

**ENVIRONMENTAL PROTECTION AGENCY**

[OPPT-2003-0004; FRL-7330-7]

**Access to Confidential Business Information by Abt Associates****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice.

**SUMMARY:** EPA has authorized its prime contractor Abt Associates (Abt) of Cambridge, MA and its subcontractors Eastern Research Group, of Lexington, MA, and Syracuse Research Corporation, of Arlington, VA, access to information which has been submitted to EPA under all sections of the Toxic Substances Control Act (TSCA). Some of the information may be claimed or determined to be Confidential Business Information (CBI).

**FOR FURTHER INFORMATION CONTACT:**

Barbara A. Cunningham, Director, Environmental Assistance Division (7408M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 554-1404; e-mail address: [TSCA-Hotline@epa.gov](mailto:TSCA-Hotline@epa.gov).

**SUPPLEMENTARY INFORMATION:****I. General Information***A. Does this Notice Apply to Me?*

This action is directed to the public in general. This action may, however, be of interest to those persons who are or may be required to conduct testing of chemical substances under TSCA. Since other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

*B. How Can I Get Copies of this Document and Other Related Documents?*

1. *Docket.* EPA has established an official public docket for this action under docket identification (ID) number OPPT-2003-0004. The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although a part of the official docket, the public docket does not include CBI or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing at the EPA Docket Center, Rm. B102-Reading

Room, EPA West, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The EPA Docket Center Reading Room telephone number is (202) 566-1744 and the telephone number for the OPPT Docket, which is located in EPA Docket Center, is (202) 566-0280.

2. *Electronic access.* You may access this **Federal Register** document electronically through the EPA Internet under the "**Federal Register**" listings at <http://www.epa.gov/fedrgstr/>.

An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket facility identified in Unit I.B.1. Once in the system, select "search," then key in the appropriate docket ID number.

**II. What Action is the Agency Taking?**

Under Contract Number 68-W02-077, Abt Associates, of 55 Wheeler St, Cambridge, MA and 4800 Montgomery Lane, Suite 400, Bethesda, MD; Eastern Research Group of 110 Hartwell Avenue, Lexington, MA and Avion Lakeside Drive D, 14555 Avion Parkway, Chantilly, VA; and Syracuse Research Corporation, of SRC Arlington, Crystal Gateway 3, Suite 405, 1215 Jefferson Davis Highway, Arlington, VA, will assist EPA in economic and regulatory impact analysis to support all aspects of EPA decision-making. These analyses will largely be of the costs, economic impacts, benefits, and regulatory impacts of actual or potential EPA actions taken under TSCA.

In accordance with 40 CFR 2.306(j), EPA has determined that under Contract Number 68-W02-077, Abt, ERG, and SRC will require access to CBI submitted to EPA under all sections of TSCA, to perform successfully the duties specified under the contract.

Abt, ERG, and SRC personnel were given access to information submitted to EPA under all sections of TSCA. Some of the information may be claimed or determined to be CBI.

EPA is issuing this notice to inform all submitters of information under all sections of TSCA, that the Agency may provide Abt, ERG, and SRC access to these CBI materials on a need-to-know

basis only. All access to TSCA CBI under this contract will take place at EPA Headquarters and Abt's sites located at 55 Wheeler Street, Cambridge, MA and 4800 Montgomery Lane, Suite 400, Bethesda, MD; ERG's sites located at 110 Hartwell Avenue, Lexington, MA and Avion Lakeside Drive D, 14555 Avion Parkway, Chantilly, VA; and SRC's site located at SRC Arlington, Crystal Gateway 3, Suite 405, 1215 Jefferson Davis Highway, Arlington, VA.

Abt, ERG, and SRC personnel will adhere to all provisions of EPA's *TSCA Confidential Business Information Security Manual*.

Clearance for access to TSCA CBI under Contract Number 68-W02-077 may continue until September 30, 2007.

Abt, ERG, and SRC personnel were required to sign nondisclosure agreements and were briefed on appropriate security procedures before they were permitted access to TSCA CBI.

**List of Subjects**

Environmental protection,  
Confidential business information.

Dated: October 9, 2003.

**Brian Cook,**

*Acting Director, Information Management Division, Office of Pollution Prevention and Toxics.*

[FR Doc. 03-26757 Filed 10-23-03; 8:45 am]

**BILLING CODE 6560-50-S**

**ENVIRONMENTAL PROTECTION AGENCY**

[ER-FRL-6644-8]

**Environmental Impact Statements and Regulations; Availability of EPA Comments**

Availability of EPA comments prepared 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 04, 2003 (68 FR 16511).

