

glass melting furnace stack. The revised Permit also included other changes related to the changes in the emission limitations.

Subsequent to the issuance of the revised Permit, the EAB received six petitions requesting review of the revised Permit. The EAB denied review of all six petitions.

III. What Did the EAB Decide?

Four of the petitions raised public health concerns and general concerns about the Knauf facility which were already addressed in EPA Region 9's response to comments for the revised Permit. The EAB denied review of these petitions because they failed to demonstrate why EPA Region 9's response was clearly erroneous or otherwise warranted review. For one of these petitions, which asserted that the original permit issued in 2000 violated the CAA by allowing the facility to be built, the EAB ruled that the assertion did not relate to any condition of the revised Permit issued by EPA Region 9 and was, therefore, beyond the scope of the EAB proceeding.

One petition related to two documents filed with the EAB titled "Notice of Appeal" and "Request for Time Extension." The Notice of Appeal asked for permission to file an appeal with the EAB, but did not raise any specific objections to the revised Permit, and the Extension Request stated only that the petitioners were waiting to receive certain information from EPA Region 9. The EAB denied review because the petitioners did not articulate any specific objections to the revised Permit and did not establish good cause for extending the time to file an appeal.

One petition objected to the location of the Knauf facility and asked for reconsideration of the permitting decision. The EAB denied review since the petitioner did not file the petition in a timely manner and did not participate in the permitting process during the public comment period for the draft revised Permit.

Readers interested in more detail on the appeal issues raised by the petitioners and the reasons for the EAB's denial of review may download EAB's Order Denying Review from the EAB Web site at <http://www.epa.gov/eab>.

Pursuant to 40 CFR 124.19(f)(1), for purposes of judicial review, final agency action occurs when a final PSD permit is issued and agency review procedures are exhausted. This notice is being published pursuant to 40 CFR 124.19(f)(2), which requires notice of any final agency action regarding a PSD

permit to be published in the **Federal Register**. This notice constitutes notice of the final agency action denying review of the revised Permit and, consequently, notice of the EPA Region 9's issuance of the Permit (PSD Permit No. Permit No. NSR 4-4-4, SAC 03-01) to Knauf. If available, judicial review of these determinations under section 307(b)(1) of the CAA may be sought only by the filing of a petition for review in the United States Court of Appeals for the Ninth Circuit, within 60 days from the date on which this notice is published in the **Federal Register**. Under section 307(b)(2) of the CAA, this determination shall not be subject to later judicial review in any civil or criminal proceedings for enforcement.

Dated: December 20, 2006.

Kerry J. Drake,

Acting Director, Air Division, Region 9.

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ENVIRONMENTAL PROTECTION AGENCY

[ER-FR1-6682-8]

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 7, 2006 (71 FR 17845).

Draft EISs

EIS No. 20060373, ERP No. D-BLM-K65319-CA, Sierra Resource Management Plan, Provide Direction for Managing Public Lands, Several Counties, CA.

Summary: EPA expressed environmental concern about impacts to water quality and aquatic habitat, and to public health from exposure to naturally occurring asbestos. Rating EC2.

EIS No. 20060418, ERP No. D-FHW-L40231-WA, East Lake Sammamish Master Plan Trail, Design and Construct an Alternative Non-Motorized Transportation and Multi-Use Recreational Trail, Funding and U.S. Army COE Section 404 Permit, King County, WA.

Summary: EPA does not object to the proposed project. EPA does recommend

including additional information in the EIS regarding BMPs, a vegetation management plan, and water quality monitoring. Rating LO.

Final EISs

EIS No. 20060468, ERP No. F-NPS-K61159-CA, Sequoia and Kings Canyon National Parks, General Management Plan, Middle and South Forks of the Kings River and North Forks of the Kern River, General Management Plan, Tulare and Fresno Counties, CA.

Summary: EPA does not object to this project.

EIS No. 20060473, ERP No. F-FHW-H40189-MO, Interstate 29/35 Paseo Bridge Corridor, Reconstruct and Widen I-29/35, Missouri River, North Kansas City and Kansas City, Clay and Jackson Counties, MO.

Summary: EPA does not object to the proposed project. EPA does recommend that additional information be obtained about populations within the project area potentially sensitive to mobile source air toxics.

EIS No. 20060483, ERP No. F-UAF-K11021-GU, Andersen Air Force Base (AFB), Establish and Operate an Intelligence, Surveillance, Reconnaissance, and Strike (ISR/Strike) Capability, Guam.

Summary: EPA continues to have concerns about cumulative environmental impacts and direct impacts to endangered species.

EIS No. 20060484, ERP No. F-NAS-A12042-00, Mars Science Laboratory Mission (MSL), To Conduct Comprehensive Science on the Surface of Mars and Demonstrate Technological Advancements in the Exploration of Mars, Using a Radioisotope Power Source in 2009 from Cape Canaveral Air Force Station, FL.

Summary: EPA does not object to the proposed action.

Dated: December 29, 2006.

Clifford Rader,

Environmental Protection Specialist, Office of Federal Activities.

[FR Doc. E6-22618 Filed 1-4-07; 8:45 am]

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