

chemical waste are scheduled for closure and remediation under the Consent Order.

6. Repair and replacement of mission critical cooling system components for buildings in TA-55—This decision will allow these facilities to continue to operate and for NNSA to install a new cooling system that meets current standards regarding the phase-out of Class 1 ozone-depleting substances.

7. Final design of a new Radioactive Liquid Waste Treatment Facility, and design and construction of the Zero Liquid Discharge Facility component of this new treatment facility—This decision will allow LANL to continue to treat radioactive liquid wastes by replacing a facility that does not meet current standards and that cannot be acceptably renovated. Regardless of any decisions NNSA may make about complex transformation and LANL's role in it, the laboratory will need to treat liquid radioactive wastes for the foreseeable future.

#### Mitigation Measures

As described in the SWEIS, LANL operates under environmental laws, regulations, and policies within a framework of contractual requirements; many of these requirements mandate actions intended to control and mitigate potential adverse environmental effects. Examples include the Environment, Safety, and Health Manual, emergency plans, Integrated Safety Management System, pollution prevention and waste minimization programs, protected species programs, and energy and conservation programs. A Mitigation Action Plan for this ROD will be issued that includes: Specific habitat conservation measures recommended by the U.S. Fish and Wildlife Service for mitigating effects to potential habitat areas; site- and action-specific commitments related to the Consent Order once the State of New Mexico decides on specific environmental remediation for LANL MDAs; and traffic flow improvements that could involve such measures as installing turn lanes, installing and coordinating traffic lights, and installing new signage. A summary of all prior mitigation commitments for LANL that are either underway or that have yet to be initiated will be included in the MAP. These prior commitments include such actions as continued forest management efforts, continued trail management measures, and implementation of a variety of sampling and monitoring measures, as well as additional measures to reduce potable water use and conserve resources.

In addition, with respect to the concerns raised by the Santa Clara

Pueblo, NNSA will continue its efforts to support the Pueblo and other tribal entities in matters of human health, and will participate in various intergovernmental cooperative efforts to protect indigenous practices and locations of concern. NNSA will conduct government-to-government consultation with the Pueblo and other tribal entities to incorporate these matters into the MAP.

Issued at Washington, DC, this 19th day of September 2008.

**Thomas P. D'Agostino,**

*Administrator, National Nuclear Security Administration.*

[FR Doc. E8-22678 Filed 9-25-08; 8:45 am]

**BILLING CODE 6450-01-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8720-2]

### Draft NPDES General Permit for Offshore Seafood Processors in Alaska (Permit Number AKG524000)

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

**ACTION:** Notice of availability of draft NPDES general permit and request for public comment.

**SUMMARY:** The Director, Office of Water and Watersheds, EPA Region 10, is proposing to issue a general National Pollutant Discharge Elimination System (NPDES) permit for Offshore Seafood Processors in Alaska, pursuant to the provisions of the Clean Water Act, 33 U.S.C. 1251 *et seq.* The draft general permit authorizes the discharge of treated seafood processing wastes from new and existing facilities to State and Federal Waters, at least 0.5 nautical miles from shore as delineated by mean lower low water. Interested persons may submit comments on the proposed general permit to EPA Region 10 at the address below. Comments must be received or postmarked by November 10, 2008. A fact sheet has been prepared which sets forth the principle factual, legal, policy, and scientific information considered in the development of the draft general permit.

The draft general permit contains a variety of technology-based and water quality-based effluent limitations, along with administrative and monitoring requirements, as well as other standard conditions, prohibitions, and management practices. Within state waters a 100 foot mixing zone is proposed for residues, dissolved gas, non-hydrocarbon oil and grease, fecal coliform, pH, temperature, color,

turbidity, and total residual chlorine. In addition, the permit allows for the issuance of site specific zones of deposit (ZODs) by the Alaska Department of Environmental Conservation (ADEC). The site specific ZODs would only be authorized for facilities discharging between 0.5–1 nautical mile from shore upon application by the discharger. If a discharger requests a ZOD, ADEC would public notice the proposed ZOD authorization before the ZOD is authorized for the discharger. ZODs will be granted through an individual State certification that will be attached to EPA's authorization to discharge letter.

