

## II. What Should I Consider When I Prepare My Comments for EPA?

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible and provide specific examples.
2. Describe any assumptions that you used.
3. Provide copies of any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.
5. Provide specific examples to illustrate your concerns.
6. Offer alternative ways to improve the collection activity.
7. Make sure to submit your comments by the deadline identified under **DATES**.
8. To ensure proper receipt by EPA, be sure to identify the docket ID number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

## III. What Information Collection Activity or ICR Does This Action Apply to?

*Affected entities:* Entities potentially affected by this ICR are companies that export from the United States to foreign countries, or that engage in wholesale sales of, chemical substances or mixtures. These entities are mostly chemical companies classified under the North American Industrial Classification System (NAICS) codes 325 and 32411.

*Title:* Notification of Chemical Exports - TSCA Section 12(b).

*ICR numbers:* EPA ICR No. 0795.13, OMB Control No. 2070-0030.

*ICR status:* This ICR is currently scheduled to expire on November 30, 2009. An Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information, unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations in title 40 of the Code of Federal Regulations (CFR), after appearing in the **Federal Register** when approved, are listed in 40 CFR part 9, are displayed either by publication in the **Federal Register** or by other appropriate means, such as on the related collection instrument or form, if applicable. The display of OMB control numbers for certain EPA regulations is consolidated in 40 CFR part 9.

*Abstract:* Section 12(b)(2) of the Toxic Substances Control Act (TSCA) requires that any person who exports or intends

to export to a foreign country a chemical substance or mixture that is regulated under TSCA sections 4, 5, 6 and/or 7 submit to EPA notification of such export or intent to export. Upon receipt of notification, EPA will advise the government of the importing country of the U.S. regulatory action with respect to that substance. EPA uses the information obtained from the submitter via this collection to advise the government of the importing country. This information collection addresses the burden associated with industry reporting of export notifications.

Responses to the collection of information are mandatory (see 40 CFR part 707). Respondents may claim all or part of a notice confidential. EPA will disclose information that is covered by a claim of confidentiality only to the extent permitted by, and in accordance with, the procedures in TSCA section 14 and 40 CFR part 2.

*Burden statement:* The annual public reporting and recordkeeping burden for this collection of information is estimated to be 1.39 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements which have subsequently changed; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

The ICR provides a detailed explanation of this estimate, which is only briefly summarized here:

*Estimated total number of potential respondents:* 300.

*Frequency of response:* On occasion.

*Estimated total average number of responses for each respondent:* 12.

*Estimated total annual burden hours:* 4,850 hours.

*Estimated total annual costs:* \$264,255. This includes an estimated burden cost of \$264,255 and an estimated cost of \$0 for capital investment or maintenance and operational costs.

## IV. Are There Changes in the Estimates From the Last Approval?

There is a decrease of 2,700 hours in the total estimated respondent burden compared with that identified in the ICR currently approved by OMB. This decrease reflects the net effect of a decrease in the estimated number of notices sent to EPA and a decrease in the number of firms sending notices, based on EPA's recent experience with TSCA section 12(b) notices. This change is an adjustment.

## V. What Is the Next Step in the Process for This ICR?

EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval pursuant to 5 CFR 1320.12. 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**.

### List of Subjects

Environmental protection, Reporting and recordkeeping requirements.

Dated: February 26, 2009.

**James Jones,**

*Acting Assistant Administrator, Office of Prevention, Pesticides and Toxic Substances.*

[FR Doc. E9-4792 Filed 3-5-09; 8:45 am]

**BILLING CODE 6560-50-S**

## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-8591-2]

### 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, 2008 (73 FR 19833).

### Draft EISs

*EIS No. 20080383, ERP No. D-AFS-B65014-VT, Deerfield WindProject,*

Application for a Land Use Authorization to Construct and Operate a Wind Energy Facility, Special Use Authorization Permit, Towns of Searsburg and Readsboro, Manchester Ranger District, Green Mountain National Forest, Bennington County, VT.

*Summary:* EPA expressed environmental concerns with potential adverse impacts to the brown bear habitat, the range of alternatives and comprehensive monitoring and mitigation for impacts to brown bear and their habitat. Rating EC2.

*EIS No. 20080439, ERP No. D-BLM-L65560-OR, John Day Basin Resource Management Plan, To Provide Direction for Managing Public Lands in Central and Eastern Oregon, Prineville District, Grant, Wheeler, Gilliam, Wasco, Sherman, Umatilla, Jefferson and Morrow Counties, OR.*

*Summary:* EPA expressed environmental concerns with impacts to water quality and quantity, and aquatic and riparian resources. We recommend incorporating the Alternative 4 grazing strategy, and continuation of watershed analysis per Alternative 1. The final EIS should further discuss management of Reserve Forage Allotments, and Aquatic Conservation Strategy related to proper functioning condition, management of livestock, and water withdrawal. Rating EC2.

