

Abstract for [0300120]

Q1: Is an internal combustion (IC) engine considered an "enclosed combustor" as defined in NSPS subpart WWW?

A1: In the preamble to the 1991 Federal Register proposal of the Landfill NSPS/Emissions Guidelines (56 FR 24468, 5/30/91), EPA included a listing of enclosed combustion devices, which also included IC engines. Therefore, the IC engines at the Ridgewood Power plant located at the Central Landfill are considered enclosed combustors.

Q2: If the IC engines are enclosed combustors subject to NSPS subpart WWW, will EPA approve an alternative parameter monitoring plan for the engines?

A2: Yes, EPA will approve the plan, as provided for and enumerated in EPA's determination letter.

Abstract for [0300121]

Q: What constitutes a "treatment system" according to NSPS subpart WWW, and does the treatment system at Ridgewood Power Associates in Johnston, Rhode Island satisfy the requirements of 40 CFR 60.752?

A: The pretreatment system employed by Ridgewood Power does meet EPA's criteria for a treatment system as defined under 40 CFR 60.752(b)(2)(iii)(C). Treatment of the landfill gas in this manner is a means of compliance with the gas control requirements of the NSPS. EPA Region 1 concurs that the IC engines combusting the treated landfill gas are not subject to the requirements of 40 CFR 60.752(b)(2)(iii)(B).

Abstract for [0300122]

Q: As an alternative to installing and certifying a COMS, can Penreco perform Reference Method 9 for visible emissions observations whenever oil is burned in an NSPS subpart Dc boiler?

A: Yes. Alternative opacity monitoring can be performed in lieu of installing and certifying a COMS, however, specific procedures outlined in EPA's response must be followed to ensure compliance with this approval. The procedures are consistent with those that EPA has approved for other NSPS subpart Dc boilers that burn gas as a primary fuel and that have an annual capacity factor of 10 percent or less for oil when used as a backup fuel.

Abstract for [0300123]

Q: Is coke oven gas considered equivalent to coal under NSPS subpart Db?

A: Yes. As defined in NSPS subpart Db, coal includes coal-derived synthetic fuels. Since coke oven gas is a synthetic

fuel derived from coal, it is considered equivalent to coal.

Abstract for [0300124]

Q: When determining whether a piece of equipment is in light liquid service or heavy liquid service under NSPS subpart VV, should the vapor pressure of water be considered?

A: No. The vapor pressure of water is not considered. Applicability of NSPS subpart VV is based on the content of VOC in the process fluid and the volatility of the VOC components.

Abstract for [0300125]

Q: Is the Janesville Disposal Facility (JDF), which is governed by a federal consent decree, and for which applicable or relevant and appropriate requirements (ARARs) apply pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1990 (CERCLA), also subject to the Federal Plan at 40 CFR part 62?

A: Yes. The municipal solid waste landfill is affected by the EPA's Emission Guidelines for municipal solid waste landfills, and the Federal Plan promulgated thereunder at 40 CFR part 62, because it is adjacent to and part of a facility that is subject to the Federal Plan. However, it is not subject to specific provisions of the Federal Plan. This is because the ARARs established under CERCLA govern the landfill's emissions controls. Moreover, the ARARs for the Superfund site do not include administrative requirements such as reporting; hence, EPA will not require an initial design capacity report for the JDF portion of the landfill.

Abstract for [0300126]

Q: Does the replacement of an individual coal conveyor constitute construction or reconstruction of an affected facility or must one view the conveyors collectively as a group when determining if the replacement or construction of an individual conveyor constitutes the construction or reconstruction of an affected facility?

A: Each conveyor must be evaluated individually to determine if the replacement of a single conveyor creates an affected facility subject to 40 CFR part 60, subpart Y. Based on the wording of the regulation, each conveyor is viewed individually. This determination was also based on previous determinations concerning the applicability of NSPS subpart Y.

