

### Purpose and Need for the Proposed Project

The purpose of the proposed action is to help meet the Navajo Nation's need to benefit economically from the development of its coal resources.

Construction of the Desert Rock power plant would address this need, as well as regional power needs in general, by

- Supporting the Navajo Nation's objective for economic development by providing long-term employment opportunities and revenue cash-flow streams from the sale of Navajo natural resources (e.g., water, coal);
- using Navajo Nation coal to generate electricity;
- helping meet the demand for up to 2,000 MW of electrical power in the rapidly growing southwestern United States; and
- providing fuel diversity, hence a more economically stable and predictable power supply for utilities in the Southwest.

### Proposed Federal Agency Actions

The proposed action includes several elements that require approvals, grants of rights-of-way, or permits by Federal agencies and the Navajo Nation. These are as follows:

- BIA—Approval of the long-term business land lease between DPA and the Navajo Nation, of the sublease between DPA and Desert Rock Energy Company, LLC, and of the rights-of-way requested for the proposed project.
- OSM—Approval of revisions to BNCC's current SMCRA permit to allow development of coal processing facilities, conveyance systems, and infrastructure in Area IV North of the BNCC Lease Area and approval of a future SMCRA permit application to allow coal mining, CCB disposal, and reclamation activities in Area IV South and Area V of the BNCC Lease Area.
- BLM—Approval of the Resource Recovery and Protection Plan or a Mine Plan of Operations for Area IV South and Area V of the BNCC Lease Area.
- USACE—Approval of an Individual Permit for the Desert Rock Energy Project under Section 404 of the Clean Water Act (CWA) and of Nationwide Permits or an Individual Permit under Section 404 of the CWA for the mining operations in Area IV South and Area V of the BNCC Lease Area.
- EPA—Approval of a significant revision to BNCC's National Pollutant Discharge Elimination System (NPDES) permit associated with the mining and reclamation operations and coal preparation facilities. Whether this constitute a new source permitting action subject to the National

Environmental Policy Act is determined by criteria set forth in 40 CFR 122.29(b).

- Navajo Nation—The Navajo Nation's action, as a sovereign government and cooperating agency, is the approval of a land lease package that ensures economic development on tribal lands in compliance with the Navajo Nation Code and applicable Federal law.

The above approvals, taken together, constitute the Proposed Action, which consists of (1) the construction, operation, and maintenance of the Desert Rock Energy Project and associated water supply wells, water supply pipelines, transmission system interconnection, other facilities required for the generation and distribution of electrical power, and new access roads; and (2) the approval of surface coal mining, CCB disposal, and reclamation operations at the Navajo Mine Extension Project to supply coal to the Desert Rock power plant.

### Public Meetings

Public meetings on the DEIS will include, (1) a presentation on the Desert Rock Energy Project and DEIS, (2) an area with displays where meeting attendees may discuss the project proposal and the EIS process with BIA and others, (3) an area where meeting attendees may record and submit written comments, and (4) an area where an BIA representative and a transcriber will record oral comments. To assist the transcriber and ensure an accurate record, BIA requests that each presenter of oral comments provide a written copy of his or her comments, if possible. A Navajo interpreter will be present at the meetings on the Navajo Indian Reservation.

If you are disabled or need special accommodations to attend one of the meetings, contact the person under the **FOR FURTHER INFORMATION CONTACT** section above at least one week before the meeting.

### Public Comment Availability

Comments, including names and addresses of respondents, will be available for public review at the mailing address shown in the **ADDRESSES** section, during regular business hours, 8:00 a.m. to 4:30 p.m., Monday through Friday, except holidays. Individual respondents may request confidentiality. If you wish us to withhold your name and/or address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comment. Such requests will be honored to the extent allowed by law. We will not,

however, consider anonymous comments. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

### Authority

This notice is published in accordance with section 1503.1 of the Council on Environmental Quality Regulations (40 CFR, parts 1500 through 1508) implementing the procedural requirements of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et. seq.*), and the Department of the Interior Manual (516 DM 1–6), and is in the exercise of authority delegated to the Assistant Secretary—Indian Affairs by 209 DM 8.

### Willie R. Taylor,

*Director, Office of Environmental Policy and Compliance.*

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## INTERNATIONAL TRADE COMMISSION

[Investigation No. DR–CAFTA–103–16]

### Probable Economic Effect of Modifications to DR–CAFTA Rules of Origin and Tariffs for Certain Apparel Goods

**AGENCY:** United States International Trade Commission.

**ACTION:** Expansion of scope of investigation, revised deadline for filing written submissions.

**SUMMARY:** Following receipt of a request on June 1, 2007, from the United States Trade Representative (USTR), the Commission has expanded the scope of its investigation No. DR–CAFTA–103–16, Probable Economic Effect of Modifications to DR–CAFTA Rules of Origin and Tariffs for Certain Apparel Goods, to include advice on the probable economic effect of an additional set of proposed modifications to the rules of origin and tariff treatment that are contained in a revised letter of understanding with Costa Rica.

**DATES:** June 29, 2007: Extended deadline for filing written submissions. August 30, 2007: Revised date for transmittal of Commission report to USTR.