*EIS No. 20080485, ERP No. D-SFW-K99040-NV, Southeastern Lincoln County Habitat Conservation Plan, Application Package for Three Incidental Take Permits, Authorize the Take of Desert Tortoise (*Gopherus agassizii*) and Southwestern Willow Flycatcher (*Empidonax traillii extimus*), Implementation, Lincoln County, NV.*

*Summary:* EPA expressed concerns about specific conservation measures. EPA requested additional information regarding impacts from desert tortoise relocation, and establishment of a southwestern willow flycatcher habitat mitigation bank. Rating EC2.

#### Final EISs

*EIS No. 20080517, ERP No. F-FHW-C50015-NY, Kosciuszko Bridge Project, Propose Rehabilitation or Replacement a 1.1 mile Segment Brooklyn-Queens Expressway (-278) from Morgan Avenue in Brooklyn and the Long Island Expressway (1495) in Queens, Kings and Queens Counties, NY.*

*Summary:* EPA's previous concerns about air quality have been resolved; therefore EPA has no objections to the proposed action.

*EIS No. 20080525, ERP No. F-FHW-C40173-NJ, I-295/I-76/Route 42 Direct Connection Project, To Improve Traffic Safety and Reduce Traffic Congestion, Funding and U.S. Army COE Section 10 and 404 Permits, Borough of Bellmawr, Borough of Mount Ephraim and Gloucester City, Camden County, NJ.*

*Summary:* EPA's previous concerns about wetlands, air quality and stormwater management have been resolved; therefore EPA has no objection to the proposed action.

*EIS No. 20080541, ERP No. F-UPS-K80007-CA, Aliso Viejo Incoming Mail Facility, Proposed Construction and Operation of a Mail Processing Facility on a 25-Acre Parcel, Aliso Viejo, Orange County, CA.*

*Summary:* While EPA does not object to this project, EPA requested that the ROD include commitments to the mitigation measures discussed in the EIS.

*EIS No. 20090006, ERP No. F-MMS-B09802-00, Cape Wind Energy Project, Construction, Operation and Maintenance, and Decommissioning of an Electric Generation Facility, Barnstable, Nantucket and Duke Counties, MA and Washington County, RI.*

*Summary:* EPA offered comments concerning the monitoring and mitigation component of the FEIS as well as air quality analysis/permitting and marine impacts and requested that MMS address all substantive comments received on the FEIS in the ROD and to coordinate closely with relevant state and federal agencies during its development.

*EIS No. 20090014, ERP No. F-NOA-L39065-OR, Bull Run Water Supply Habitat Conservation Plan, Application for and Incidental Take Permit to cover the Continued Operation and Maintenance, Sandy River Basin, City of Portland, OR.*

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

*EIS No. 20090015, ERP No. F-FHW-E40818-TN, TN-397 (Mack Hatcher Parkway Extension) Construction from US-31 (TN-6, Columbia Avenue) South of Franklin to US-341 (TN-106, Hillsboro Road) North of Franklin, Additional Information on the Build Alternative (Alternative G), Williamson County and City of Franklin, TN.*

*Summary:* EPA's previous concerns have been resolved; therefore EPA has no objection with the proposed action.

Dated: March 3, 2009.

**Robert W. Hargrove,**  
*Director, NEPA Compliance Division, Office of Federal Activities.*

[FR Doc. E9-4796 Filed 3-5-09; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-8591-1]

### 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 02/23/2009 Through 02/27/2009 Pursuant to 40 CFR 1506.9.

*EIS No. 20090052, Draft EIS, NRS, IA, Clarke County Water Supply Project, To Construct a Multiple-Purpose Structure that Provides for Rural Water Supply and Water Based Recreational Opportunities, Clarke County, IA, Comment Period Ends: 04/20/2009, Contact: Richard Sim 515-284-6655.*

*EIS No. 20090053, Final Supplement, COE, MS, Gulfport Harbor Navigation Channel Project, To Evaluate Proposed Construction of Authorized Improvements to the Gulfport Harbor, Harrison County, MS, Wait Period Ends: 04/06/2009, Contact: Jennifer Jacobson 251-690-2724.*

*EIS No. 20090054, Draft EIS, AFS, NV, Stanislaus National Forest Motorized Travel Management (17305) Plan, Implementation, Stanislaus National Forest, CA, Comment Period Ends: 05/05/2009, Contact: Sue Warren 209-532-3671 Ext. 321.*

*EIS No. 20090055, Draft EIS, AFS/BLM, CO, Gunnison Basin Federal Lands Travel Management Project, To Address Travel Management on Federal Lands within the Upper Gunnison Basin and North Fork Valley, Implementation, Gunnison, Delta, Hinsdale and Saguache Counties, CO, Comment Period Ends: 06/03/2009, Contact: Gary S. Shellhorn 970-874-6666.*

The above EIS is Joint Lead Agencies with the U.S. Department of Interior's Bureau of Land Management.

*EIS No. 20090056, Third Draft Supplement, TPT, CA, Presidio Trust Management Plan (PTMP), Updated Information on the Preferred Alternative for the Main Post District of the Presidio of San Francisco,*