

result in reduced adverse effects from motorized routes.

EIS No. 20090204, ERP No. F-AFS-65523-00, Sioux Ranger District Travel Management Project, To Designate the Road and Trail and Areas Suitable for Public Motorized Travel, Sioux Ranger District, Custer National Forest, Carter County of MT and Harding County of SD.

Summary: EPA supported the preferred alternative, since it would result in reduced adverse effects from motorized routes.

EIS No. 20090215, ERP No. F-AFS-65534-MT, Miller West Fisher Project, Proposes Land Management Activities, including Timber Harvest, Access Management, Road Storage and Decommissioning, Prescribed Burning and Precommercial Thinning, Miller Creek, West Fisher Creek and the Silver Butte Fisher River, Libby Ranger District, Kootenai National Forest, Lincoln County, MT.

Summary: EPA expressed environmental concerns about erosion and sediment production/transport and associated water quality impacts during logging activities.

EIS No. 20090219, ERP No. F-USA-E11069-GA, Maneuver Center of Excellence at Fort Benning Project, Proposed Community Services, Personnel Support, Classroom Barracks, and Dining Facilities would be Constructed in three of the four Cantonment Areas, Fort Benning, GA.

Summary: EPA expressed environmental concerns about impacts to aquatic habitats, water resources, and wetlands.

Dated: August 11, 2009.

Kenneth Mittelholtz,
Deputy Director, NEPA Compliance Division,
Office of Federal Activities.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-8945-9]

Proposed Amendment to Administrative Order on Consent, Index No. CERCLA-02-2001-2020, Containing a Covenant Not To Sue Under CERCLA Section 122(h), Shenandoah Road Groundwater Contamination Superfund Site, East Fishkill, New York

AGENCY: Environmental Protection Agency.

ACTION: Notice; request for public comment.

SUMMARY: In accordance with Section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. 9622(i), notice is hereby given of a proposed settlement embodied in an amendment to an Administrative Order on Consent, Index No. CERCLA-02-2001-2020 ("Order"). The Order was issued to the International Business Machines Corporation ("IBM") in connection with the Shenandoah Road Groundwater Contamination Superfund Site, East Fishkill, Dutchess County, New York ("Site"). The amendment to the Order was signed by the U.S. Environmental Protection Agency ("EPA" or the "Agency") on June 15, 2009, and contains a covenant not to sue under Section 122(h) of CERCLA, 42 U.S.C. 9622(h). Under the proposed amendment, EPA is covenanting not to sue IBM for \$50,000 of response costs, conditioned upon IBM's assistance to the Town of East Fishkill in acquiring waterline easements to properties at the Site, and upon IBM's performance of its obligations under the Order, including construction of an alternate water supply. For thirty (30) days following the date of publication of this notice, EPA will receive written comments relating to the amendment. EPA will consider all comments received and may modify or withdraw its consent to the covenant not to sue if comments received disclose facts or considerations that indicate that the proposed covenant not to sue is inappropriate, improper, or inadequate. The Agency's response to any comments received will be available for public inspection at EPA, Region 2, 290 Broadway, New York, New York 10007-1866.

DATES: Comments must be submitted on or before September 14, 2009.

ADDRESSES: The amendment is available for public inspection at the United States Environmental Protection Agency, 290 Broadway, New York, New York 10007-1866. Comments should reference the Shenandoah Road Groundwater Contamination Superfund Site, East Fishkill, Dutchess County, New York, Index No. CERCLA-02-2001-2020. To request a copy of the amendment, please contact the individual identified below.

FOR FURTHER INFORMATION CONTACT: Carol Y. Berns, Assistant Regional Counsel, New York/Caribbean Superfund Branch, Office of Regional Counsel, U.S. Environmental Protection Agency, 17th Floor, 290 Broadway, New York, New York 10007-1866. Telephone: 212-637-3177.

Dated: July 31, 2009.

John S. Frisco,
Acting Director, Emergency and Remedial Response Division, EPA, Region 2.
[FR Doc. E9-19536 Filed 8-13-09; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-8945-7]

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 ("CAA" or "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 Western District of Wisconsin: *Sierra Club v. Jackson*, No.3:09-cv-00122-slc (W.D. WI). Sierra Club 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 issued by the Wisconsin Department of Natural Resources to Wisconsin Power & Light Company's Columbia Generating Station ("CGS"), near Pardeeville, Wisconsin. Under the terms of the proposed consent decree, EPA has agreed to respond to the petition by September 18, 2009, or within 20 days of the entry date of this Consent Decree, whichever date is later.

DATES: Written comments on the proposed consent decree must be received by *September 14, 2009*.

ADDRESSES: Submit your comments, identified by Docket ID number EPA-HQ-OGC-2009-0604, online at <http://www.regulations.gov> (EPA's preferred method); by e-mail to oei.docket@epa.gov; by mail 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.