**ADDRESSES:** All Commission offices, including the Commission's hearing rooms, are located in the United States International Trade Commission Building, 500 E Street, SW.,

Washington, DC. All written submissions should be addressed to the Secretary, United States International Trade Commission, 500 E Street, SW., Washington, DC 20436. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://www.usitc.gov/secretary/edis.htm>

**FOR FURTHER INFORMATION CONTACT:**

Laura Rodriguez, Office of Industries (202-205-3499; [laura.rodriguez@usitc.gov](mailto:laura.rodriguez@usitc.gov)). For information on legal aspects, contact William Gearhart of the Office of the General Counsel (202-205-3091; [william.gearhart@usitc.gov](mailto:william.gearhart@usitc.gov)). The media should contact Margaret O'Laughlin, Office of External Relations (202-205-1819; [margaret.olaughlin@usitc.gov](mailto:margaret.olaughlin@usitc.gov)). Hearing-impaired individuals may obtain information on this matter by contacting the Commission's TDD terminal at 202-205-1810. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000.

**Background:** The Annex to the USTR's June 1 letter identified an additional set of modifications for which advice is requested in a recently added section 6 of the Annex. The list can be viewed at <http://www.usitc.gov/secretary/edis.htm>. As requested, the Commission will transmit its advice to the USTR by August 30, 2007, and will issue a public version of its report shortly thereafter, with any confidential business information deleted.

The Commission's notice of institution of this investigation was published in the **Federal Register** of February 15, 2007 (72 FR 7455). The original deadline for the filing of written submissions was March 16, 2007, and the Commission was scheduled to transmit its advice on May 24, 2007. As indicated below, the deadline for written submissions has been extended to June 29, 2007, and those submissions should be limited to the following: (1) Information and arguments with respect to the modifications listed in section 6 of the Annex; and (2) with respect to the modifications listed in sections 1-5 of the Annex, information and arguments not available as of March 16, 2007. The Commission expects to transmit its report to the USTR by August 30, 2007. No public hearing was scheduled in the notice of investigation and none is planned in connection with the expanded scope of investigation.

**Written Submissions:** Persons with an interest in this matter are invited to submit written statements concerning the modifications to be addressed by the Commission in its expanded report on this investigation. Such submissions should be limited to the following: (1) information and arguments with respect to the modifications listed in section 6 of the Annex; and (2) with respect to the modifications listed in sections 1-5 of the Annex, information and arguments not available as of March 16, 2007. Submissions should be addressed to the Secretary to the Commission and should be submitted at the earliest practical date but no later than 5:15 p.m. on June 29, 2007. All written submissions must conform with section 201.8 of the Commission's Rules of Practice and Procedure (19 CFR 201.8). Section 201.8 of the rules requires that a signed original (or copy designated as an original) and fourteen (14) copies of each document be filed. In the event that confidential treatment of the document is requested, at least four (4) additional copies must be filed, in which the confidential business information must be deleted (see the following paragraph for further information regarding confidential business information). The Commission's rules do not authorize the filing of submissions with the Secretary by facsimile or electronic means, except to the extent permitted by section 201.8 of the rules (see Handbook for Electronic Filing Procedures, [http://www.usitc.gov/secretary/fed\\_reg\\_notices/rules/documents/handbook\\_on\\_electronic\\_filing.pdf](http://www.usitc.gov/secretary/fed_reg_notices/rules/documents/handbook_on_electronic_filing.pdf)). Persons with questions regarding electronic filing should contact the Secretary (202-205-2000 or <http://www.usitc.gov/secretary/edis.htm>).

Any submissions that contain confidential business information must also conform with the requirements of section 201.6 of the Commission's Rules of Practice and Procedure (19 CFR 201.6). Section 201.6 of the rules requires that the cover of the document and the individual pages be clearly marked as to whether they are the "confidential" or "nonconfidential" version, and that the confidential business information be clearly identified by means of brackets. All written submissions, except for confidential business information, will be made available in the Office of the Secretary to the Commission for inspection by interested parties.

The Commission may include some or all of the confidential business information submitted in the course of this investigation in the report it sends to the USTR. The USTR has directed

that the Commission, after transmitting its report, publish a public version of its report, with any confidential business information deleted. Accordingly, any confidential business information received by the Commission in this investigation and used in preparing the report will not be published in the public version of the report in a manner that would reveal the operations of the firm supplying the information.

By order of the Commission.

Issued: June 15, 2007.

**Marilyn Abbott,**

*Secretary to the Commission.*

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## **INTERNATIONAL TRADE COMMISSION**

[Inv. No. 337-TA-585]

### **In the Matter of Certain Engines, Components Thereof, and Products Containing the Same; Notice of Commission Determination Not To Review an Initial Determination Terminating the Investigation on the Basis of a Consent Order Stipulation and Consent Order**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination ("ID") of the presiding administrative law judge ("ALJ") (Order No. 17) in the above-captioned investigation terminating this investigation, as to both respondents, on the basis of a consent order stipulation and a consent order.

**FOR FURTHER INFORMATION:** Christal A. Sheppard, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone 202-708-2301. Copies of the ID and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone 202-205-2000. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public