

RULES and REGULATIONS
ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 228

[FRL-3451-4]

Ocean Dumping; Site Designation for Georgetown Harbor et al.

Tuesday, September 27, 1988

***37558** AGENCY: Environmental Protection Agency (EPA).

***37559** ACTION: Final rule.

SUMMARY: EPA today designates the existing, interim-approved Ocean Dredged Material Disposal Site (ODMDS) in the Atlantic Ocean offshore Georgetown, South Carolina, as an EPA-approved ocean dump site for the dumping of suitable dredged material. This action is necessary to provide an acceptable ocean dump site for the current and future disposal of dredged material from the greater Georgetown, South Carolina area. This ODMDS offshore Georgetown is referred to as the "Georgetown Harbor" ODMDS in [40 CFR 228.12\(a\)\(3\)](#) (revised as of July 1, 1987), which lists the interim-approved ODMDS. This Final Rule therefore also characterizes this interim ODMDS hereby designated on a permanent basis as the "Georgetown Harbor" ODMDS, although references to simply the "Georgetown" ODMDS are made in this Final Rule as well as in some previous documentation.

This Final Rule presents the correct boundary coordinates for the Georgetown Harbor ODMDS and comments on some previously-presented coordinates that were apparently in error. Besides coordinates, this Final Rule also corrects other aspects of the [Proposed Rule \(52 FR 30189 \(August 13, 1987\)\)](#) for the Georgetown site. Furthermore, this Final Rule corrects omission in the Final Rule ([53 FR 6987 \(March 4, 1988\)](#)) designating the Pensacola (Florida) ODMDS (i.e., the existing Pensacola (nearshore) ODMDS as opposed to the proposed Pensacola (offshore) ODMDS), the two Gulfport (Mississippi) ODMDSs, and the Mobile (Alabama) ODMDS; the Final Rule ([52 FR 25008 \(July 2, 1987\)](#)) designating the ODMDSs offshore Savannah (Georgia), Wilmington (North Carolina) and Charleston (South Carolina) (two ODMDSs: Charleston and Charleston Harbor Deepening Project); and the Final Rule ([52 FR 30360 \(August 14, 1987\)](#)) designating the ODMDS offshore Morehead City (North Carolina). This Final Rule additionally corrects one coordinate component for one of the Gulfport ODMDSs (Eastern Site) presented in the March 4 Final Rule (and the attendant draft and final Environmental Impact Statement (EIS)) and one coordinate component for the ODMDS offshore Morehead City presented in the August 14 Final Rule. This Final Rule also removes the listings of the two former Tampa Harbor ODMDSs that are still listed as interim ocean disposal sites in [40 CFR 228.12\(a\)\(3\)](#).

DATE: This designation shall become effective on October 27, 1988.

ADDRESSES: Send comments to: Frank M. Redmond, Chief, Wetlands and Coastal Programs Section, Water Management Division, U.S. Environmental Protection Agency, Region IV, 345 Courtland Street NE., Atlanta,

Georgia 30365.

The file supporting this site designation is available for public inspection at the following locations:

EPA Public Information Reference Unit (PIRU), Room 2904 (rear), 401 M Street SW., Washington, DC 20460

EPA/Region IV, 345 Courtland Street NE., Atlanta, Georgia 30365.

FOR FURTHER INFORMATION CONTACT: Reginald G. Rogers 404/347-2126.

SUPPLEMENTARY INFORMATION:

A. Background

Section 102(c) of the Marine Protection, Research, and Sanctuaries Act (MPRSA) of 1972, as amended, [33 U.S.C. 1401](#) et seq. (“the Act”), gives the Administrator of EPA the authority to designate sites where ocean dumping may be permitted. On December 23, 1986, the Administrator delegated the authority to designate ocean dump sites to the Regional Administrator of the Region in which the sites are located. This final designation of the Georgetown Harbor ODMDS, which is within Region IV, is being made pursuant to that authority.

The EPA Ocean Dumping Regulations promulgated under the Act ([40 CFR Chapter I, Subchapter H, §228.4](#)) state that ocean dumping sites will be designated by promulgation in this Part 228. A list of “Approved Interim and Final Ocean Dumping Sites” was published on January 11, 1977 (42 FR 2461 (January 11, 1977)). The list established the Georgetown Harbor site as an interim site. This site designation is being published as Final Rule-making in accordance with [§228.4\(e\)](#) of the Ocean Dumping Regulations, which permits the designation of ocean disposal sites for suitable dredged material.