**Draft EISs**

ERP No. D-AFS-J61104-CO Rating EC2, Copper Mountain Resort Trails and Facilities Improvements, Implementation, Special Use Permit, White River National Forest, Dillon Ranger District, Summit County, CO.

*Summary:* EPA expressed environmental concerns regarding potential adverse impacts to water quality, stream function, wetlands and wildlife habitats. EPA requested additional information on snowmaking source water quality and on-mountain receiving water quality.

ERP No. D-COE-L59000-AK Rating EC2, King Cove Access Project, Provision of a Transportation System between the City of King Cove and the Cold Bay Airport, U.S. Army COE Section 10 and 404 Permits Issuance, Aleutians East Borough (AEB), Alaska Peninsula, AK.

*Summary:* EPA raised environmental concerns that all of the action alternatives would result in significant environmental impacts due to the dredging and filling of wetlands and the installation of bridges and culverts in anadromous fish streams. EPA also raised concerns that one of the proposed action alternatives would result in significant impacts on sanctuaries, refuges and wilderness areas.

ERP No. D-FHW-H40176-MO Rating EC2, US 40/61 Bridge Location Study Over the Missouri River, Improvement of the Transportation System, Section 9 of the Rivers and Harbor Act Permit, and U.S. Army COE Section 10 and 404 Permits, Missouri River, St. Charles and St. Louis Counties, MO.

*Summary:* EPA expressed environmental concerns regarding the design year level of service (LOS) rating of D for all build alternatives. EPA further commented on insufficient information regarding the roadway approaches to the bridge and impacts to the floodplain.

ERP No. D-FRC-B05193-CT Rating EC2, Housatonic River Hydroelectric Project, Application to Relicense Existing Licenses for Housatonic Project No. 2576-022 and the Falls Village Project No. 2597-019, Housatonic River Basin, Fairfield, New Haven and Litchfield Counties, CT.

*Summary:* EPA raised environmental concerns about the conditions associated with the FERC staff recommended alternative, flow and operational recommendations, and the mix of alternatives considered in the Draft EIS.

ERP No. D-FRC-E03011-FL Rating EC2, Tractebel Calypso Pipeline Project, Natural Gas Transportation Service for 832,000 dekatherms/day (Dth/day) to South Florida, Right-of-Way Grant and U.S. Army COE Section 10 and 404 Permits Issuance, Exclusive Economic Zone (EEZ) with the Bahamas, Fort Lauderdale, Broward County, FL.

*Summary:* EPA expressed environmental concerns about potential

impacts to Florida nearshore corals/hardbottoms and seagrasses and the uncertainty of successful Horizontal Directional Drilling crossings. EPA requested an improved impact assessment for marine resources, a Marine Mitigation Plan, and agency coordination regarding expected use conflicts with the Port Everglades Ocean Dredged Material Disposal Site currently being designated by EPA.

ERP No. D-IBR-K39080-CA Rating EC2, Mendota Pool 10-Year Exchange Agreements, Water Provision to Irrigable Lands, Central Valley Project Improvement Act (CVPIA), Fresno and Madera Counties, CA.

*Summary:* EPA has environmental concerns with project contributions to groundwater and surface water quality degradation, groundwater overdraft, and subsidence; effects on actions to resolve agricultural drainage problems, and effects on efforts to provide a sustainable and reliable irrigation supply. EPA requested additional information regarding potential project impacts on the above issues. EPA urged consideration of limited land fallowing and other measures to improve irrigation water productivity to address the need for a more reliable irrigation supply.

ERP No. D-IBR-K64023-CA Rating LO, Battle Creek Salmon and Steelhead Restoration Project, Habitat Restoration in Battle Creek and Tributaries, License Amendment Issuance, Implementation, Tehama and Shasta Counties, CA.

*Summary:* EPA supports the restoration of fisheries habitat and has no objections to this project, provided mitigation measures and monitoring programs, as described in the draft EIS are implemented.

ERP No. D-IBR-K64024-CA Rating LO, Lower Santa Ynez River Fish Management Plan and Cachuma Project, Biological Opinion for Southern Steelhead Trout and Endangered Southern Steelhead Habitat Conditions Improvements, Santa Barbara County, CA.

*Summary:* EPA supports the restoration of fisheries habitat and has no objection to this project, provided mitigation measures and monitoring programs, as described in the draft EIS, are implemented.

ERP No. DS-FTA-C54007-NJ Rating EC2, Newark-Elizabeth Rail Link-Elizabeth Segment to Document the Social, Economic and Transportation Impact of the 5.8 mile Light Rail Transit (LRT) Alignment, Minimal Operable Segment 3 (MOS-3), City of Elizabeth, Union County, NJ.