**Public Comment:** Copies of the draft general permit, fact sheet, Biological Evaluation, Essential Fish Habitat Assessment, Environmental Assessment, Preliminary Finding of No Significant Impact (FONSI), and Ocean Discharge Criteria Evaluation are available upon request. Theses documents may also be downloaded from the Region 10 Web site at <http://www.epa.gov/r10earth/waterpermits.htm> (click on draft permits, then Alaska). Interested persons may submit written comments to the attention of Lindsay Guzzo at the address below. All comments must include the name, address, and telephone number of the commenter and a concise statement of comment and the relevant facts upon which it is based. Comments of either support or concern which are directed at specific, cited permit requirements are appreciated.

After the expiration date of the Public Notice on November 10, 2008, the Director, Office of Water and Watersheds, EPA Region 10, will make a final determination with respect to issuance of the general permit. The proposed requirements contained in the draft general permit will become final upon issuance if no significant comments are received during the public comment period.

**DATES:** Comments must be received or postmarked by November 10, 2008.

**ADDRESSES:** Comments on the proposed general permit should be sent to Lindsay Guzzo, Office of Water and Watersheds; USEPA Region 10; 1200 6th Ave, Suite 900, OWW-130; Seattle, Washington 98101. Comments may also be received via electronic mail at [guzzo.lindsay@epa.gov](mailto:guzzo.lindsay@epa.gov).

**FOR FURTHER INFORMATION CONTACT:** Additional information can be obtained by contacting Lindsay Guzzo at the address above, or by visiting the Region 10 Web site at <http://www.epa.gov/r10earth/waterpermits.htm>. Requests may also be made to Audrey

Washington at (206) 553-0523, or electronically mailed to: [washington.audrey@epa.gov](mailto:washington.audrey@epa.gov). For further information regarding the State's certification of the general permit, contact Shawn Stokes at the address below.

#### **SUPPLEMENTARY INFORMATION:**

##### **Public Informational Meetings**

Two public informational meetings will be held to discuss the Proposed Permit, clarify changes and to answer general questions. Two meetings will be held, one in Anchorage on October 15, 2008, in the Westmark Hotel Anchorage, 720 West 5th Avenue, Anchorage, AK 99501, at 5:30 p.m., the other in Seattle on October 28, 2008 in the Red Lion Hotel, 1415 5th Avenue, Seattle, WA 98101 at 5 p.m. These informational meetings will not serve as a formal public hearing on the permit.

##### **Public Hearing**

Persons wishing to request a public hearing should submit their written request by November 10, 2008 stating the nature of the issues to be raised as well as the requester's name, address and telephone number to Lindsay Guzzo at the address above. If a public hearing is scheduled, notice will be published in the **Federal Register**. Notice will also be posted on the Region 10 Web site, and will be mailed to all interested persons receiving letters of the availability of the draft permit.

##### **Administrative Record**

The complete administrative record for the draft permit is available for public review at the EPA Region 10 headquarters at the address listed above.

##### **Other Legal Requirements**

###### *State Water Quality Standards and State Certification*

EPA is also providing Public Notice of ADEC's intent to certify the general permit pursuant to section 401 of the Clean Water Act. ADEC has provided a draft certification that the draft general permit complies with State Water Quality Standards (18 AAC 15), including the State's antidegradation policy.

Persons wishing to comment on State certification of the draft general NPDES permit should send written comments to Mr. Shawn Stokes in ADEC's Anchorage Office, 555 Cordova Street, Anchorage, Alaska 99501, or via electronic mail at [Shawn.Stokes@alaska.gov](mailto:Shawn.Stokes@alaska.gov).

###### *National Environmental Policy Act*

Because the proposed permit will cover new sources in Alaska, the permit is subject to the National Environmental Policy Act (NEPA). Based on the Environmental Assessment (EA) and consideration of the proposed NPDES permit conditions, and in accordance with the guidelines for determining the significance of proposed federal actions (40 CFR 1508.27) and EPA criteria for initiating an Environmental Impact Statement (EIS) (40 CFR 6.605), EPA has concluded that the proposed NPDES permit will not result in significant effect on the human environment. The proposed permit will not significantly affect land use patterns or population, wetlands or flood plains, threatened or endangered species, farmlands, ecologically critical areas, historic resources, air quality, water quality, noise levels, and fish and wildlife resources. It will also not conflict with approved local, regional, or state land use plans or policies. The proposed permit also conforms with all applicable Federal statutes and executive orders. As a result of these findings, EPA has determined that an EIS will not be prepared and the public is invited to comment on EPA's Preliminary Finding Of No Significant Impacts (FONSI).