B. EIS Development

Section 102(2)(C) of the National Environmental Policy Act (NEPA) of 1969, as amended [42 U.S.C. 4321](#) et seq., requires that Federal agencies prepare an EIS on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment.

The object of NEPA is to build careful consideration of all environmental aspects of proposed actions into the agency decision-making process. While NEPA does not apply to EPA activities of this type, EPA has voluntarily committed to prepare EISs in connection with ocean dumping site designations such as this (see 30 FR 16186 (May 7, 1974)).

EPA, in cooperation with the U.S. Army Corps of Engineers (COE), has prepared a draft and final EIS entitled “Environmental Impact Statement for Savannah, Georgia, Charleston, South Carolina, Wilmington, North Carolina, Ocean Dredged Material Sites Designation.” A draft and final supplement to that EIS (i.e. SEIS) entitled “Supplement to Final Environmental Impact Statement, Final Designation Georgetown Ocean Dredged Material Disposal Site” have also been prepared for the Georgetown site designation. The SEIS discusses the need for the action and examines ocean disposal site alternatives to the proposed action. The SEIS presents the information needed to evaluate the suitability of ocean disposal areas for final designation for continuing use and is based on one of a series of disposal site environmental studies. The environmental studies and final designation process are being conducted in accordance with the requirements of the Act, the Ocean Dumping Regulations, and other applicable Federal environmental legislation. The Proposed Rule and the present Final Rule are procedural fol-

low-ups to the SEIS. These Rules may include excerpts of the SEIS. This Final Rule does include excerpts from the Proposed Rule.

On January 24, 1986, a Notice of Availability of the Georgetown final SEIS for public review and comment was published in the Federal Register (51 FR 3250 (January 24, 1986)). The public comment period on the final SEIS closed February 24, 1986. No comments were received on the final SEIS.

On August 13, 1987, the Proposed Rule for the Georgetown site designation was published in the Federal Register (52 FR 30189 (August 13, 1987)). The public comment period on the Proposed Rule closed September 14, 1987.

The action discussed in the final SEIS and the Proposed Rule is the final designation for continuing use of the interim ODMDS offshore Georgetown, South Carolina. The purpose of EPA's action is to provide an environmentally-acceptable location for the ocean disposal of suitable dredged materials from the greater Georgetown, South Carolina area (as opposed to being limited to the "Georgetown Harbor channel system" as incorrectly indicated (pg. 30189) in the Proposed Rule for the ODMDS (52 FR 30189 (August 13, 1987)) if an ocean disposal site is needed for such materials. The need for ocean *37560 disposal is determined on a case-by-case basis as part of the process of issuing permits for ocean disposal. Use applicants could be either Federal or private entities.

C. Site Designation

The proposed site is located outside of State of South Carolina waters approximately three nautical miles offshore Georgetown, South Carolina. The ODMDS occupies an area of approximately one square nautical mile. Water depths at the site range from six to 11 meters. The correct boundary coordinates for the Georgetown Harbor ODMDS being designated on a permanent basis are as follows:

33°11'18" N.,

79°07'20" W.;

33°11'18" N.,

79°05'23" W.;

33°10'38" N.,

79°05'24" W.;

33°10'38" N.,

79°07'21" W.

Boundary coordinates presented in the draft and final SEIS (page 8) were the same as those presented above. The western component of the third set of coordinates (79°07'24" W.) presented in the Rulemaking section (p. 30192) of the Proposed Rule (52 FR 30189 (August 13, 1987)) was apparently in error and should have been 79°05'24" W. as presented above and in the Preamble of the Proposed Rule (p. 30189). The third set of coordinates (33°10'38" N., 79°07'21" W.) presented in 40 CFR 228.12(a)(3) [revised as of July 1, 1984 and July 1,

1987] for the interim Georgetown Harbor site is also apparently in error since it is identical to the last set of coordinates presented in the two CFRs and above. Previously presented (p. 2485) coordinates in the Federal Register (42 FR 2461 (January 11, 1977)) are correct when plotted, although the last two sets of coordinates were presented in reverse order.