*Summary:* EPA expressed environmental concerns due to

wetlands impacts/mitigation and air quality impacts. EPA requested that the final EIS contain additional analysis for these issues and appropriate mitigation for the impacts.

ERP No. D1-FHW-F40361-MI Rating EC2, MI-59 Livingston County Widening Project between I-96 and U.S. 23, Practical Alternatives and a No Build Alternative for Consideration in the Right-of-Way Preservation Corridor, Funding, NPDES and U.S. Army COE Section 404 Permits Issuance, Livingston County, MI.

*Summary:* EPA expressed environmental concerns with the proposed project regarding wetland impacts, stormwater runoff, and invasive species control. EPA also commented on alternatives evaluation.

### Final EISs

ERP No. F-AFS-L61218-ID, Frank Church—River of No Return Wilderness (FC-RONRW) Future Management of Land and Water Resources, Implementation, Bitterroot, Boise and Nez Perce, Payette and Salmon-Challis National Forests, ID.

*Summary:* No formal comment letter was sent to the preparing agency.

ERP No. F-AFS-L65376-OR, Silvies Canyon Watershed Restoration Project, Additional Information concerning Ecosystem Health Improvements in the Watershed, Grant and Harney Counties, OR.

*Summary:* No formal comment letter was sent to the preparing agency.

ERP No. F-AFS-L65414-ID, Middle Little Salmon Vegetation Management Project, Timber Stands Current Condition Improvements, Payette National Forest, New Meadows Ranger District, Adam County, ID.

*Summary:* No formal comment letter was sent to the preparing agency.

ERP No. F-FHW-D40295-WV, New River Parkway Project, Design, Construction and Management, between I-64 Interchanges to Hinton, Funding, Raleigh and Summers Counties, WV.

*Summary:* EPA has environmental concerns with the preferred alternative regarding the significant potential for secondary and cumulative impacts to the New River.

ERP No. F-FHW-J40160-ND, Liberty Memorial Bridge Replacement Project, Poor and Deteriorating Structural Rehabilitation or Reconstruction, U.S. Coast Guard and U.S. Army COE Section 10 and 404 Permits Issuance, Missouri River, Bismarck and Mandan, ND.

*Summary:* No formal comment letter was sent to the preparing agency.

ERP No. F-FTA-K40241-HI, Oahu Primary Corridor Transportation Project,

Improvements from Kapolei in the west to the University of Hawaii-Manoa and Waikiki in the east, Funding, City and County of Honolulu.

*Summary:* No formal comment letter was sent to the preparing agency.

ERP No. F-JUS-K99007-CA 14-Mile Border Infrastructure System Completion along the United States and Mexico Border, Areas I, V and VI, Pacific Ocean to just east of Tin Can Hill, San Diego County, CA.

*Summary:* EPA raised continuing environmental objections with the proposed project because it could result in significant environmental degradation to waters of the United States. EPA continues to believe that additional opportunities may exist to avoid and reduce the project's adverse impacts to aquatic resources protected under the Clean Water Act Section 404 (CWA); and intends to work with the Department of Homeland Security and U.S. Army Corps of Engineers to identify such opportunities during the CWA Section 404 permit process.

ERP No. F-NOA-L91011-AK, Cook Inlet Beluga Whale Stock, Federal Actions Associated with the Management and Recovery, Implementation, Cook Inlet, AK.

*Summary:* No formal comment letter was sent to the preparing agency.

ERP No. FB-AFS-J65287-UT, Long Deer Vegetation Management Project, South Spruce Ecosystem Rehabilitation Project, Implementation, Dixie National Forest, Cedar City Ranger District, Iron and Kane Counties, UT.

*Summary:* EPA continues to express environmental concerns with the range of alternatives, ecosystem characterization and fuel loading, roads and habitat fragmentation. EPA recommended that the interactions between and goals of (1) reforestation, (2) fuel reduction and (3) aspen regeneration be considered.

Dated: October 21, 2003.

**Ken Mittelholtz,**

*Environmental Protection Specialist, NEPA Compliance Division.*

[FR Doc. 03-26932 Filed 10-23-03; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-6644-7]

### Environmental Impact Statements; Notice of Availability

*Responsible Agency:* Office of Federal Activities, General Information (202) 564-7167 or <http://www.epa.gov/compliance/nea>.

Weekly receipt of Environmental Impact Statements  
Filed October 13, 2003 Through October 17, 2003

Pursuant to 40 CFR 1506.9.

