

For further information concerning this meeting, please contact Erin Shaw at 202-418-5078.

Issued by the Commission in Washington, DC on May 19, 2008.

David A. Stawick,

Secretary of the Commission.

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## DEPARTMENT OF DEFENSE

### Department of the Army; Corps of Engineers

#### Notice of Availability of the Final Environmental Impact Statement (FEIS) for the Proposed Potash Corporation of Saskatchewan Phosphate Mine Continuation Near Aurora, in Beaufort County, NC

**AGENCY:** Department of the Army, U.S. Army Corps of Engineers, DoD.

**ACTION:** Notice.

**SUMMARY:** The U.S. Army Corps of Engineers (COE), Wilmington District, Regulatory Division has been reviewing the request for Department of the Army authorization, pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbor Act, from Potash Corporation of Saskatchewan Phosphate Division (PCS) for the continuation of its phosphate mining operation near Aurora, Beaufort County, NC. PCS proposes to undertake an approximately 11,909 acre mine expansion into an approximately 15,100 acre project area surrounding its current mining operation. This expansion would occur over a 37 year period and would impact approximately 4,135 acres of waters of the United States including wetlands adjacent to The Pamlico River, South Creek and Durham Creek. The Notice of Availability of the Draft Environmental Impact Statement (DEIS) for this action was published in the **Federal Register** on Friday, October 20, 2006 (71 FR 61962). The Notice of Availability of Supplement I of the DEIS (SDEIS) was published in the **Federal Register** on Tuesday, November 6, 2007 (72 FR 62634).

**DATES:** Written comments on the Final EIS will be received until July 9, 2008.

**ADDRESSES:** Comments and questions regarding the Draft EIS may be addressed to: U.S. Army Corps of Engineers, Wilmington District, Regulatory Division. *ATTN:* File Number 2001-10096, Post Office Box 1890, Wilmington, NC 28402-1890. Copies of the Final EIS, the DEIS and the SDEIS can be reviewed on the

Wilmington District Regulatory homepage at, <http://www.saw.usace.army.mil/wetlands/regtour.htm>, or contact Ms. Thelma Hemingway (910) 251-4789, to receive written or CD copies.

**FOR FURTHER INFORMATION CONTACT:**

Questions about the proposed action and FEIS can be directed to Mr. Tom Walker, Project Manager, Regulatory Division, telephone: (828) 271-7980, extension 222.

**SUPPLEMENTARY INFORMATION:**

1. Project Description. The PCS Aurora facility includes an open pit mining operation that supplies phosphate ore to its onsite manufacturing facilities producing sulfuric acid, phosphoric acid, purified acid, liquid fertilizer, superphosphoric acid, diammonium phosphate, defluorinated phosphate, animal feed and solid fertilizers. Phosphate mining activities began at this site in 1965. On August 27, 1997, PCS was issued a Department of the Army permit to impact 1,268 acres of waters and wetlands to continue its mining operation into the current mine area. This action is more fully described in the August, 1996 Final Environmental Impact Statement for the Texasgulf Inc. Mine Continuation. PCS is nearing the end of the current mining area and is seeking to continue its mining operation into its adjacent property.

2. Proposed Action. On November 2, 2000, PCS applied for Department of the Army authorization pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act to continue its phosphate mining operation into an adjacent tract on the Hickory Point peninsula (the NCPC Tract) adjacent the Pamlico River and South Creek once reserves are depleted under the existing permitted area. The applicant's stated purpose and need for this project is to continue mining its phosphate reserve in an economically viable fashion. More specifically, the applicant's stated purpose and need is to implement a long-term systematic and cost-effective mine advance within the project area for the ongoing PCS mine operation at Aurora, NC.

The Corps circulated a Public Notice describing this application on January 2, 2001 (Action ID No. 200110096). PCS elected to further reduce proposed impacts to waters of the U.S. in response to comments on this Public Notice and submitted a revised permit application on August 13, 2001, for a 15-year mine continuation within the NCPC Tract. The Corps circulated a second Public Notice on October 4, 2001, describing the revised application.

