

US EPA ARCHIVE DOCUMENT

at 10 a.m. on April 12, 1990, in the Jasmine Room at the Ramada Renaissance Hotel, at the Atlanta Airport, 4736 Best Road, College Park, Georgia 30337, and at 10:00 a.m., on April 19, 1990, in Room 871 of the Strom Thurmond Federal Building, 1835 Assembly Street, Columbia, South Carolina 29201.

FOR FURTHER INFORMATION CONTACT:

Leon Jourolmon, Jr., Director, Power Marketing Division, Southeastern Power Administration, Department of Energy, Samuel Elbert Building, Elberton, Georgia 30635, (404) 283-9911.

Issued at Elberton, Georgia, March 9, 1990.

John A. McAllister, Jr.,

Administrator.

[FR Doc. 90-6633 Filed 3-20-90; 10:26 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-3747-7]

Water Pollution Control; Final Determination of Assistant Administrator for Water Pursuant to Section 404(c) of Clean Water Act Concerning Proposed Big River Water Supply Impoundment in Kent County, RI

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of decision to prohibit the designation of waters of the United States on Big River, Mishnock River and their tributaries and adjacent wetlands in Kent County, Rhode Island, as discharge sites for the placement of fill material.

SUMMARY: This is notice of EPA's Final Determination pursuant to section 404(c) of the Clean Water Act to prohibit the designation of waters of the United States in Kent County, Rhode Island. EPA's determination is based upon a finding that the placement of fill material associated with implementation of the proposed Big River water supply as proposed by the State of Rhode Island and the Corps of Engineers would result in an unacceptable adverse effect to wildlife and recreational areas.

EFFECTIVE DATE: The effective date of the Final Determination is March 1, 1990.

FOR FURTHER INFORMATION CONTACT: Charles K. Stark, Office of Wetlands Protection, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460, (202) 475-7799.

Copies of EPA's Final Determination are available for inspection in the EPA Headquarters Public Information Reference Unit, EPA Library, Room M2904, 401 M Street, SW., Washington, DC and the EPA Region I, Wetlands Protection Section (WPP-19100), John F. Kennedy Federal Building, Boston, MA. 02203.

Section 404(c) of the Clean Water Act (33 U.S.C. § 1251 *et seq.*) provides that, if the Administrator of the U.S. Environmental Protection Agency (EPA) determines, after notice and opportunity for public comment, that unacceptable adverse effects on municipal water supplies, shellfish beds, fishery areas (including spawning and breeding areas), wildlife, or recreational areas would result from the discharge of dredged or fill material, he may exercise his authority to withdraw or prohibit the specification, or deny, restrict or withdraw the use for specification, of any defined area as a disposal site for dredged or fill material. Before making such a determination, the Administrator must consult with the Chief of the Army Corps of Engineers (Corps), the property owner(s), and the applicant where there has been an application for a section 404 permit. The procedures for implementation of section 404(c) are set forth in the Code of Federal Regulations, 40 CFR 231.

EPA's regulations for implementing section 404(c) establish three major steps in the process are: (1) The Regional Administrator's proposed decision to withdraw, deny, restrict or prohibit the use of a site (Proposed Determination); (2) the Regional Administrator's recommendation to the Administrator to withdraw, deny, restrict or prohibit the use of a site (Recommended Determination); and (3) the Administrator's final decision to affirm, modify, or rescind the Regional recommendation (Final Determination). The Administrator has delegated the authority to make final decisions under section 404(c) to the Assistant Administrator for Water, who is EPA's national Clean Water Act section 404 program manager.

EPA's Final Determination concerns the proposed placement of dredged or fill material for the purpose of creating a water supply impoundment on Big River, Mishnock River and their tributaries and adjacent wetlands in Kent County, Rhode Island.

EPA Region I's Acting Regional Administrator recommended prohibition of specification of the disposal site necessary for construction of a dam in the subject waters; Region I's Acting Regional Administrator based the recommendations upon his finding that

the discharge of materials in connection with the above described activities would have an unacceptable adverse effect on wildlife and recreational areas.

The Final Determination is based on consideration of the record developed by EPA and by the Corps in this case, including public comment submitted in response to the Regional Proposed Determination and comment received at the public hearing. This Final Determination also reflects comment and information received during EPA Headquarters' consultation pursuant to § 231.6 of the Clean Water Act section 404(c) regulations.

As described in the Final Determination, it is the finding of EPA that the Big River project, as proposed by the State of Rhode Island and the Corps of Engineers, would result in the loss of an area that provides important wildlife habitat and recreational opportunity. Further, EPA has determined that these impacts are avoidable because there are practicable alternatives available to meet projected water supply needs. These findings lead to the conclusion that the discharge of dredged or fill material in connection with the proposed Big River Reservoir would result in unacceptable adverse effects to wildlife and recreational areas. This Final Determination therefore affirms the Regional Recommended Determination and prohibits the designation of the subject waters of the United States as discharge sites for dredged or fill material. This Final Determination does not pertain to other types of filling activities. Other proposals involving the discharge of dredged or fill material on the wetland sites at issue will be evaluated on their merits within the Corps of Engineers' section 404 regulatory program.

Date: March 15, 1990.

Robert H. Wayland III,

Acting Assistant Administrator for Water.

[FR Doc. 90-6593 Filed 3-21-90; 8:45 am]

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FEDERAL DEPOSIT INSURANCE CORPORATION

Information Collection Submitted to OMB for Review

AGENCY: Federal Deposit Insurance Corporation.

ACTION: Notice of information collection submitted to OMB for review and approval under the Paperwork Reduction Act of 1980.

SUMMARY: In accordance with requirements of the Paperwork