

County, MT, Due: March 24, 1997,
Contact: Jeanne Higgins (406) 295-
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Review Period Reopened.

Dated: February 25, 1997

B. Katherine Biggs,

Associate Director, NEPA Compliance
Division, Office of Federal Activities.

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[ER-FRL-5477-9]

Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared February 10, 1997 Through February 14, 1997 pursuant to the Environmental Review Process (ERP), under Section 309 of the Clean Air Act and Section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at (202) 564-7167.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated April 5, 1996 (61 FR 15251).

Draft EISs

ERP No. D-BLM-K67040-CA Rating EC2, Imperial Open-Pit Heap Leach Precious Metal Mine Project, Plan of Operation, Right-of-Way Approval, Conditional-Use-Permit and Reclamation Program Approval, Imperial County, CA.

Summary: EPA expressed environmental concerns based on potential impacts to surface waters and recommendations for improved facilities design, and requested additional information regarding avoidance and mitigation of impacts to waters of the U.S., reduction of PM10 emissions, and facilities design.

ERP No. D-COE-C36074-NJ Rating EC2, Townsends Inlet to Cape May Inlet Feasibility Study, New Jersey Shore Protection Study, Storm Damage Reduction and Ecosystem Restoration, with in the Communities of Avalon, Stone Harbor and North Wildwood, Cape May County, NJ.

Summary: EPA expressed environmental concerns over the alternatives analysis, potential impacts to benthic communities and water quality from beach nourishment activities, and the potential impacts associated with this and other erosion/storm damage protection projects in New Jersey. Additional information is requested in the final EIS to address these issues.

ERP No. D-COE-G39031-LA Rating LO, Mississippi River—Gulf Outlet (MRGO) New Lock and Connecting Channels Replacement and Construction for Connection to the Mississippi River, Implementation, Orleans and St. Bernard Parishes, LA.

Summary: EPA has no objection to the selection of the Tentatively Selected Plan provided that the described mitigation measures are implemented.

ERP No. D-FHW-L40201-WA Rating EC2, US 101 Highway Aberdeen-Hoquian Corridor Project, Improvements, US Coast Guard and COE Section 404 Permit, Grays Harbor County, WA.

Summary: EPA expressed environmental concerns based on unavoidable impacts to wetlands and potential impacts to other waters of the US. Additional information is needed to clarify design specifications resulting from certain flood frequency data, and to ensure that proper stormwater management practices will be implemented to protect receiving-water quality appropriately.

ERP No. D-FTA-D54038-MD Rating EC2, Metrorail Extension—Addison Road Station to the Largo Town Center, Transportation Improvements, Prince George's County, MD.

Summary: EPA expressed environmental concerns that environmental issues have not been adequately addressed. The alternatives analysis does not adequately compare alternatives. Secondary and cumulative impacts were not fully addressed as well. Information regarding environmental justice issues was not clearly documented.

ERP No. D-IBR-K29000-CA Rating EO2, Interim South Delta Program (ISDP), Construction and Operation, Sacramento/San Joaquin Delta, Implementation, COE Section 404 Permit, Alameda, Contra Costa and San Joaquin Counties, CA.

Summary: EPA expressed environmental objections and is concerned that all of the alternatives analyzed could have significant adverse impacts on fish and aquatic resources and that, generally, the proposed project does not advance that long-term objectives of ecosystem restoration as expressed through the CALFED Long-Term Bay-Delta Program. EPA asked that alternatives be redesigned and evaluated in the context of the Long-Term Program.

ERP No. D-NAS-E12005-00 Rating EC2, Engine Technology Support, Implementation, With Emphases on Liquid Oxygen and Kerosene, Advanced Space Transportation Program, Test Sites: Marshall Space Flight Center

(MSFC) in Huntsville, AL; Stennis Space Center (SSC) near Bay St. Louis, MS and Phillips Laboratory, Edwards Air Force Base, CA.

Summary: EPA expressed environmental concerns regarding wetlands, groundwater and other unresolved issues; however, these can be addressed by the requested additional information.