On August 13, 1987, EPA proposed a rule change for the existing ODMDS offshore Georgetown from interim to final (permanent) EPA-approved designation (52 FR 30189 (August 13, 1987)). The Preamble to that Proposed Rule presented the characteristics of the site in terms of the five general criteria for the selection and approval for continuing use of ocean disposal sites. It also considered the eleven specific factors identified in § 228.5 of the Ocean Dumping Regulations, which, taken together, constitute an assessment of the site's suitability as a repository for dredged material. As concluded in that Proposed Rule, the interim site is appropriate for final designation.

The Proposed Rule for the Georgetown ODMDS stated that “[t]he South Carolina Coastal Council has concurred with EPA's coastal consistency determination.” While EPA believes that the designation of this site is consistent with the South Carolina Coastal Management Program, some clarification is needed and is presented in this Final Rule. EPA originally provided the South Carolina Coastal Council a “negative determination” regarding consistency of the Georgetown Harbor site designation with the South Carolina Coastal Management Program. However, upon its review of the determination, the Coastal Council stated in a letter to EPA dated June 24, 1986, that “it disagrees that a negative determination is appropriate in this case.” The Council further stated that “the Coastal Council does find that the designation of the area as a dredged material site is consistent with the South Carolina Coastal Management Program provided that the Coastal Council does have the opportunity to review for consistency any permits issued by the Corps of Engineers or any other Federal agency that would allow the actual placement of dredged materials in this site.” EPA interprets this to mean that the Coastal Council concurs with the ODMDS designation itself; however, the Council wants to be involved in individual permit reviews. Since designation of the ODMDS does not, by itself, authorize any dredging or on-site dumping, EPA believes that the South Carolina Coastal Council should exercise their permit review provisions under 15 CFR 930 with the permitting agency (COE), rather than request conditioning of this EPA site designation. As such, EPA believes that the designation of the ODMDS is consistent with the South Carolina Coastal Management Program.

By letter dated June 4, 1986, the U.S. Fish and Wildlife Service (FWS) concurred with the EPA determination that the species under FWS jurisdiction will not be affected by the site designation. In response to EPA's request for project concurrence from the National Marine Fisheries Service (NMFS), the NMFS requested, in a letter dated June 8, 1984, a Biological Assessment (BA) from EPA regarding endangered or threatened species under NMFS jurisdiction for South Carolina. This NMFS response letter, which was not referenced in the Proposed Rule, resulted in EPA providing a subject BA in a letter dated June 1, 1988, which indicated that the site designation was not expected to result in significant impacts to the endangered or threatened species under NMFS jurisdiction for South Carolina. By letter dated June 10, 1988, the NMFS concurred with EPA's determination of no adverse effect. The NMFS concurrence referenced in the Proposed Rule was therefore premature.

Regarding comments on the Proposed Rule, one letter dated September 10, 1987, was received from the U.S. Department of the Interior. No comments, however, were offered.

Some coordination with the South Carolina Wildlife & Marine Resources Department (SCWMRD) and the COE Charleston District preceded EPA's completion of this Final Rule. Comments were considered but were not

formally discussed in this Final Rule.

D. Action

Dredged material disposal has occurred at the dump site during the past 30 years. Recent surveys have detected no persistence or cumulative changes in the water quality or ecology at the site. Impacts from dumping have been found to be temporary and restricted to within the site boundary. The nearshore location of the proposed site facilitates surveillance and monitoring and decreases the likelihood of sediment texture/chemistry changes resulting from disposal at the disposal sites.

The SEIS considered mid-shelf and shelf-break alternative sites using the general criteria and specific factors contained in the Ocean Dumping Regulations. Dredged material disposal has not occurred previously at the mid-shelf or shelf-break alternative site locations. There are significant dissimilarities between the physical and chemical characteristics of the dredged material sediments and sediments covering the mid-shelf or shelf-break regions. Altering the sediment texture and composition through the addition of finer coastal sediments may have a potential long-term adverse impact on the benthic infauna at the mid-shelf and shelf-break regions, especially in the vicinity of hard bottom areas and shelf-break areas. These hard bottom areas are unique habitats, support several species of commercially and recreationally important finfish, and are sensitive to the effects of dredged material disposal. Thus, use of mid-shelf or shelf-break sites could result in a greater potential for interference with fishing activities. Moreover, use of offshore sites would be restricted to periods of calm weather and sea conditions because the hopper dredges cannot operate in rough seas.

