcass. This report shall include:
  - a. A description of the carcass(es) disposed;
  - b. The date, time, and location (by latitude and longitude) at the degree of precision available to the person reporting the information, for example, locational technology available on board the tow vessel used for ocean disposal; and
  - c. The name and contact information of the person in charge of the disposal and the person in charge of the vessel or vehicle that transported the carcass (if different from the person in charge of the disposal).
2. Marine mammal carcasses must be towed or otherwise transported to a site offshore where currents and winds will not return the carcass to shore and the carcass will not pose a hazard to navigation.

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**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-9931-87-OEI]

**Cross-Media Electronic Reporting: Authorized Program Revision Approval, State of Kansas**

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

**ACTION:** Notice.

**SUMMARY:** This notice announces EPA's approval of the State of Kansas' request to revise its National Primary Drinking Water Regulations Implementation EPA-authorized program to allow electronic reporting.

**DATES:** EPA's approval is effective May 26, 2016 for the State of Kansas' National Primary Drinking Water Regulations Implementation program, if no timely request for a public hearing is received and accepted by the Agency.

**FOR FURTHER INFORMATION CONTACT:**

Karen Seeh, U.S. Environmental Protection Agency, Office of Environmental Information, Mail Stop 2823T, 1200 Pennsylvania Avenue NW., Washington, DC 20460, (202) 566-1175, [seeh.karen@epa.gov](mailto:seeh.karen@epa.gov).

**SUPPLEMENTARY INFORMATION:** On October 13, 2005, the final Cross-Media Electronic Reporting Rule (CROMERR) was published in the **Federal Register** (70 FR 59848) and codified as part 3 of title 40 of the CFR. CROMERR establishes electronic reporting as an acceptable regulatory alternative to paper reporting and establishes requirements to assure that electronic documents are as legally dependable as their paper counterparts. Subpart D of CROMERR requires that state, tribal or local government agencies that receive, or wish to begin receiving, electronic reports under their EPA-authorized programs must apply to EPA for a revision or modification of those programs and obtain EPA approval. Subpart D provides standards for such approvals based on consideration of the electronic document receiving systems that the state, tribe, or local government will use to implement the electronic reporting. Additionally, § 3.1000(b) through (e) of 40 CFR part 3, subpart D provides special procedures for program revisions and modifications to allow electronic reporting, to be used at the option of the state, tribe or local government in place of procedures available under existing program-specific authorization regulations. An application submitted under the subpart D procedures must show that the state, tribe or local government has sufficient legal authority to implement the electronic reporting components of the programs covered by the application and will use electronic document receiving systems that meet the applicable subpart D requirements.

On March 29, 2016, the Kansas Department of Health and Environment (KDHE) submitted an application titled Compliance Monitoring Data Portal for revision to its EPA-approved drinking

water program under title 40 CFR to allow new electronic reporting. EPA reviewed KDHE's request to revise its EPA-authorized program and, based on this review, EPA determined that the application met the standards for approval of authorized program revision set out in 40 CFR part 3, subpart D. In accordance with 40 CFR 3.1000(d), this notice of EPA's decision to approve Kansas' request to revise its Part 142—National Primary Drinking Water Regulations Implementation program to allow electronic reporting under 40 CFR part 141 is being published in the **Federal Register**.

KDHE was notified of EPA's determination to approve its application with respect to the authorized program listed above.

In today's notice, EPA is also informing interested persons that they may request a public hearing on EPA's action to approve the State of Kansas' request to revise its authorized public water system program under 40 CFR part 142, in accordance with 40 CFR 3.1000(f). Requests for a hearing must be submitted to EPA within 30 days of publication of today's **Federal Register** notice. Such requests should include the following information:

(1) The name, address and telephone number of the individual, organization or other entity requesting a hearing;

(2) A brief statement of the requesting person's interest in EPA's determination, a brief explanation as to why EPA should hold a hearing, and any other information that the requesting person wants EPA to consider when determining whether to grant the request;

(3) The signature of the individual making the request, or, if the request is made on behalf of an organization or other entity, the signature of a responsible official of the organization or other entity.

In the event a hearing is requested and granted, EPA will provide notice of the hearing in the **Federal Register** not less than 15 days prior to the scheduled hearing date. Frivolous or insubstantial requests for hearing may be denied by EPA. Following such a public hearing, EPA will review the record of the hearing and issue an order either affirming today's determination or rescinding such determination. If no timely request for a hearing is received and granted, EPA's approval of the State of Kansas' request to revise its part 142—National Primary Drinking Water Regulations Implementation program to allow electronic reporting will become effective 30 days after today's notice is

published, pursuant to CROMERR section 3.1000(f)(4).

**Matthew Leopard,**

*Director, Office of Information Collection.*

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**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-9944-14-OEI]

**Cross-Media Electronic Reporting: Authorized Program Revision Approval, State of Rhode Island**

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

**ACTION:** Notice.

**SUMMARY:** This notice announces EPA's approval of the State of Rhode Island's request to revise its National Primary Drinking Water Regulations Implementation EPA-authorized program to allow electronic reporting.

**DATES:** EPA's approval is effective May 26, 2016 for the State of Rhode Island's National Primary Drinking Water Regulations Implementation program, if no timely request for a public hearing is received and accepted by the Agency.

**FOR FURTHER INFORMATION CONTACT:**

Karen Seeh, U.S. Environmental Protection Agency, Office of Environmental Information, Mail Stop 2823T, 1200 Pennsylvania Avenue NW., Washington, DC 20460, (202) 566-1175, [seeh.karen@epa.gov](mailto:seeh.karen@epa.gov).

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