Abstract for [0300127]

Q1: Does the replacement of an individual coal conveyor constitute construction or reconstruction of an affected facility or must one view the

conveyors collectively as a group when determining if the replacement or construction of an individual conveyor constitutes the construction or reconstruction of an affected facility?

A1: Each conveyor must be evaluated individually to determine if the replacement of a single conveyor creates an affected facility subject to 40 CFR part 60, subpart Y. Based on the wording of the regulation, each conveyor is viewed individually. This determination confirms an earlier determination (refer to determination 0300126 on this ADI update) and was also based on previous determinations concerning the applicability of NSPS subpart Y.

Q2: When evaluating applicability of NSPS subpart Y to coal processing and conveying equipment at a coal preparation plant, does one include all coal preparation equipment as a whole (system) or does one view each piece of processing and conveying equipment as a separate affected facility?

A2: The NSPS General Provisions in subpart A define affected facility as any apparatus to which a standard is applicable. In general, when EPA seeks to regulate a process as a whole, the regulation will refer to a system or facility or will use the term "all" when describing the equipment that is part of the affected facility. Because NSPS subpart Y defines coal processing and conveying equipment to be any machinery and because EPA did not identify coal processing and conveying equipment as a system, the affected facility is each individual coal conveyor.

Dated: January 30, 2004.

**Lisa Lund,**

*Acting Director, Office of Compliance.*

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## **ENVIRONMENTAL PROTECTION AGENCY**

**[ER-FRL-6648-5]**

### **Environmental Impact Statements; Notice of Availability**

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

Weekly receipt of Environmental Impact Statements

Filed February 9, 2004, through

February 13, 2004,

Pursuant to 40 CFR 1506.9.

*EIS No. 040066, Draft EIS, NPS, CA, Point Reyes National Seashore (PRNS) and the North District of Golden Gate*

National Recreation Area (GGNRA) Fire Management Plan, Implementation, Marin County, CA, Comment Period Ends: April 20, 2004, contact: Roger Wong (415) 464-5243. This document is available on the Internet at: <http://www.nps.gov/pore/>.

*EIS No. 040067, Final Supplement, NOA, Atlantic Sea Scallop Fishery Management Plan (FMP), Amendment 10, Introduction of Spatial Management of Adult Scallops, Essential Fish Habitat (EFH), from the Gulf of Maine and Georges Banks to Cape Hatteras, NC, Wait Period Ends: March 22, 2004, contact: Paul Howard (978) 465-0492. This document is available on the Internet at: <http://www.nefmc.org>.*

*EIS No. 040068, Final Supplement, COE, FL, Central and Southern Florida Project, Tamiami Trail Feature (US Highway 41), Modified Water Deliveries to Everglades National Park, Dade County, FL, Wait Period Ends: March 22, 2004, contact: Jon Moulding (904) 232-2286. This document is available on the Internet at: <http://www.saj.usace.army.mil/dp/tamiami.htm>.*

*EIS No. 040069, Draft EIS, COE, KY, Pike County (Levisa Fork) Section 202 Flood Damage Reduction Project, Design, Construct and Implement Flood Damage Reduction Measures, Appalachian Mountain, Big Sandy River, Pike County, KY, Comment Period Ends: April 5, 2004, contact: Pete K. Dodgion (304) 399-5636.*

*EIS No. 040070, Draft EIS, NPS, AZ, Saguro National Park Fire Management Plan, Implementation, Tucson, AZ, Comment Period Ends: April 20, 2004, contact: Sarah Craighead (520) 733-5130.*

*EIS No. 040071, Final EIS, AFS, PR, Caribbean National Forest, Constructing the Rio Sabana Picnic Area Construction, Rio Sabana Trail Reconstruction and Highway PR 191 Reconstruction from Km. 21.3 to Km 20.0, Special-Use-Permit, PR, Wait Period Ends: March 22, 2004, contact: Manuel Ortiz (787) 888-5669.*

#### Amended Notices

*EIS No. 040025, Draft EIS, USN, MS, Purchase of Land in Hancock County, Mississippi, for a Naval Special Operations Forces Training Range, To Improve Riverine and Jungle Training Available, John C. Stennis Space Center, Hancock County, MS, Comment Period Ends: March 15, 2004, contact: Richard Davis (843) 820-5589. Revision of **Federal Register** Notice published on 01/30/*

2004: Change in contact person telephone number.