ERP No. DS-FHW-K40099-HI Rating EC2, Makai Boulevard Concept/Nimitz Highway Improvements, Updated Information, Construction from Keehi Interchange to Pier 16 (AWA Street) in the Kalihi-Palama District, Funding, US Coast Guard and COE Section 404 Permits, City of Honolulu and Honolulu County, HI

Summary: EPA expressed environmental concerns with the project and asked FHA to provide more information regarding the sole source aquifer, erosion and stormwater impacts to water quality, and the alternative analysis.

Final EISs

ERP No. F-BLM-K67038-NV Ruby Hill Gold Mining Operations Project, Implementation, Battle Mountain District, Plan of Operations and COE Section 404 Permit, Eureka County, NV.

Summary: EPA's concerns regarding the project's air emissions have been addressed in the FEIS, however mitigation measures remain vague. EPA supports BLM's decision to add partial backfilling to the preferred alternative and EPA urged BLM to reduce project disturbance by 120 acres.

ERP No. F-FHW-E40757-AL Eastern Pleasure Island Hurricane Evacuation Route Construction, AL-182 in Orange Beach to CR-95 near CR-20 (on the mainland) and CR-95 near CR-20 to I-10, Funding and US Coast Guard Bridge and COE Section 404 Permits Issuance, Baldwin County, AL.

Summary: EPA's review found that impacts to wetlands were of concern and that additional wetland mitigation and agency coordination was needed.

ERP No. F-FHW-E40767-FL Tampa Interstate Project, Funding, I-275 to just north of Cypress Street and I-275 from the Howard Frankland Bridge/Kennedy Boulevard ramps north to Dr. Martin Luther King, Jr. Boulevard and I-4 from I-275, Hillsborough County, FL.

Summary: EPA's review found that noise impacts to urban residents were of concern and that the affected communities and housing developments should be allowed to participate in noise abatement plans.

ERP No. F-FRC-L05206-WA Snoqualmie Falls Hydroelectric Project

(FERC Project No. 2493), Relicensing, Snoqualmie River, King County, WA.

Summary: Review of the final EIS has been completed and the project found to be satisfactory. No formal comment letter was sent to the preparing agency.

ERP No. F-NPS-L61211-AK Denali National Park and Reserve, "Frontcountry" Entrance Area and Road Corridor, Development Concept Plan, AK.

Summary: Review of the Final EIS was not deemed necessary. No formal comment letter was sent to the preparing agency.

Dated: February 25, 1997.

B. Katherine Biggs,

Associate Director, NEPA Compliance Division, Office of Federal Activities.

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[FRL-5697-5]

Guidance for the Implementation of EPA's Radiation Protection Standards for Management and Storage of Transuranic Waste at the Waste Isolation Pilot Plant ("WIPP Subpart A Guidance")

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability.

SUMMARY: Pursuant to the amended Waste Isolation Pilot Plant Land Withdrawal Act (WIPP LWA), Pub. L. 102-579 as amended by Public Law 104-201, EPA is required to determine, on a biennial basis, whether the Waste Isolation Pilot Plant (WIPP) complies with 40 CFR Part 191, Subpart A, the standards for management and storage of radioactive waste. EPA has developed guidance for the implementation of the generally applicable standards of Subpart A at the WIPP to evaluate the facility's compliance with radiation dose limits to the public during the receipt and emplacement of waste, and associated activities, if the WIPP is approved for use as a disposal system. EPA is hereby announcing that a revised guidance document, known as the WIPP Subpart A Guidance, is available to the public. In developing the guidance, EPA requested and considered public comments on the draft WIPP Subpart A Guidance that was previously announced on September 5, 1996. (61 FR 46804.)

ADDRESSES: Copies of the revised WIPP Subpart A Guidance are available to the public by calling EPA's WIPP Information Line at 1-800-331-WIPP. Copies of the WIPP Subpart A Guidance and supporting materials are also

