

5 U.S.C. 552a(d) requires that an individual be given access to, and the right to, amend files pertaining to him or her. Individual access to these files could impair investigations in progress and alert subjects involved in the investigations that their actions are under scrutiny, which may allow them the opportunity to alter their actions or prevent detection of any illegal actions to escape prosecution. Release of these records would also disclose investigative techniques and procedures employed by AMS and other agencies, which would hamper law enforcement activities.

5 U.S.C. 552a(c)(3) requires that an accounting of disclosures be made available to an individual. This would impair investigations by alerting subjects of investigations to the existence of those investigations. Release of the information could result in the altering or destruction of documentary evidence, improper influencing of witnesses, and other activities that could impede or compromise the investigation. 5 U.S.C. 552a(e)(1) requires that only such information as is relevant and necessary to accomplish a purpose of the agency required by statute or Executive Order can be maintained. Exemption from this provision is required because relevance and necessity can be determined only after information is evaluated. Evaluation at the time of collection is too consuming for the efficient conduct of an investigation. Further, determining relevance or necessity of specific information in the early stages of an investigation is not possible.

5 U.S.C. 552a(e)(4)(G) and (H), and (f) provides for notification and access procedures. These requirements, if followed, would necessarily alert subjects of investigations to the existence of the investigation which could impair the investigation. Access to the records likewise could interfere with investigative and enforcement proceedings; disclose confidential informants and information; constitute an unwarranted invasion of personal privacy of others; and reveal confidential investigative techniques and procedures.

5 U.S.C. 552a(e)(4)(I), requires that categories of sources of records in each system be published. Application of this provision could disclose investigative techniques and procedures and cause sources to refrain from giving such information because of fear of reprisal, or fear of breach of promises of anonymity and confidentiality. This would compromise the ability to conduct investigations.

Dated: December 8, 2010.

**Thomas J. Vilsack,**

*Secretary.*

[FR Doc. 2010-31400 Filed 12-14-10; 8:45 am]

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## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. APHIS-2010-0104]

#### Notice of Availability of a Pest Risk Analysis for the Importation of Fresh Rambutan Fruit (*Nephelium lappaceum*) From Malaysia and Vietnam

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Notice.

**SUMMARY:** We are advising the public that we have prepared a pest risk analysis that evaluates the risks associated with the importation into the continental United States of fresh rambutan fruit (*Nephelium lappaceum*) from Malaysia and Vietnam. Based on this analysis, we believe that the application of one or more designated phytosanitary measures will be sufficient to mitigate the risks of introducing or disseminating plant pests or noxious weeds via the importation of fresh rambutan fruit from Malaysia and Vietnam. We are making the pest risk analysis available to the public for review and comment.

**DATES:** We will consider all comments that we receive on or before February 14, 2011.

**ADDRESSES:** You may submit comments by either of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov/fdmspublic/component/main?main=DocketDetail&d=APHIS-2010-0104> to submit or view comments and to view supporting and related materials available electronically.

- *Postal Mail/Commercial Delivery:* Please send one copy of your comment to Docket No. APHIS-2010-0104, Regulatory Analysis and Development, PPD, APHIS, Station 3A-03.8, 4700 River Road Unit 118, Riverdale, MD 20737-1238. Please state that your comment refers to Docket No. APHIS-2010-0104.

*Reading Room:* You may read any comments that we receive on this docket in our reading room. The reading room is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue, SW., Washington, DC. Normal reading room

hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 690-2817 before coming.

*Other Information:* Additional information about APHIS and its programs is available on the Internet at <http://www.aphis.usda.gov>.

**FOR FURTHER INFORMATION CONTACT:** Ms. Claudia Ferguson, Regulatory Policy Specialist, Regulations, Permits, and Import Manuals, PPQ, APHIS, 4700 River Road Unit 133, Riverdale, MD 20737-1231; (301) 734-0754.

#### SUPPLEMENTARY INFORMATION:

##### Background

Under the regulations in “Subpart—Fruits and Vegetables” (7 CFR 319.56-1 through 319.56-50, referred to below as the regulations), the Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture prohibits or restricts the importation of fruits and vegetables into the United States from certain parts of the world to prevent plant pests from being introduced into and spread within the United States.

Section 319.56-4 contains a performance-based process for approving the importation of commodities that, based on the findings of a pest-risk analysis, can be safely imported subject to one or more of the designated phytosanitary measures listed in paragraph (b) of that section. These measures are:

- The fruits or vegetables are subject to inspection upon arrival in the United States and comply with all applicable provisions of § 319.56-3;
- The fruits or vegetables are imported from a pest-free area in the country of origin that meets the requirements of § 319.56-5 for freedom from that pest and are accompanied by a phytosanitary certificate stating that the fruits or vegetables originated in a pest-free area in the country of origin;
- The fruits or vegetables are treated in accordance with 7 CFR part 305;
- The fruits or vegetables are inspected in the country of origin by an inspector or an official of the national plant protection organization of the exporting country, and have been found free of one or more specific quarantine pests identified by the risk assessment as likely to follow the import pathway; and/or
- The fruits or vegetables are a commercial consignment.