It should be emphasized that designation of an ocean dump site does not, by itself, constitute approval for dredging projects or actual disposal of materials at the site. Before ocean dumping of dredged material from a private applicant's specific project may commence at the designated site, the *37561 COE must evaluate a permit application according to EPA's Ocean Dumping Criteria (40 CFR Part 227). If a Federal project is involved, the COE must also evaluate the proposed ocean disposal in accordance with the same criteria. In either case, EPA has the authority to disapprove the actual dumping if it determines that environmental concerns under the Act have not been met. Because the Georgetown Harbor ODMDS is located outside the State of South Carolina waters, the State's involvement is concerned with consistency with the South Carolina Coastal Management Program.

The Georgetown Harbor ODMDS is not restricted to disposal use by Federal Projects; private applicants may also dispose suitable dredged material at the ODMDS once relevant regulations have been satisfied. This site is restricted, however, to disposal of suitable dredged material from the greater Georgetown, South Carolina area.

The designation of the existing, interim, EPA-approved ODMDS as a permanent, EPA-approved ODMDS is today being published as Final Rulemaking. Site management of the Georgetown Harbor ODMDS is the responsibility of EPA as well as the COE, although EPA/Region IV assumes overall responsibility for this site management. A Memorandum of Understanding (MOU) between EPA/Region IV and the South Atlantic Division of the COE is being developed to establish a management/monitoring framework for ODMDSs in the southeast under the jurisdiction of EPA/Region IV, which is to lead to a site-specific plan for the Georgetown Harbor ODMDS. The existence, magnitude, and implementation of a site monitoring plan is dependent upon available funding and coordination between the EPA and the COE.

Pertaining to site management and monitoring, EPA made two recommendations in the final SEIS (pg. 45). These were the following (excerpted):

- Dumping of spoil should be centered within the disposal site to minimize impact outside the designated area. The material will spread out after being dumped. The dredging operator should be required to provide precise Loran-C coordinates to indicate compliance. Additionally, the operator should be required to buoy the center of the site during disposal periods to aid visual monitoring.

- Detailed bathymetric profiles should be obtained for the ODMDS site immediately following a disposal operation, and then again at reasonable intervals to assess mounding and movement of the disposed sediments.

EPA believes these recommendations should be updated. However, EPA continues to support the concept that appropriate placement of dredged material within site boundaries and appropriate site monitoring is needed to minimize environmental impacts attributable to disposal of suitable dredged material at the Georgetown Harbor ODMDS. After updating, EPA's recommendations are as follows:

- Dumping of dredged material should be located and oriented within the ODMDS boundaries so as to minimize environmental impacts due to on-site disposal. A pending regional Memorandum of Understanding (MOU) between EPA/Region IV and the South Atlantic Division of the COE [referenced above] is to establish a management/monitoring framework for ODMDSs in the southeast under the jurisdiction of EPA/Region IV. This MOU is to lead to a site-specific plan for the Georgetown Harbor ODMDS. Appropriate placement of dredged material at the Georgetown site should be delineated in such a site-specific plan so as to minimize environmental impacts. Prior to such an agreed upon site-specific plan, the Charleston District COE should base the location and orientation of dredged material disposal on available local water current and bathymetric information to minimize environmental impacts attributable to on-site disposal.

- Monitoring of the Georgetown Harbor ODMDS through bathymetric surveys and/or other forms of monitoring (e.g., sediment mapping) should also be delineated in the site-specific plan for the Georgetown site. Frequencies of such monitoring techniques should also be addressed in the site-specific plan. Prior to such an agreed upon plan, the Charleston District COE should conduct bathymetric surveys at reasonable intervals relative to on-site disposal events so as to monitor dredged material mounding and mound dispersion. For impact analysis of potential off-site effects, EPA may wish to provide the sediment mapping technique.

In the final SEIS (pg. 45), EPA also made the following recommendation (excerpted):

- The Corps should provide advanced notification to the SCWMRD of any harbor channel dredging project and ODMDS usage to occur during the period from mid-February to June 30. This would allow SCWMRD opportunity to assess the potential project impact on sturgeon activity at the inlet jetties and also any effects on post-larval shrimp migration.

