

6102T, 1200 Pennsylvania Ave., NW., Washington, DC, 20460.

DOE documents related to the CCP are available for review in the official EPA Air Docket in Washington, DC, Docket No. A-98-49, Category II-A2, and at the following three EPA WIPP informational docket locations in New Mexico: In Carlsbad at the Municipal Library, hours: Monday–Thursday, 10 a.m.–9 p.m., Friday–Saturday, 10 a.m.–6 p.m., and Sunday, 1 p.m.–5 p.m.; in Albuquerque at the Government Publications Department, General Library, University of New Mexico, hours: vary by semester; and in Santa Fe at the New Mexico State Library, hours: Monday–Friday, 9 a.m.–5 p.m.

Copies of items in the docket may be requested by writing to Docket A-98-49 at the address provided above, or by calling (202) 566-1742. As provided in EPA's regulations at 40 CFR part 2, and in accordance with normal EPA docket procedures, a reasonable fee may be charged for photocopying.

**FOR FURTHER INFORMATION CONTACT:** Ms. Rajani D. Joglekar, Office of Radiation and Indoor Air, (202) 564-9310, or call EPA's 24-hour, toll-free WIPP Information Line, 1-800-331-WIPP, or visit our Web site at <http://www.epa.gov/radiation/wipp>.

**SUPPLEMENTARY INFORMATION:**

**Background**

DOE is operating the WIPP near Carlsbad in southeastern New Mexico as a deep geologic repository for disposal of TRU radioactive waste. As defined by the WIPP Land Withdrawal Act (LWA) of 1992 (Public Law 102-579), as amended (Public Law 104-201), transuranic (TRU) waste consists of materials containing elements having atomic numbers greater than 92 (with half-lives greater than 20 years), in concentrations greater than 100 nanocuries of alpha-emitting TRU isotopes per gram of waste. Much of the existing TRU waste consists of items contaminated during the production of nuclear weapons, such as rags, equipment, tools, and sludges.

On May 13, 1998, EPA announced its final compliance certification decision to the Secretary of Energy (published May 18, 1998, 63 FR 27354). This decision stated that the WIPP will comply with EPA's radioactive waste disposal regulations at 40 CFR part 191, subparts B and C.

The final WIPP certification decision includes conditions that (1) prohibit shipment of TRU waste for disposal at WIPP from any site other than the Los Alamos National Laboratory (LANL) until the EPA determines that the site

has established and executed a quality assurance program, in accordance with §§ 194.22(a)(2)(i), 194.24(c)(3), and 194.24(c)(5) for waste characterization activities and assumptions (Condition 2 of appendix A to 40 CFR part 194); and (2) prohibit shipment of TRU waste for disposal at WIPP from any site other than LANL until the EPA has approved the procedures developed to comply with the waste characterization requirements of § 194.22(c)(4) (Condition 3 of appendix A to 40 CFR part 194). The EPA's approval process for waste generator sites is described in § 194.8. As part of EPA's decision-making process, the DOE is required to submit to EPA appropriate documentation of quality assurance and waste characterization programs at each DOE waste generator site seeking approval for shipment of TRU radioactive waste to WIPP. In accordance with § 194.8, EPA will place such documentation in the official Air Docket in Washington, DC, and informational dockets in the State of New Mexico for public review and comment.

EPA will perform an inspection of the TRU waste characterization activities performed by the DOE's Central Characterization Project (CCP) staff at the Savannah River Site (SRS) in accordance with Condition 3 of the WIPP certification. We will evaluate the adequacy, implementation, and effectiveness of the CCP technical activities contracted by SRS for characterization of the disposal of retrievably-stored TRU debris waste at the WIPP. The overall program adequacy and effectiveness of CCP documents will be based on the following DOE-provided documents: (1) CCP-PO-001—Revision 5, 2/05/03—CCP Transuranic Waste Characterization Quality Assurance Project Plan and (2) CCP-PO-002—Revision 5, 2/13/03—CCP Transuranic Waste Certification Plan. EPA has placed these DOE-provided documents pertinent to the SRS inspection in the public docket described in **ADDRESSES**. The documents are included in item II-A2-43 in Docket A-98-49. In accordance with 40 CFR 194.8, EPA is providing the public 30 days to comment on these documents. The inspection is scheduled to take place the week of March 24, 2003.

