

appropriate. The final ICR package will then be submitted to OMB for review and approval pursuant to 5 CFR 1320.12. At that time, EPA will issue another **Federal Register** notice pursuant to 5 CFR 1320.5(a)(1)(iv) to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB. If you have any questions about this ICR or the approval process, please contact the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

Dated: September 20, 2007.

**Deborah Y. Dietrich**,  
Director, Office of Emergency Management.  
[FR Doc. E7-19211 Filed 9-27-07; 8:45 am]  
**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8474-8]

### Proposed Consent Decree, Clean Air Act Citizen Suit

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

**ACTION:** Notice of Proposed Consent Decree; request for public comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("Act"), 42 U.S.C. 7413(g), notice is hereby given of a proposed consent decree, to address a lawsuit filed by Sierra Club ("Plaintiff") in the United States District Court for the District of Columbia: *Sierra Club v. Johnson*, No. 1:07-cv-01040 (ESH) (D. D.C.). Plaintiff filed a deadline suit to compel the Administrator to respond to an administrative petition seeking EPA's objection to a CAA Title V operating permit proposed by the Wisconsin Department of Natural Resources for the Weston Generating Station in Marathon County, Wisconsin. Under the terms of the proposed consent decree, EPA has agreed to respond to Plaintiff's petition by December 19, 2007. If EPA fulfills its obligation, Plaintiff has agreed to dismiss this suit with prejudice. In addition, EPA has agreed to pay Plaintiff a specified amount in settlement for attorneys' fees in this matter.

**DATES:** Written comments on the proposed consent decree must be received by October 29, 2007.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2007-0918, online at <http://www.regulations.gov> (EPA's preferred method); by e-mail to [oei.docket@epa.gov](mailto:oei.docket@epa.gov); mailed to EPA Docket Center, Environmental Protection Agency, Mailcode: 2822T,

1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; or by hand delivery or courier to EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC, between 8:30 a.m. and 4:30 p.m. Monday through Friday, excluding legal holidays. Comments on a disk or CD-ROM should be formatted in Word or ASCII file, avoiding the use of special characters and any form of encryption, and may be mailed to the mailing address above.

#### FOR FURTHER INFORMATION CONTACT:

Howard J. Hoffman, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone: (202) 564-5582; fax number (202) 564-5603; e-mail address: [hoffman.howard@epa.gov](mailto:hoffman.howard@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Additional Information About the Proposed Consent Decree

This proposed consent decree would resolve a lawsuit seeking a response to an administrative petition to object to a CAA Title V permit proposed by the Wisconsin Department of Natural Resources for the Weston Generating Station in Marathon County, Wisconsin. Under the proposed consent decree, EPA has agreed to respond to the Plaintiff's petition by December 19, 2007 and to pay a specified amount in settlement of the Plaintiff's claims for attorneys' fees. The consent decree becomes an order of the Court upon entry, and, consistent with the terms of the consent decree, the case shall be dismissed with prejudice after EPA takes final action on Plaintiffs' petition and pays the specified amount in the consent decree in settlement of the Plaintiff's claims for attorneys' fees.

For a period of thirty (30) days following the date of publication of this notice, the Agency will accept written comments relating to the proposed consent decree from persons who were not named as parties or intervenors to the litigation in question. EPA or the Department of Justice may withdraw or withhold consent to the proposed consent decree if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless EPA or the Department of Justice determines, based on any comment submitted, that consent to this consent decree should be withdrawn, the terms of the decree will be affirmed.

##### II. Additional Information About Commenting on the Proposed Consent Decree

###### A. How Can I Get a Copy of the Consent Decree?

The official public docket for this action (identified by Docket ID No. EPA-HQ-OGC-2007-0918) contains a copy of the proposed consent decree. The official public docket is available for public viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OEI Docket is (202) 566-1752.

An electronic version of the public docket is available through <http://www.regulations.gov>. You may use the <http://www.regulations.gov> 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. Once in the system, select "search," then key in the appropriate docket identification number.

It is important to note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing online at <http://www.regulations.gov> without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. Information claimed as CBI and other information whose disclosure is restricted by statute is not included in the official public docket or in the electronic public docket. EPA's policy is that copyrighted material, including copyrighted material contained in a public comment, will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the EPA Docket Center.

###### B. How and to Whom Do I Submit Comments?

You may submit comments as provided in the **ADDRESSES** section. Please ensure that your comments are submitted within the specified comment period. Comments received after the

close of the comment period will be marked "late." EPA is not required to consider these late comments.