The critical time period in this recommendation (from mid-February to June 30) was an expansion from the time period (mid-February through May) presented in the recommendation provided (pg. 43) in the draft SEIS ("Disposal operations should avoid the period of mid-February through May, which is the time of maximum Sturgeon activity at the inlet jetties and adjacent coastal waters"). This expansion was influenced by a SCWMRD letter to EPA dated October 24, 1984, which requested avoidance of disposal operations for an additional one and one-half month period to avoid impacts on post-larval brown and white shrimp.

Because EPA believes that COE notification to the SCWMRD should be timely, the recommendation made in the final SEIS has been updated to the following:

- The Charleston District COE should provide timely advanced notification to the SCWMRD of any project in the greater Georgetown, South Carolina area proposed to use the Georgetown Harbor ODMDS for disposal during the time period from mid-February to June 30. This notification should be timely to allow the SCWMRD the opportunity to assess the potential impact of dredged material due to on-site dumping relative to sturgeon activities, post-larval shrimp migration, and/or other biological activities. Notification should also be timely so that effective SCWMRD/COE discussions can still occur prior to potential on-site dumping.

In this recommendation, EPA is not restricting the time of use of the ODMDS by the Charleston COE (a four and one-half month use restriction was opposed by the Charleston COE in a letter to EPA dated February 22, 1985) or by any local private applicant. However, EPA is recommending timely advanced notification so that SCWMRD review and effective SCWMRD/COE discussion can still occur before any potential on-site disposal of suitable dredged material from mid-February to June 30 is implemented.

E. Regulatory Assessments

Under the Regulatory Flexibility Act, EPA is required to perform a Regulatory Flexibility Analysis for all rules which may have a significant impact on a substantial number of small entities. EPA has determined that this action will not have a significant impact on small entities since the site designation will only have the effect of providing a disposal option for dredged material. Consequently, this proposal does not necessitate preparation of a Regulatory Flexibility Analysis.

Under [Executive Order 12291](#), EPA must judge whether a regulation is “major” and therefore subject to the requirement of a Regulatory Impact Analysis. This action will not result in an annual effect on the economy of \$100 million or more or cause any of the other effects which would result in its being classified by the Executive Order as a “major” rule. Consequently, this Final Rule does not necessitate preparation of a Regulatory Impact Analysis.

***37562** This Final Rule does not contain any information collection requirements subject to Office of Management and Budget review under the Paperwork Reduction Act of 1980, [44 U.S.C. 3501](#) et seq.

This Final Rulemaking Notice fills the same role as the Record of Decision required under regulations promulgated by the Council on Environmental Quality for agencies subject to NEPA.

List of Subjects in 40 CFR Part 228

Water pollution control.

Dated: September 14, 1988.

Approved by:

Lee A. DeHihns, III,

Acting Regional Administrator.

In consideration of the foregoing, Subchapter H of Chapter I of Title 409 is amended as set forth below.

PART 228—[AMENDED]1. The authority citation for Part 228 continues to read as follows:

Authority: [33 U.S.C. 1412](#) and [1418](#).

[40 CFR § 228.12](#)

[§ 228.12](#) [Amended]

[40 CFR § 228.12](#)

2. Part 228 is amended by removing [§ 228.12\(a\)\(1\)\(i\)\(B\)](#) [FN1]

FN1 (Note: This deletion should already have been proposed in the Rulemaking section (pg. 30192) of the Proposed Rule ([52 FR 30189](#) [August 13, 1987]) for the ODMDS offshore Georgetown, South Carolina.)

and removing from [§ 228.12\(a\)\(3\)](#) the words and coordinates:

Georgetown Harbor—33°11'18" N.; 79°07'20" W.; 33°11' 18" N., 79°05' 23" W.; 33°10'38" N., 79°07'21" W.; 33°10'38" N., 79°07'21" W.

and adding to [§ 228.12\(b\)\(40\)](#) one ODMDS for Region IV as follows:[FN2] [FN3]

FN2 (Note: The 79°05'24" W. coordinate component was incorrectly stated as 79° 07' 24" W. in the Rulemaking section (pg. 30192) of the Proposed Rule ([52 FR 30189](#) [August 13, 1987]) for the ODMDS offshore Georgetown, South Carolina. Also, the third set of coordinates (33° 10'38" N.; 79° 07'21" W.) presented in [40 CFR 228.12\(a\)\(3\)](#) [revised as of July 1, 1984 and July 1, 1987] for the interim Georgetown Harbor site is apparently in error since it is identical to the last set of coordinates presented in the two CFRs. Previously-presented (pg. 2485) coordinates in the Federal Register (42 FR 2461 [January 11, 1977]) are corrected when plotted, although the last two sets of coordinates were presented in reverse order.)