###### *Endangered Species Act*

Section 7 of the Endangered Species Act requires EPA to consult with the U.S. Fish and Wildlife Service and NOAA Fisheries regarding the potential effects that an action may have on listed endangered or threatened species or their critical habitat. To address these ESA requirements, and in support of EPA's informal consultation with the Services, a Biological Evaluation (BE) was prepared to analyze these potential effects. During the development of the draft general permit, information provided by the Services was used to identify species of interest for consideration in the BE. The results of the BE concluded that discharges from Offshore Seafood Processing facilities will either have *no effect* or are *not likely to adversely affect* threatened or endangered species in the vicinity of the discharges. The fact sheet, the draft permits and the BE are being reviewed by the Services for consistency with those programs established for the conservation of endangered and threatened species. Any additional comments or conservation recommendations received from the Services regarding threatened or endangered species will be considered prior to issuance of the GPs.

###### *Magnuson-Stevens Fishery Conservation and Management Act*

Section 305(b) of the Magnuson-Stevens Act (16 U.S.C. 1855(b)) requires federal agencies to consult with NOAA Fisheries when any activity proposed to be permitted, funded, or undertaken by a federal agency may have an adverse effect on designated Essential Fish Habitat (EFH) as defined by the Act. To address the requirements of the Magnuson-Stevens Act, EPA prepared an EFH Assessment concluding that offshore seafood processors operations may adversely affect essential fish habitat. However, EPA expects that effects on essential fish habitat, while possible, are likely to be limited in extent for several reasons. For more information please see the Biological Evaluation/ EFH assessment. As with ESA, any additional comments or conservation recommendations received from NOAA Fisheries regarding EFH will be considered prior to issuance of the GPs.

###### *Executive Order 12866*

EPA has determined that this general permit is not a "significant regulatory action" under the terms of Executive Order 12866 and is therefore not subject to OMB review.

###### *Paperwork Reduction Act*

The information collection requirements of this permit were previously approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*, and assigned OMB control numbers 2040-0086 and 2040-0110.

###### *Regulatory Flexibility Act*

The Regulatory Flexibility Act (RFA), 5 U.S.C. 601 *et seq.*, requires that EPA prepare a regulatory flexibility analysis for rules subject to the requirements of 5 U.S.C. 553(b) that have a significant impact on a substantial number of small entities. However, general NPDES permits are not "rules" subject to the requirements of 5 U.S.C. 553(b), and is therefore not subject to the RFA.

###### *Unfunded Mandates Reform Act*

Section 201 of the Unfunded Mandates Reform Act (UMRA), Public Law 104-4, generally requires Federal agencies to assess the effects of their "regulatory actions" (defined to be the same as "rules" subject to the RFA) on tribal, State, and local governments and the private sector. However, general NPDES permits are not "rules" subject to the requirements of 5 U.S.C. 553(b), and is therefore not subject to the RFA.

Dated: September 18, 2008.

**Michael F. Gearheard,**

*Director, Office of Water and Watersheds,  
Region 10.*

[FR Doc. E8-22553 Filed 9-25-08; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-8586-1]

### 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 202-564-7146. An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated April 6, 2008 (73 FR 19833).

#### Draft EISs

EIS No. 20080240, ERP No. D-BLM-A09825-00, PROGRAMMATIC—Geothermal Leasing in the Western United States.

*Summary:* EPA expressed environmental concerns about impacts to air quality, groundwater and noise. Rating EC2.

#### Final EISs

EIS No. 20080275, ERP No. F-NOA-L39066-WA, ADOPTION—Fish Passage and Aquatic Habitat Restoration at Hemlock Dam, Implementation, Gifford Pinchot National Forest, Mount Adams District, Skamania County, WA.

*Summary:* No comment letter sent to the federal agency.

EIS No. 20080295, ERP No. F-FHW-C40171-NY, NYS Route 17 at Exit 122 Interchange Project, To Improve the Safety and Operation, Right-of-Way Acquisition, Town of Wallkill, Orange County, NY.

*Summary:* EPA continues to have environmental concerns about wetland, water quality, and air quality impacts.

EIS No. 20080300, ERP No. F-BLM-K65296-AZ, Agua Fria National Monument and Bradshaw-Harquahala, Proposed Resource Management Plan, Implementation, Yavapai County, AZ.

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

EIS No. 20080308, ERP No. F-SFW-L61233-WA, Hanford Reach National

Monument Comprehensive Conservation Plan, Management of Monument Resources, Programs and Visitors for the Next 15 Years, Adams, Benton, Franklin and Grant Counties, WA.

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

Dated: September 23, 2008.

