

beginning of this Notice to allow any person time to submit additional written statements or to present views or evidence tending to rebut testimony presented at the public hearing. (6) Hearing statements may be oral or written. Written copies of oral statements are urged for accuracy of the record and for use of the Hearing Panel and other interested persons. Persons wishing to make oral testimony supporting their written comments are encouraged to give a summary of their points rather than reading lengthy written comments verbatim into the record. All comments received by EPA Region 10 by the deadline for receipt of comments, or presented at the public hearing, will be considered by EPA before taking final action on Alaska's request for NPDES program approval.

**Summary of the Alaska Pollutant Discharge Elimination System (APDES) Program Submission.** The ADEC application for program approval applies to discharges into waters of the United States covered by the authority of that Agency. This includes most discharges of pollutants subject to the federal NPDES program (e.g., municipal wastewater and stormwater point source discharges, pretreatment, industrial wastewater and stormwater point source discharges; and point source discharges from federal facilities). ADEC is not seeking authority to regulate the discharges of sewage sludge (Bio-Solids Program). The APDES program is fully described in documents the State has submitted in accordance with 40 CFR 123.21, which include the following: a letter from the Governor requesting program approval; a Memorandum of Agreement (MOA) for execution by ADEC and EPA; a Program Description outlining the procedures, personnel and protocols that will be relied on to implement the State's permitting, compliance and enforcement program; a Statement signed by the Attorney General that describes the State's legal authority to administer a program equivalent to the federal NPDES program; and a description of the State's Continuing Planning Process. The following is a summary of these documents:

**Governor's Letter:** Alaska's application for program approval includes a letter dated April 22, 2008, from Governor Sarah Palin officially requesting NPDES program approval pursuant to 40 CFR 123.21(a)(1).

**Memorandum of Agreement (MOA):** The requirements for the MOA are found in 40 CFR 123.24. An MOA is a document signed by each Agency, committing them to specific responsibilities relevant to the

administration and enforcement of the State's regulatory program. An MOA specifies these responsibilities and provides structure for the State's program management and EPA's program oversight. The MOA submitted by the State of Alaska has been signed by the Commissioner of the Alaska Department of Environmental Conservation. The Regional Administrator of U.S. EPA Region 10 will sign the document if the MOA and the program have been determined approvable after all comments received during the comment period have been considered.

**Program Description:** A program description submitted by a State seeking program approval must meet the minimum requirements of 40 CFR 123.22. It must provide a narrative description of the scope, structure, coverage, and processes of the State program; a description of the organization and staffing for the lead State agency; and itemized costs and funding sources for the program for the first two years after program approval. It must describe all applicable State procedures (including administrative procedures for the issuance of permits and administrative or judicial procedures for their review) and include copies of forms used in the program. It must further contain a complete description of the State's compliance and enforcement tracking program.

**Attorney General's Statement:** An Attorney General's Statement is required and described in regulations found at 40 CFR 123.23. The State Attorney General must certify that the State has lawfully adopted statutes and regulations which provide the State agency with the legal authority to administer a permitting program in compliance with 40 CFR Part 123. The Attorney General's Statement from Alaska certifies that the State of Alaska has the legal authority to administer the APDES program described in the program description.

**Continuing Planning Process:** The State has submitted a description of its Continuing Planning process in accordance with CWA Section 303(e) and 40 CFR 130.5. This document describes the State's planning processes for developing effluent limitations, total maximum daily loads (TMDLs), and water quality standards, among other things. The State plans to update this document, when necessary, to reflect significant changes to the process or new or amended federal regulations or guidance.

**Public Comment on the Described Program.** The program submitted by the State of Alaska has been determined by

EPA to be complete in accordance with the regulations found at 40 CFR part 123. EPA and ADEC want to encourage public participation in this authorization process so that the citizens of Alaska will understand the program in their State. Therefore, EPA requests the public to review the program that ADEC has submitted and provide any comments they feel are appropriate. EPA will consider all comments on the APDES program and/or its authorization in its decision.

**Authority:** This action is taken under the authority of Section 402 of the Clean Water Act as amended, 42 U.S.C. 1342. I hereby provide public notice of the application by the State of Alaska for approval to administer the State NPDES program, in accordance with 40 CFR 123.61.

Dated: June 10, 2008.

**Elin D. Miller,**

*Regional Administrator, Region 10.*

[FR Doc. E8-13831 Filed 6-17-08; 8:45 am]

**BILLING CODE 6560-50-P**

## FEDERAL MARITIME COMMISSION

### Notice of Agreement Filed

The Commission hereby gives notice of the filing of the following agreement under the Shipping Act of 1984. Interested parties may submit comments on agreements to the Secretary, Federal Maritime Commission, Washington, DC 20573, within ten days of the date this notice appears in the **Federal Register**. Copies of agreements are available through the Commission's Web site (<http://www.fmc.gov>) or contacting the Office of Agreements (202) 523-5793 or [tradeanalysis@fmc.gov](mailto:tradeanalysis@fmc.gov).

**Agreement No.:** 201175-001.

**Title:** Port of NY/NJ Sustainable Services Agreement.

**Parties:** APM Terminals North America, Inc.; Global Terminal & Container Services LLC; Maher Terminals LLC; New York Container Terminal, Inc.; and Port Newark Container Terminal LLC.

**Filing Party:** Carol N. Lambos; The Lambos Firm; 29 Broadway 9th Floor; New York, NY 10006-3101.

**Synopsis:** The agreement deletes American Stevedoring, Inc. as a party to the agreement.

Dated: June 13, 2008.

By order of the Federal Maritime Commission.

**Karen V. Gregory,**

*Assistant Secretary.*

[FR Doc. E8-13774 Filed 6-17-08; 8:45 am]

**BILLING CODE 6730-01-P**