FN3 (Note: The "Depth" category in the [Proposed Rule \(52 FR 30189](#) [August 13, 1987]) was listed as "Average from 6 to 11 meters" (pg. 30192) instead of the above corrected "6 to 11 meter range." The "Restriction" category in the Proposed Rule, which limited disposal to "dredged material from the Georgetown Harbor, SC area" was corrected above to "suitable dredged material from the greater Georgetown, South Carolina area." A similar correction was made in this Final Rule text (EIS Development section).)

[40 CFR § 228.12](#)

[§ 228.12](#) Delegation of management authority for interim ocean dumping sites.

* * * * *

(b) * * *

(40) Georgetown Harbor; Georgetown, South Carolina; Ocean Dredged Material Disposal Site—Region IV.

Location: 33°11'18" N.; 79°07'20" W.; 33°11'18" N.; 79°05'23" W.; 33°10'38" N.; 79°05'24" W.; 33°s 10'38" N.; 79°07'21" W.

Size: 1 square nautical mile.

Depth: 6 to 11 meter range.

Primary Use: Dredged material.

Period of Use: Continuing use.

Restriction: Disposal shall be limited to suitable dredged material from the greater Georgetown, South Carolina area.

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Pertaining to the Final Rule ([53 FR 6987](#) [March 4, 1988]) for the Pensacola (Florida) ODMDS, the Mobile (Alabama) ODMDS, and the two Gulfport (Mississippi) ODMDSs, Subchapter H of Chapter I of Title 409 is amended as set forth below.

[40 CFR § 228.12](#)

3. Part 228 is amended by removing from [§ 228.12\(a\)\(3\)](#) the words and coordinates:[FN4]

FN4 (Note: This removal should be made in addition to the words already removed from [Section 228.12\(a\)\(1\)\(i\)\(H\)](#) in the March 4 Final Rule and in association with the words and coordinates already added in sections specified as [Section 228.12\(b\)\(48\)](#), [228.12\(b\)\(49\)](#) and [228.12\(b\)\(50\)](#) in the March 4 Final Rule. However, the section specified as [Section 228.12\(b\)\(50\)](#) in the March 4 Final Rule should be corrected so that the first set of coordinates for the Eastern Site of the Gulfport (Mississippi) ODMDS reads as 30°11'18" N., 88°58' 24" W. instead of 30°11'10" " N., 88° 58'24" W. It should also be noted that the draft and final EIS entitled "Environmental Impact Statement (EIS) for the Pensacola, FL, Mobile, AL, and Gulfport, Ms., Dredged Material Disposal Site Designation" Should also be so corrected. This correction is consistent with [40 CFR 228.12\(a\)\(3\)](#) (revised as of July 1, 1987) for that site. Also, [Section 228.12](#) cited in the March 4 Final Rule as "Delegation of management authority for dumping sites" should have been cited as "Delegation of management authority for interim ocean dumping sites" per the 40 CFR revised as of July 1, 1987.)

Pensacola, FL—30°16.8' N., 87°19.0' W.; 30°16.7' N., 87°8.3' W.; 30° 16.3' N., 87°16.3 W.; 30° 16.0' N., 87°19.4' W.; 30°16.5' N., 87° 19.4' W.

Gulfport, MS—30° 12.0' N., 89° 00.5' W.; 30° 12.0' N., 88° 59.5' W.; 30° 11.0' N., 89° 00.0' W.; 30° 07.0' N., 88° 56.5' W.; 30° 06.6' N., 88° 57.0' W.; 30°es 10.5' N., 89° 00.6' W.

Gulfport, MS—30° 11.3' N., 88° 58.4' W.; 30° 11.2' N., 88° 57.5' W.; 30° 07.6' N., 88° 54.4' W.; 30° 07.4' N., 88° 54.8' W.

Mobile, AL—30° 10.0' N., 88° 07.7' W.; 30° 10.4' N., 88° 05.2' W.; 30° 09.4' N., 88° 04.7' W.; 30° 08.5' N., 88° 05.2' W.; 30° 08.5' N., 88° 08.2' W.