The EPA inspectors at SRS will evaluate the quality of the waste characterization program via testing, interviews of WC personnel, review of WC procedures, and inspection of WC equipment used to characterize retrievably-stored debris waste. The inspection will focus on the IQ3 NDA (Non-Destructive Assay) system and the

AK process as implemented by the CCP at SRS. The EPA has already inspected and approved the quality assurance (QA) program at SRS regarding the CCP. This inspection was conducted in October 2002, and the details of this inspection can be found in item II-A1-41 in Docket A-98-49.

If EPA determines as a result of the inspection that the proposed CCP waste characterization processes and programs used at SRS adequately control the characterization of transuranic waste, we will notify DOE by letter and place the letter in the official Air Docket in Washington, DC, as well as in the informational docket locations in New Mexico. A letter of approval will allow DOE to ship transuranic waste from SRS to the WIPP. The EPA will not make a determination of compliance prior to the inspection or before the 30-day comment period has closed.

Information on the certification decision is filed in the official EPA Air Docket, Docket No. A-93-02 and is available for review in Washington, DC, and at three EPA WIPP informational docket locations in New Mexico. The dockets in New Mexico contain only major items from the official Air Docket in Washington, DC, plus those documents added to the official Air Docket since the October 1992 enactment of the WIPP LWA.

Dated: March 11, 2003.

**Robert Brenner,**

*Acting Assistant Administrator for Air and Radiation.*

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 660**

[I.D. 030303D]

**Pacific Fishery Management Council; Notice of Intent**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of intent to prepare an environmental impact statement (EIS); request for written comments; notice of public scoping meetings.

**SUMMARY:** On April 16, 2002, NMFS and the Pacific Fishery Management Council (Council) announced their intent to prepare an EIS in accordance with the National Environmental Policy Act

(NEPA) of 1969 for Amendment 16 to the Pacific Coast Groundfish Fishery Management Plan (FMP). The FMP would be amended to establish procedures for periodic review and revision of rebuilding plans and to incorporate rebuilding plans for overfished groundfish species. NMFS and the Council subsequently decided to prepare two (or more) separate analyses for these actions. Establishing procedures for reviewing and revising rebuilding plans is not anticipated to result in significant environmental impacts. Therefore, an environmental assessment (EA) will be prepared for those procedural actions, which will be implemented through Amendment 16 to the FMP. An EIS will then be prepared to evaluate the environmental impacts of implementing rebuilding plans for at least four of the nine species currently declared overfished by the Secretary of Commerce pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

**DATES:** A public scoping meeting on the four rebuilding plans EIS is scheduled for Sunday, April 6, 2003, from 3 p.m.–5 p.m. in conjunction with the Council's April 7–11, 2003, meeting (see **SUPPLEMENTARY INFORMATION**) covering various rebuilding-plan-related issues. Written comments will be accepted no later than 5 p.m., local time on May 30, 2003. After this date, a scoping responsiveness summary document, summarizing the public's issues and alternatives to be evaluated in the EIS, will be drafted and made available on the Council's website ([www.pcouncil.org](http://www.pcouncil.org)) or by request from the address below. All parties present at the scoping meeting shall be mailed copies of the scoping responsiveness summary document once it is prepared.

**ADDRESSES:** Written comments on issues and alternatives for the four rebuilding plans EIS should be sent to Dr. Donald McIsaac, Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 200, Portland, OR 97220. Comments also may be sent via facsimile (fax) to 503–820–2299.

*Council address:* Pacific Fishery Management Council 7700 NE Ambassador Place, Suite 200, Portland, OR 97220–1384.