APHIS received requests from the Governments of Malaysia and Vietnam to allow the importation of fresh rambutan fruit (*Nephelium lappaceum*)

from Malaysia and Vietnam into the continental United States. We have completed a pest list for this commodity to identify pests of quarantine significance that could follow the pathway of importation into the United States and, based on this list, have prepared a risk management document to identify phytosanitary measures that could be applied to fresh rambutan fruit from Malaysia and Vietnam to mitigate the pest risk. We have concluded that fresh rambutan fruit can be safely imported into the continental United States from Malaysia and Vietnam using one or more of the five designated phytosanitary measures listed in § 319.56–4(b). Therefore, in accordance with § 319.56–4(c), we are announcing the availability of our pest risk analysis for public review and comment. The pest risk analysis may be viewed on the Regulations.gov Web site or in our reading room (*see ADDRESSES* above for a link to Regulations.gov and information on the location and hours of the reading room). You may request paper copies of the pest risk analysis by calling or writing to the person listed under **FOR FURTHER INFORMATION CONTACT**. Please refer to the subject of the pest risk analysis you wish to review when requesting copies.

After reviewing any comments we receive, we will announce our decision regarding the import status of fresh rambutan fruit from Malaysia and Vietnam in a subsequent notice. If the overall conclusions of the analysis and the Administrator's determination of risk remain unchanged following our consideration of the comments, then we will begin issuing permits for the importation of fresh rambutan fruit from Malaysia and Vietnam into the continental United States subject to the requirements specified in the risk management document.

**Authority:** 7 U.S.C. 450, 7701–7772, and 7781–7786; 21 U.S.C. 136 and 136a; 7 CFR 2.22, 2.80, and 371.3.

Done in Washington, DC, this 9th day of December 2010.

**Kevin Shea,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 2010–31461 Filed 12–14–10; 8:45 am]

**BILLING CODE 3410–34–P**

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### **Black Hills National Forest, Northern Hills Ranger District; South Dakota; Steamboat Project**

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of intent to prepare an environmental impact statement.

**SUMMARY:** The Forest Service will prepare an environmental impact statement on a proposal to implement multiple resource management actions within the Steamboat Project Area to implement the amended Black Hills National Forest Land and Resource Management Plan. The Steamboat Project Area covers approximately 21,833 acres of National Forest System land and approximately 2,713 acres of interspersed private land northwest of Rapid City, South Dakota. Proposed actions include a combination of vegetation and fuels treatments to provide structural diversity in big game winter range, reduce the risk of mountain pine beetle infestations and reduce the risk of high severity wildfire. The proposed action includes approximately 4,665 acres of *commercial thinning*, 970 acres of *overstory removal*, 1,408 acres of *non-commercial thinning*, 1,379 acres of *shelterwood cuts*, 255 acres of *group selection*, 1,186 acres of individual tree selection, 636 acres of *hardwood enhancement*, 200 acres of *meadow enhancement*, 1,031 acres of *product-other-than-log thinning*, 460 acres of *understory thinning*, and 190 acres of *patch clearcutting*. In addition, approximately 10,608 acres will be analyzed for prescribed burning. Approximately 18 miles of new road construction would be necessary to carry out the proposed vegetation management actions.

**DATES:** Comments concerning the scope of the analysis must be received by January 14, 2011. The draft environmental impact statement is expected May 2011 and the final environmental impact statement is expected September 2011.

**ADDRESSES:** Send written comments to Rhonda O'Byrne, District Ranger, Northern Hills Ranger District, 2014 N. Main Street, Spearfish, SD 57783. Comments may also be sent via e-mail to *comments-rocky-mountain-black-hills-northern-hills@fs.fed.us* with "Steamboat Project" as the subject or via facsimile to 605–642–4156.

**FOR FURTHER INFORMATION CONTACT:**

Chris Stores, Assistant NEPA Planner, Northern Hills Ranger District, 2014 N. Main Street, Spearfish, SD 57783. Telephone number: 605–642–4622.

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m., Eastern Time, Monday through Friday.

### SUPPLEMENTARY INFORMATION:

#### **Purpose and Need for Action**

The purpose of and need for the action in the Steamboat project area is to create greater structural diversity in an area managed for big game winter range, to reduce the risk of mountain pine beetle infestation, and to reduce the risk of high severity wildfire. All actions are intended to move toward or achieve related Forest Plan Goals and Objectives, consistent with Forest Plan Standards and Guidelines.

#### **Proposed Action**

The Forest Service is proposing actions on National Forest System lands to move toward or achieve Forest Plan Goals and Objectives in the Steamboat project area northwest of Rapid City, South Dakota and adjacent to the towns of Nemo and Piedmont, South Dakota. Proposed actions include the following:

Create structural diversity in an area managed as big game winter range through meadow enhancement, hardwood enhancement, uneven-aged management, thinning of the forest's overstory and understory, and patch clear cuts to create open browsing areas.

Reduce acres at high or medium susceptibility to mountain pine beetle by thinning stands and changing stand structure. Commercial and non-commercial (including prescribed burning) methods may be used.

Reduce acres at high or very high risk to wildfire by thinning stands and reducing the amount of fuel available to fires. Commercial and non-commercial (including prescribed burning) methods may be used.

Road construction and maintenance activities would be necessary to access areas proposed for timber harvest. New roads would be closed following management activities.

Implementation of proposed activities would likely begin sometime during 2012 and continue for up to ten years following a project decision.

The Forest Service is the sole responsible agency for this project; no cooperators are participating in project planning.

#### **Responsible Official**

Rhonda O'Byrne, District Ranger, Northern Hills Ranger District, 2014 North Main Street, Spearfish, SD 57783.

#### **Nature of Decision To Be Made**

The decision to be made is whether or not to approve the proposed action or alternatives to the proposed action that may be developed. No Forest Plan amendments are proposed.