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Pertaining to the Final Rule ([52 FR 25008](#) [July 2, 1987]) for the ODMDs offshore Savannah (Georgia), Wilmington (North Carolina), and Charleston (South Carolina) (two ODMDs: Charleston and Charleston Harbor Deepening Project), Subchapter H of Chapter I of Title 409 is amended as set forth below.

40 CFR § 228.12

4. Part 228 is amended by removing from [§ 228.12\(a\)\(3\)](#) the words and coordinates:[FN5]

FN5 (Note: This removal should be made in addition to the words already specified for removal from [Section 228.12\(a\)\(1\)\(ii\)\(C\)](#) in the July 2 Final Rule for the Charleston, Savannah and Wilmington sites as well as the additions of [Sections 228.12\(b\)\(32\)](#), [228.12\(b\)\(33\)](#), [228.12\(b\)\(34\)](#), and [228.12\(b\)\(35\)](#) already specified in the July 2 Final Rule for the Savannah, Charleston, Charleston Harbor Deepening Project, and Wilmington ODMDs, respectively. Also, [Section 228.12](#) cited in the July 2 Final Rule as “Delegation of management authority for ocean dumping sites” should have been cited as “Delegation of management authority for interim ocean dumping sites” per the 40 CFR revised as of July 1, 1987.)

Charleston Harbor—32°38'06" N., 79°41'57" W.; 32°s 40'42" N., 79°47'30" W.; 32°39'04" N., 79° 49'21" W.; 32°36'28" N., 79°43' 48" W.

Savannah River—Atlantic outlet, Ga., Savannah River Bar Channel, maintenance dredging disposal area 2 nautical miles wide by 2 nautical miles long adjacent to the channel, located on the southeast side and being 6 nautical miles from shore at point of beginning at 31°57'55" N. and 80°s 46'48" W., thence due east to 31°57'55" N. and 80° 44'20" W., thence due south to 31°55'53" N. and 80°46'48" W., thence northward to the point of beginning.

Wilmington Harbor, NC—Hopper dredge disposal in area east of a line beginning 33°50'00" and 78°02'30" to 33°48'45" and 78°s 04'00" to 33°45'00" and 78°05'00".

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Pertaining to the Final Rule ([52 FR 30360](#) [August 14, 1987]) for the ODMDs offshore Morehead City (North Carolina), Subchapter H of Chapter I of Title 409 is amended as set forth below.

40 CFR § 228.12

5. Part 228 is amended by removing [§ 228.12\(a\)\(1\)\(i\)\(A\)](#). [FN6]

FN6 (Note: This removal should be made in addition to the words and coordinates already specified for removal in the August 14 Final Rule concerning the “Morehead City Harbor” ODMDs in [40 CFR 228.12\(a\)\(3\)](#). Also it should be noted that the last coordinate component presented on page 30361 in the text of

the August 14 Final Rule should read 76°45'0" " W. instead of 70°45'0" W. Furthermore, [Section 228.12](#) cited in the August 14 Final Rule as "Delegation of management authority for ocean dumping sites" should have been cited as "Delegation of management authority for interim ocean dumping sites" per the 40 CFR revised as of July 1, 1987.)

* * * * *

[40 CFR § 228.12](#)

Pertaining to the Tampa Harbor ODMDs listed as interim ocean dumping sites in [40 CFR 228.12\(a\)\(3\)](#) [Revised as of July 1, 1987], Subchapter H of Chapter I of Title 409 is amended as set forth below.

[40 CFR § 228.12](#)

6. Part 228 is amended by removing from [§ 228.12\(a\)\(3\)](#) the words and coordinates:

Tampa Harbor—27°38'08" N., 82°55'06" W.; 27°38'08' " N., 82°54'00" W.; 27°37'08" N., 82°54'00" W.; 27°37'08" N., 82°55'06" W.

Tampa Harbor—27°37'28" N., 83°00'09" W.; 27°37'34' " N., 82°59'19" W.; 27°36'43" N., 82°59'13" W.; 27°36'37" N., 80°00'03" W.

[FR Doc. 88-21771 Filed 9-26-88; 8:45 am]

BILLING CODE 6560-50-M

53 FR 37558-02, 1988 WL 268186 (F.R.)

END OF DOCUMENT