**FOR FURTHER INFORMATION CONTACT:** Mr. Matthew Harrington, NMFS, Northwest Region, 206–526–4742; fax: 206–526–6426 and email: [matthew.harrington@noaa.gov](mailto:matthew.harrington@noaa.gov), or Kit

Dahl, Pacific Fishery Management Council, 503–820–8220 or 866–806–7204 (toll free); fax: 503–820–2299 and email: [kit.dahl@noaa.gov](mailto:kit.dahl@noaa.gov).

**SUPPLEMENTARY INFORMATION:** NMFS and the Council published a notice of intent to prepare an EIS evaluating groundfish rebuilding plans in the **Federal Register** on April 16, 2002. (That document contains additional background information on the need for rebuilding plans.) At that time, NMFS and the Council planned to prepare a single EIS evaluating the effects of two sets of alternatives that might be adopted under a single amendment (Amendment 16) to the Groundfish FMP. The first set of alternatives would address the effects of different procedures that might be followed for revising rebuilding plans. As currently developed, these alternatives, or options, cover: (1) the form and content of rebuilding plans, (2) procedures for periodic review of rebuilding plans (as required by Section 304(e)(7) of the Magnuson-Stevens Act at 16 U.S.C. 1854(e)(7)), (3) standards for evaluating stock rebuilding processes, and (4) procedures that would be followed in the event that an overfished species is listed under the Endangered Species Act. These actions are procedural, establishing a framework for the adoption of rebuilding plans. As such, no significant direct or indirect environmental effects are anticipated. Environmental effects would result from the adoption of rebuilding measures subsequent to the implementation of this procedural framework. Therefore, after further consideration, NMFS and the Council have decided to evaluate these procedural options in a separate EA and confine the EIS analysis to the impacts of rebuilding-plan-related measures.

The EIS will now evaluate the environmental impacts stemming from adoption of rebuilding plans, and in particular, the management targets that will be used to determine harvest levels. These target parameters include the target rebuilding period, the fishing mortality management strategy (e.g., constant catch versus constant fishing mortality rate) and rates associated with the strategy, and levels of probability or risk that rebuilding targets will be achieved. Rebuilding plans for at least four overfished species will be evaluated, with darkblotched rockfish, Pacific ocean perch, lingcod, and canary rockfish the most likely species for which rebuilding plans would be evaluated in this EIS. The effects of

adopting rebuilding measures for the remaining five overfished species (bocaccio rockfish, cowcod, whiting, widow rockfish, and yelloweye rockfish) will be evaluated in one or more subsequent EISs or EAs.

### Scoping

Because of the change in approach described above, an additional public scoping meeting is scheduled for Sunday, April 6, 2003, from 3 p.m. to 5 p.m. This scoping session will coincide with the Council meeting and will occur at the same location, the Red Lion at The Quay Hotel, 100 Columbia St., Vancouver, WA 98660 (360–694–8341). Although the primary purpose of the scoping meeting shall be to obtain the public's comments and issues with regards to the four rebuilding plans EIS, issues related to the rebuilding plan adoption framework (subject of the EA) and rebuilding measures for all overfished species (not just those species that will be covered in the EIS noticed here) may be raised at this scoping meeting. These other comments will be used to formulate the scope of those particular NEPA documents. Likewise, comments raised on the four rebuilding plans EIS will be used to focus the analysis on the real issues and concerns of the public (40 CFR part 1500.5(d) and 40 CFR part 1501.7). Public comment also may be made during the April Council meeting, under the agenda wherein the Council plans to consider these proposed actions. The agenda for this meeting is available from the Council website or by request from Council offices (see **ADDRESSES**), once finalized.

Written comments on the scope of issues and alternatives may be submitted as described under **ADDRESSES**.

### Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Ms. Carolyn Porter at 820–2280 at least 5 days prior to the meeting date.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: March 12, 2003.

**Richard W. Surdi,**  
*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
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