*EIS No. 040059, Draft EIS, AFS, AZ, Arizona Snowbowl Facilities Improvements, Proposal to Provide a Consistent/Reliable Operating Season, Coconino National Forest, Coconino County, AZ, Comment period ends: April 12, 2004, contact: Ken Jacobs (928) 774-1147. Revision of **Federal Register** Notice Published on 2/13/2004: CEQ comment period ending 3/29/2004 has been corrected to 4/12/2004 and the Web site has been corrected to <http://www.fs.fed.us/r3/coconino/nepa/index.shtml>.*

Dated: February 17, 2004.

**Ken Mittelholtz,**

*Environmental Protection Specialist, Office of Federal Activities.*

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#### ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-6648-6]

#### 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 the **Federal Register** dated April 4, 2003 (68 FR 16511).

#### Draft EISs

ERP No. D-AFS-K65265-CA Rating EC2, McNally/Sherman Pass Restoration Project, Proposal to Remove Fire-Kill Trees, Road Construction and Associated Restoration of the Area Burned, Sequoia National Forest, Cannell Meadow Ranger District, Tulare County, CA.

*Summary:* EPA raised environmental concerns on potential impacts to water supplies from using magnesium chloride to reduce road-related fugitive dust emissions and a fungicide SPORAX to control tree stump fungus. The FEIS should include mitigation to reduce or avoid potential adverse impacts when using the compounds.

ERP No. D-DOE-F09004-OH Rating EC2, Portsmouth, Ohio Site Depleted Uranium Hexafluoride Conversion

Facility, Construction and Operation, Pike County, OH.

*Summary:* EPA has environmental concerns over the measurement units and proper reference to NESHAP standards, and the cumulative effects of the new enrichment facility that will be built on the site.

ERP No. D-FHW-G40179-TX Rating LO, Kelly Parkway Project, Construction from U.S. 90 to TX-16, to Improvement Transportation Mobility, Facilitate Economic Development, and Enhance Safety, Funding and U.S. Army COE Section 404 Permit, San Antonio, Bexar County, TX.

*Summary:* EPA has no objections to the preferred alternative.

ERP No. D-NRC-F06022-IL Rating EC2, Quad Cities Nuclear Power Station Units 1 and 2, Supplement 16 to NUREG-1437, License Renewal, IL.

*Summary:* EPA has environmental concerns regarding radiological impacts from power updates, and on-site storage and transport of spent fuel rods and waste. EPA requests information regarding potential sediment contamination, and risk estimates for core damage frequency, and site-specific radiation doses.

ERP No. DA-FTA-L40210-WA Rating LO, Central Link Light Rail Transit Project (Sound Transit) Construction and Operation of the North Link Light Rail Extension from Downtown Seattle and Northgate, Funding, Right-of-Way and U.S. Army COE Section Permits, Cities of Seattle, Sea Tac and Tukwila, King County, WA.

*Summary:* EPA Region 10 used a screening tool to conduct a limited review of this action. Based upon this screen, EPA does not foresee having any environmental objections to the proposed project.

#### Final EISs

ERP No. F-FHW-F40411-MN Trunk Highway 371 Corridor Reconstruction, U.S. Truck Highway 10 to County State Aid Highway (CSAH) Highway 48, Funding, Morrison County, MN.

*Summary:* EPA has no objections to the preferred alternative.

Dated: February 17, 2004.

**Ken Mittelholtz,**

*Environmental Specialist, Office of Federal Activities.*

[FR Doc. 04-3746 Filed 2-19-04; 8:45 am]

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