available for review at EPA's Office of Radiation and Indoor Air located at 501 3rd Street, N.W., Washington, D.C. 20001; and at the following addresses in New Mexico where EPA maintains public information files for the guidance: (1) Government Publications Department of the Zimmerman Library of the University of New Mexico in Albuquerque, New Mexico (open from 8:00 a.m. to 9:00 p.m. on Monday through Thursday, 8:00 a.m. to 5:00 p.m. on Friday, 9:00 a.m. to 5:00 p.m. on Saturday, and 1:00 p.m. to 9:00 p.m. on Sunday); (2) The Fogelson Library of the College of Santa Fe, located at 1600 St. Michael's Drive, Santa Fe, New Mexico (open from 8:00 a.m. to 12:00 midnight on Monday through Thursday, 8:00 a.m. to 5:00 p.m. on Friday, 9:00 a.m. to 5:00 p.m. on Saturday, and 1:00 p.m. to 9:00 p.m. on Sunday); and (3) The Municipal Library of Carlsbad, New Mexico, located at 101 South Halegueno (open from 10:00 a.m. to 9:00 p.m. on Monday through Thursday, 10:00 a.m. to 6:00 p.m. on Friday and Saturday, and 1:00 p.m. to 5:00 p.m. on Sunday). Citizens wishing to review these materials should request to see the EPA "WIPP Subpart A Guidance File."

FOR FURTHER INFORMATION CONTACT:

Betsy Forinash, U.S. Environmental Protection Agency, Office of Radiation and Indoor Air (6602J), 401 M Street, S.W., Washington, D.C. 20460; (202) 233-9310.

SUPPLEMENTARY INFORMATION: The guidance document pertains to the requirements established in the amended WIPP LWA¹ and the federal regulations at 40 CFR Part 191, Subpart A. The document does not establish new binding requirements but will guide EPA's implementation of 40 CFR Part 191, Subpart A at the WIPP. Subpart A is a generally applicable radiation protection standard that limits radiation doses to the public from management of transuranic radioactive waste at disposal facilities operated by the Department of Energy (DOE). The DOE is proposing to use the WIPP, located in Eddy County, New Mexico, as a deep geologic repository for the disposal of transuranic radioactive waste generated by nuclear defense activities. The Subpart A regulations apply to activities associated with receiving and emplacing the waste in the disposal system. (Limitations on radiation doses which may occur after

closure of the disposal system are separately addressed by EPA's disposal regulations at Subparts B and C of 40 CFR Part 191, and by WIPP compliance criteria at 40 CFR Part 194.) The amended WIPP LWA requires EPA to determine, on a biennial basis, whether WIPP complies with Subpart A of 40 CFR Part 191. EPA may also conduct this determination at any other time. If EPA determines that the WIPP does not comply with the Subpart A dose standards at any time after emplacement of waste has begun, the WIPP LWA requires the DOE to submit a remedial plan to EPA describing the actions DOE will take to comply with Subpart A.

This guidance describes the application of Subpart A to activities associated with the approximately 35-year period during which packaged waste would be received at the above ground portion of the WIPP; unloaded and prepared for emplacement in the underground repository; lowered down a mechanical hoist and emplaced in the mined-out repository; and managed during the closure and decommissioning of the facility, if the WIPP is approved for use as a disposal system. During this period, the annual doses from radiation received by members of the public must not exceed the limits specified by Subpart A. The WIPP Subpart A Guidance interprets Subpart A for the WIPP and provides the Agency's recommendations for methods used to demonstrate and document compliance with the standards. The guidance also describes information DOE should report to EPA for the Agency's evaluation of the WIPP's compliance with the Subpart A dose limits.

The guidance does not establish a new radiation dose standard and does not establish binding rights or duties, but will be a non-binding guide for EPA's evaluation of the WIPP's compliance with Subpart A. In a September 5, 1996 Federal Register notice (61 FR 46804), EPA solicited public comment on draft WIPP Subpart A Guidance. The WIPP Subpart A Guidance now available incorporates revisions made in light of those comments. EPA will update the guidance as needed in the future to reflect changes in policy, in radiation science or in the operation of the WIPP site, or as appropriate to respond to issues raised by the public.

Dated: February 20, 1997.

Mary Nichols,

Assistant Administrator, Office of Air and Radiation.

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¹The 1992 WIPP Land Withdrawal Act, Pub. L. 102-579, was amended by the "Waste Isolation Pilot Plant Land Withdrawal Act Amendments," Pub. L. 104-201. The 1996 amendments were part of the National Defense Authorization Act for fiscal year 1997.