**Robert W. Hargrove,**

*Director, NEPA Compliance Division, Office of Federal Activities.*

[FR Doc. E8-22681 Filed 9-25-08; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-8585-9]

### Environmental Impacts Statements; Notice of Availability

*Responsible Agency:* Office of Federal Activities, General Information (202) 564-1399 or <http://www.epa.gov/compliance/nepa/>.

Weekly receipt of Environmental Impact Statements

Filed 09/15/2008 Through 09/19/2008 Pursuant to 40 CFR 1506.9.

EIS No. 20080364, Draft Supplement, NPS, GA, Chattahoochee River National Recreation Area General Management Plan, Updated Information on Analyzing Six Alternative Future Directions for the Management and Use of Chattahoochee River National Recreation Area, Implementation, Chattahoochee River, Atlanta, GA, *Comment Period Ends:* 11/10/2008, *Contact:* David Libman 404-562-3124 Ext. 685.

EIS No. 20080365, Draft EIS, NPS, NY, Fort Stanwix National Monument General Management Plan, Implementation, Funding, City of Rome, Oneida County, NY, *Comment Period Ends:* 11/25/2008, *Contact:* James O'Connell 617-223-5222.

EIS No. 20080366, Final EIS, AFS, MT, Butte Resource Management Plan, Implementation, Beaverhead, Broadwater, Deerlodge, Gallatin, Jefferson, Lewis and Clark, Silver Bow and Park Counties, MT, *Wait Period Ends:* 10/27/2008, *Contact:* Brenda Williams 202-452-5112.

EIS No. 20080367, Final EIS, FHW, UT, Mountain View Corridor (MVC) Project, Proposed Transportation Improvement 2030 Travel Demand in Western Salt Lake County south of I-80 and west of Bangarter Highway and in northwestern Utah County of I-15, south of the Salt Lake County Line, and north of Utah Lake, Salt

Lake and Utah County, UT, *Wait Period Ends:* 10/27/2008, *Contact:* Edward Woolford 801-963-0182.

EIS No. 20080368, Final EIS, AFS, MT, Debaugan Fuels Reduction Project, Proposed Fuels Reduction Activities, Lolo National Forest, Superior Ranger District, Mineral County, MT, *Wait Period Ends:* 10/27/2008, *Contact:* Sharon Sweeney 406-822-4233.

EIS No. 20080369, Draft EIS, FAA, FL, Palm Beach International Airport Project, Construction and Operation of Proposed Airfield Improvements, Funding, Palm Beach County, FL, *Comment Period Ends:* 11/24/2008, *Contact:* Lindy McDowell 407-812-6331 Ext. 130.

EIS No. 20080370, Draft EIS, AFS, CA, Gemmill Thin Project, Proposal to Reduce the Intensity and Size of Future Wildfires, and to Maintain/Improve Ecosystem Function and Wildlife Habitat, Chanchellula Late-Successional Reserve, Shasta-Trinity National Forest, Trinity County, CA, *Comment Period Ends:* 11/10/2008, *Contact:* Bobbie A. Dimonte 530-226-2425.

EIS No. 20080371, Final EIS, FAA, TX, ADOPTION—Northwest Corridor Light Rail Transit Line (LRT) to Irving/Dallas/Fort Worth International Airport, Construction, Dallas County, TX, *Contact:* Peggy Wade 817-222-5697.

The U.S. Department of Transportation's Federal Aviation Administration (DOT/FAA) has ADOPTED the U.S. Department of Transportation's Federal Transit Administration FEIS #2080289, filed on 07/24/2008. DOT/FAA was a Cooperating Agency for the above project. Recirculation of the FEIS is not necessary under 40 CFR 1506.3(c).

EIS No. 20080372, Draft EIS, AFS, ID, Salmon-Challis National Forest (SCNF), Proposes Travel Planning and OHV Route Designation, Lemhi, Custer and Butte Counties, ID, *Comment Period Ends:* 11/25/2008, *Contact:* Karen Gallogly 208-756-5103.

EIS No. 20080373, Final EIS, FHW, NC, NC 12 Replacement of Herbert C. Bonner Bridge (Bridge No. 11) Revisions and Additions, over Oregon Inlet Construction, Funding, U.S. Coast Guard Permit, Special-Use-Permit, Right-of-Way Permit, U.S. Army COE Section 10 and 404 Permit, Dare County, NC, *Wait Period Ends:* 10/27/2008, *Contact:* John F. Sullivan III P.E. 919-747-7000.

EIS No. 20080374, Draft EIS, FAA, PA, Philadelphia International Airport (PHL) Capacity Enhancement Program