*EIS No. 030477, Final EIS, COE, MS,* Royal D'Iberville Hotel and Casino Development Project, Construction and Operation, U.S. Army COE Section 10 and 404 and NPDES Permits Issuance, City of D'Iberville on the Back Bay, Mississippi Gulf Coast, Harrison County, MS, Wait Period Ends: November 24, 2003, Contact: Susan Ivester Rees, Ph.D (251) 694-4141.

*EIS No. 030478, Final EIS, BOP, CA,* Lompoc United States Penitentiary (UPS) Construction and Operation of a New High-Security Facility and Ancillary Structures on One of Three Sites located in the City of Lompoc, Funding, Santa Barbara County, CA, Wait Period Ends: November 24, 2003, Contact: David J. Dorworth (202) 514-6470.

*EIS No. 030479, Final EIS, AFS, CA,* South Tahoe Public Utility District (STPUD) B-Line Phase III Wastewater Export Pipeline Replacement Project, Luther Pass Pump Station to U.S. Forest Service Luther Pass Overflow Campground Access Road, Special Use Permit, U.S. Army COE Section 404 and US Fish and Wildlife Service Permits Issuance and EPA Grant, El Dorado and Alpine Counties, CA, Wait Period Ends: November 24, 2003, Contact: Gary Weigel (530) 543-2665.

*EIS No. 030480, Draft EIS, AFS, OR,* Easy Fire Recovery Project and Proposed Non-significant Forest Plan Amendments, Timber Salvage, Future Fuel Reduction, Road Reconstruction and Maintenance, Road Closure, Tree Planting and Two Non-significant Forest Plan Amendments, Implementation, Malheur National Forest, Prairie City Ranger District, Grant County, OR, Comment Period Ends: December 8, 2003, Contact: Brooks Smith (541) 820-3800.

This document is available on the Internet at: <http://www.fs.fed.us/R6/malheur>.

*EIS No. 030481, Final Supplemental, AFS, CA, WA, OR,* Northern Spotted Owl Management Plan in the National Forests, Implementation, CA, OR and WA, Wait Period Ends: November 24, 2003, Contact: Joyce Casey (503) 326-2430.

The U.S. Department of Agriculture's Forest Service and U.S. Department of the Interior's Bureau of Land Management are Joint Lead Agencies for the above project.

*EIS No. 030482, Draft EIS, AFS, MT,* Basin Creek and Blacktail Hazardous Watershed Fuels Reduction Project, Implementation, Highland Mountains, Butte Ranger District, Beaverhead-Deerlodge National Forest, Butte-Silver Bow County, MT, Comment Period Ends: December 8, 2003, Contact: Amy Waring (406) 683-3948.

*EIS No. 030483, Final EIS, FTA, CO,* West Corridor Project, Transportation Improvements in the Cities of Denver, Lakewood and Golden, Light Rail Transit (LRT), Jefferson County, CO, Wait Period Ends: November 24, 2003, Contact: David Hollis (303) 638-9000.

*EIS No. 030484, Draft EIS, NOA, WA, CA, OR,* 2004 Pacific Coast Groundfish Fishery Management Fishery, Proposed Acceptable Biological Catch and Optimum Yield Specifications and Management Measures, Magnuson-Stevens Act, Exclusive Economic Zone, WA, OR and CA, Comment Period Ends: December 8, 2003, Contact: D. Robert Lohn (206) 526-6150.

### Amended Notices

*EIS No. 030407, Draft EIS, EPA, CT, NY,* Central and Western Long Island Sound Dredged Material Disposal Sites, Designation, CT and NY, Comment Period Ends: November 17, 2003, Contact: Ann Rodney (617) 918-1538.

Revision of FR Notice Published on 9/12/03: CEQ Comment Period Ending 10/27/2003 has been extended to 11/27/2003.

*EIS No. 030446, Draft Supplemental, FTA, OR, WA, OR,* South Corridor Downtown Amendment Project, Evaluation of Downtown Portland Mall Light Rail Transit (LRT) Alignment to the I-205 Light Rail Transit Alternative, Funding, Clackamas and Multnomah Counties, OR, Comment Period Ends: November 17, 2003, Contact: Sharon Kelly (503) 797-1756.

Revision of FR Notice Published on 10/3/2003: Correction to the STATE from NC to OR.

*EIS No. 030453, Draft EIS, BLM, CA,* Desert Southwest Transmission Line Project, New Substation/Switching Station, Construction, Operation and Maintenance, Right-of-Way Grant and US Army COE Section 10 and 404 Permits Issuance, North Palm Springs and Blythe, CA, Comment Period Ends: November 24, 2003, Contact: John Kalish (760) 251-4849.

Revision of FR Notice Published on 10/10/2003: Correction to the Internet