The Corps, in considering reasonable alternatives and potential cumulative impacts, determined that the applicant would need to develop alternatives that include mining in areas other than the NCPC Tract and/or mining in multiple locations. On September 8, 2005, the applicant presented the Corps with an applicant preferred holistic plan for mining the entire project area. This plan, and a range of holistic alternatives were fully described in the DEIS and SDEIS.

By letter dated April 25, 2008, the applicant requested that its application be modified to request a permit for an approximately 11,909-acre mine advance through 15,100 acre project area that would impact approximately 4,135 acres of waters of the U.S. including wetlands. Waters and wetlands in the proposed impact area are more specifically described in the following table:

Proposed Impacts:

1. Creeks/Open Water	7 acres.
1a. Perennial Streams.	13,385 linear feet.
1b. Intermittent Streams.	15,903 linear feet.
2. Brackish Marsh Complex.	0 acres.
3. Bottomland Hardwood Forest.	73 acres.
4. Herbaceous Assemblage.	333 acres.
5. Scrub-Shrub Assemblage.	445 acres.
6. Pine Plantation .....	641 acres.
7. Hardwood Forest .....	1,075 acres.
8. Mixed Pine-Hardwood Forest.	910 acres.
9. Pine Forest .....	353 acres.
10. Pocosin/Bay Forest	264 acres.
11. Sand Ridge Forest	22 acres.
10. Ponds .....	11 acres.
Total .....	4,135 acres.

4. Alternatives. A full range of reasonable alternatives have been identified and evaluated through the scoping process. A complete description of all alternatives carried forward for detailed study is disclosed in Section 2 of the FEIS.

5. Scoping Process. A public scoping meeting was held on February 28, 2001, and an interdisciplinary Review Team (Review Team) comprised of representatives from other state and federal regulatory and commenting agencies, environmental advocacy groups, the applicant, and CZR Incorporated (CZR) (third party consultant to the Corps in accordance with RGL-05-08). The purpose of the Review Team is to identify major issues to be addressed in the EIS and to provide input on potential alternatives to be explored and potentially evaluated. As appropriate, the COE will

initiate consultation with the U.S. Fish and Wildlife Service under the Endangered Species Act and the Fish and Wildlife Coordination Act, and with the National Marine Fisheries Service under the Magnuson-Stevens Act and Endangered Species Act. The Corps is coordinating with the North Carolina Division of Water Quality (NCDWQ) to ensure the EIS has assessed the potential water quality impacts pursuant to Section 401 of the Clean Water Act and with the North Carolina Division of Coastal Management (NCDCM) to determine the projects consistency with the Coastal Zone Management Act. The Corps is also coordinating with the NCDCM and NCDWQ in the development of the EIS to ensure the process complies with State Environmental Policy Act (SEPA) requirements, as well as the NEPA requirements. The Corps has attempted to design the FEIS to consolidate both NEPA and SEPA processes to eliminate duplications.

Following the FEIS comment period, the Corps will review all comments and pertinent information. The Corps will then prepare a Record of Decision responding to any substantive issues raised that have not been addressed in the FEIS and documenting the Corps' final decisions on compliance with the Clean Water Act, Section 404(b)(1) Guidelines, its decisions in the public interest review and the final permit decision.

Dated: May 15, 2008.

**John E. Pulliam, Jr.,**  
Colonel, U.S. Army, District Commander.  
[FR Doc. E8-11585 Filed 5-22-08; 8:45 am]  
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## DEPARTMENT OF DEFENSE

### Department of the Navy

[Docket ID: USN-2008-0045]

#### Privacy Act of 1974; System of Records

**AGENCY:** United States Marine Corps, DoD.

**ACTION:** Notice to add a system of records.

**SUMMARY:** The U.S. Marine Corps is adding a system of records notice to its inventory of records systems subject to the Privacy Act of 1974, as amended (5 U.S.C. 552a).