If you submit an electronic comment, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment and with any disk or CD-ROM you submit. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. Any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

Use of the <http://www.regulations.gov> Web site to submit comments to EPA electronically is EPA's preferred method for receiving comments. The electronic public docket system is an "anonymous access" system, which means EPA will not know your identity, e-mail address, or other contact information unless you provide it in the body of your comment. In contrast to EPA's electronic public docket, EPA's electronic mail (e-mail) system is not an "anonymous access" system. If you send an e-mail comment directly to the Docket without going through <http://www.regulations.gov>, your e-mail address is automatically captured and included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

Dated: September 21, 2007.

**Richard B. Ossias,**

*Associate General Counsel.*

[FR Doc. E7-19225 Filed 9-27-07; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-6691-5]

### 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 6, 2007 (92 FR 17156).

#### Draft EISs

*EIS No. 20070213, ERP No. D-DOE-A09834-00, FutureGen Project, Planning, Design, Construction and Operation of a Coal Fueled Electric Power and Hydrogen Gas Production Plant, Four Alternative Sites: Mattoon, IL, Tuscola, IL, Jewett, TX, and Odessa, TX.*

*Summary:* EPA expressed environmental concerns about impacts to wetlands and the cumulative impacts of water use, and recommended that the DEIS provide more details on how many wetlands may be impacted at each alternative site and that a cumulative impacts evaluation be conducted for at least the 50-year operational life of the project.

Rating EC2.

*EIS No. 20070231, ERP No. D-UAF-A11078-00, Common Battlefield Airmen Training (CBAT) Program, Proposes to Implement the CBAT Program at One of Three Installations: Moody Air Force Base (AFB), near Valosta, GA; Barkdale AFB in Bossier City, LA; and Arnold AFB near Manchester, TN.*

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

Rating LO.

*EIS No. 20070312, ERP No. D-USN-K11119-HI, Hawaii Range Complex (HRC) Project, To Support and Maintain Navy Pacific Fleet Training, and Research, Development, Test, and Evaluation (RDT&E) Operations, Kauai, Honolulu, Maui and Hawaii Counties, HI.*

*Summary:* EPA expressed environmental concern about impacts to marine resources from mid-frequency active sonar use and recommended analysis of additional alternatives.

Rating EC2.

*EIS No. 20070316, ERP No. D-FHW-E40815-00, Northern Corridor Interstate 73 Project, Proposes Construct from I-95 to Future Interstate 74, Marlboro and Dillion Counties, SC and Richmond County, NC.*

*Summary:* EPA expressed environmental concerns about wetland, stream, prime farmland, and noise impacts, and requested additional information on these issues be provided and that mitigation measures be developed.

Rating EC1.

*EIS No. 20070326, ERP No. D-FTA-G59002-TX, University Corridor*

Fixed Guideway Project, To Implement Transit Improvements from Hillcroft Transit Center to the Vicinity of the University of Houston (UH)—Central Campus or the Eastwood Transit Center, City of Houston, Harris County, TX.

*Summary:* While EPA had no objections to the proposed action, we requested clarification of some air quality issues.

Rating LO.

#### Final EISs

*EIS No. 20070347, ERP No. F-FRC-G03032-TX, Calhoun Point Comfort Liquefied Natural Gas (LNG) Project, (Docket Nos. CP05-91-000 and CP06-380-00) Construction of New Pipeline on 73 acres, Port of Port Lavaca, Calhoun and Jackson Counties, TX.*

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

*EIS No. 20070348, ERP No. F-NPS-G65103-NM, Bandelier National Monument, Ecological Restoration Plan, Reestablish Healthy, Sustainable Vegetative Conditions within the Pinon-Juniper Woodland, Los Alamos and Sandoval Counties, NM.*

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

*EIS No. 20070355, ERP No. F-FRC-G03035-00, Southeast Supply Header Project, Construction and Operation of Natural Gas Pipeline Facilities, Located in various Counties and Parishes in LA, MS and AL.*

*Summary:* While EPA's previous issues have been resolved, we requested clarification of some EJ and wetlands issues.

*EIS No. 20070371, ERP No. F-BLM-J65473-WY, Eagle Butte West Coal Lease Application, Issuance of Lease for a Tract of Federal Coal, Wyoming Powder River Basin, Campbell County, WY.*

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

*EIS No. 20070328, ERP No. FS-BLM-J67026-MT, Golden Sunlight Mine Pit Reclamation Alternatives, Preferred Alternative Selected is the Underground Sump Alternative, Operating Permit No. 00065 and Plan-of-Operation #MTM 82855, Whitehall, Jefferson County, MT.*

*Summary:* EPA continues to have environmental concerns about the long-term environmental impacts to water quality.