**DATES:** The new system of records will be effective on June 23, 2008 unless comments are received that would result in a contrary determination.

**ADDRESSES:** Send comments to Headquarters, U.S. Marine Corps, FOIA/PA Section (CMC-ARSF), 2 Navy Annex, Room 3134, Washington, DC 20380-1775.

**FOR FURTHER INFORMATION CONTACT:** Ms. Teresa D. Ross at (703) 614-4008.

**SUPPLEMENTARY INFORMATION:** The U.S. Marine Corps' systems of records notices subject to the Privacy Act of 1974, (5 U.S.C. 552a), as amended, have been published in the **Federal Register** and are available from the address above.

The proposed system report, as required by 5 U.S.C. 552a(r) of the Privacy Act of 1974, as amended, was submitted on May 6, 2008 to the House Committee on Oversight and Governmental Reform, the Senate Committee on Governmental Affairs, and the Office of Management and Budget (OMB) pursuant to paragraph 4c of Appendix I to OMB Circular No. A-130, 'Maintaining Records About Individuals,' dated February 8, 1996 (February 20, 1996, 61 FR 6427).

Dated: May 16, 2008.

**Patricia L. Toppings,**  
OSD Federal Register Liaison Officer,  
Department of Defense.

#### M01133-3

#### SYSTEM NAME:

Marine Corps Recruiting Information Support System (MCRISS).

#### SYSTEM LOCATION:

Primary System: Marine Corps Recruiting Command (Attn: G-3 MCRISS), 3280 Russell Road, Quantico, VA 22134-5103.

Decentralized Segments—Recruiting Sub-Stations, Recruiting Stations, Recruiting District Headquarters, Region District Headquarters, Marine Corps Recruit Depots, and Military Entrance Processing Stations (MEPS).

#### CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Prospective applicants, delayed entry personnel, applicants for regular and reserve entitlement programs, and any other individuals who have initiated correspondence pertaining to enlistment or commissioning into the U.S. Marine Corps.

#### CATEGORIES OF RECORDS IN THE SYSTEM:

Individual's name, home address, Social Security Number (SSN), Personal history records will include education, professional qualifications, mental aptitude, physical qualifications, character and interview appraisals, National Agency Checks and certifications, service performance and

congressional or special interests. Information collected from DD Form 4 will include Enlistment/Reenlistment Documents—Armed Forces of the United States; DD Form 93, Record of Emergency Data; DD Form 1966, Application for Enlistment in the Armed Forces of the United States; SF-86, Questionnaire for National Security Positions; and medical and mental aptitude qualification information gathered during the qualification screening process at the Military Entrance Processing Command (MEPS).

#### AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 5042, Headquarters, U.S. Marine Corps; 5 U.S.C. 301, Departmental Regulations; and E.O. 9397 (SSN).

#### PURPOSE(S):

To provide recruiters, administrators, and decision makers with information necessary, which may influence the decision to select/non-select an individual for enlistment or commissioning in the U.S. Marine Corps (i.e., personal history, education, professional qualifications, mental aptitude, and other individualized items).

To provide historical data for comparison of current applicants with those selected in the past.

To collect an initial data record which will be transitioned to the manpower and pay system, thereby reducing redundancy and duplicity.

#### ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USERS:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, these records or information contained therein may specifically be disclosed outside the DoD as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

To officials and employees of other departments and agencies of the Executive Branch of government, upon request, in the performance of their official duties related to the management of quality military recruitment and the recruitment of Merchant Marine personnel.

The 'Blanket Routine Uses' set forth at the beginning of the Marine Corps' compilation of systems of records notices apply to this system.

#### POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

##### STORAGE:

Paper in file folders and electronic storage media.