

(Appendix 2). If you do not return the Mailing List Retention Form, you will be taken off the mailing list.

### Becoming an Intervenor

In addition to involvement in the EA scoping process, you may want to become an official party to the proceeding known as an "intervenor." Intervenor play a more formal role in the process. Intervenor have the right to seek rehearing of the Commission's decision, and also receive copies of case-related Commission documents and filings by other intervenors.

If you want to become an intervenor, you must file a motion to intervene according to Rule 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.214). Motions to Intervene should be electronically submitted using the Commission's eFiling system at <http://www.ferc.gov>. Persons without Internet access should send an original and 14 copies of their motion to the Secretary of the Commission at the address indicated previously. Persons filing Motions to Intervene on or before the comment deadline indicated above must send a copy of the motion to the Applicant. All filings, including late interventions, submitted after the comment deadline must be served on the Applicant and all other intervenors identified on the Commission's service list for this proceeding. Persons on the service list with e-mail addresses may be served electronically; others must be served a hard copy of the filing.

Affected landowners and parties with environmental concerns may be granted intervenor status upon showing good cause by stating that they have a clear and direct interest in this proceeding which would not be adequately represented by any other parties. You do not need intervenor status to have your environmental comments considered.

### Additional Information

Additional information about the Project is available from the Commission's Office of External Affairs, at 1-866-208-FERC or on the FERC Internet Web site ([www.ferc.gov](http://www.ferc.gov)) using the "eLibrary" link. Click on the eLibrary link, then on "General Search" and enter the docket number excluding the last three digits in the Docket Number field (i.e., CP08-72). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at [FercOnlineSupport@ferc.gov](mailto:FercOnlineSupport@ferc.gov) or toll free at 1-866-208-3676, or for TTY, contact (202) 502-8659. The eLibrary link also provides access to the texts of formal documents issued by the Commission,

such as Orders, notices, and rulemakings.

In addition, the Commission now offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to <http://www.ferc.gov/esubscribenow.htm>.

Finally, public meetings or site visits will be posted on the Commission's calendar located at <http://www.ferc.gov/EventCalendar/EventsList.aspx> along with other related information.

**Kimberly D. Bose,**

Secretary.

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BILLING CODE 6717-01-P

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2008-0140; FRL-8354-1]

### d-Phenothrin (Sumithrin) Risk Assessments; Notice of Availability and Risk Reduction Options

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** This notice announces the availability of EPA's risk assessments, and related documents for the pesticide d-Phenothrin (Sumithrin), and opens a public comment period on these documents (Phase 3 of 4-Phase Process). The public is encouraged to suggest risk management ideas or proposals to address the risks identified. EPA is developing a Reregistration Eligibility Decision (RED) for sumithrin through a modified, 4-Phase public participation process that the Agency uses to involve the public in developing pesticide reregistration decisions. Through this program, EPA is ensuring that all pesticides meet current health and safety standards.

**DATES:** Comments must be received on or before May 13, 2008.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2008-0140, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

- *Mail:* Office of Pesticide Programs (OPP) Regulatory Public Docket (7502P), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

- *Delivery:* OPP Regulatory Public Docket (7502P), Environmental Protection Agency, Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. Deliveries are only accepted during the Docket's normal hours of operation (8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays). Special arrangements should be made for deliveries of boxed information. The Docket Facility telephone number is (703) 305-5805.

**Instructions:** Direct your comments to docket ID number EPA-HQ-OPP-2008-0140. EPA's policy is that all comments received will be included in the docket without change and may be made available on-line at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through [regulations.gov](http://www.regulations.gov) or e-mail. The [regulations.gov](http://www.regulations.gov) website is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through [regulations.gov](http://www.regulations.gov), your e-mail address will be automatically captured and included as part of the comment that is placed in the docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

**Docket:** All documents in the docket are listed in the docket index available in [regulations.gov](http://www.regulations.gov). To access the electronic docket, go to <http://www.regulations.gov>, select "Advanced Search," then "Docket Search." Insert the docket ID number where indicated and select the "Submit" button. Follow the instructions on the [regulations.gov](http://www.regulations.gov) website to view the docket index or access available documents. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be

publicly available only in hard copy form. Publicly available docket materials are available either in the electronic docket at <http://www.regulations.gov>, or, if only available in hard copy, at the OPP Regulatory Public Docket in Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. The hours of operation of this Docket Facility are from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Docket Facility telephone number is (703) 305-5805.

**FOR FURTHER INFORMATION CONTACT:**

Jennifer Howenstine, Special Review and Reregistration Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 305-0741; fax number: (703) 308-7070; e-mail address: [howenstine.jennifer@epa.gov](mailto:howenstine.jennifer@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. General Information**

*A. Does this Action Apply to Me?*

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including environmental, human health, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

*B. What Should I Consider as I Prepare My Comments for EPA?*

1. *Submitting CBI.* Do not submit this information to EPA through [www.regulations.gov](http://www.regulations.gov) or e-mail. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD-ROM that you mail to EPA, mark the outside of the disk or CD-ROM as CBI and then identify electronically within the disk or CD-ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When submitting comments, remember to:

- i. Identify the document by docket ID number and other identifying information (subject heading, **Federal Register** date and page number).
- ii. Follow directions. The Agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.
- iii. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.
- iv. Describe any assumptions and provide any technical information and/or data that you used.
- v. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.
- vi. Provide specific examples to illustrate your concerns and suggest alternatives.
- vii. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.
- viii. Make sure to submit your comments by the comment period deadline identified.

**II. Background**

*A. What Action is the Agency Taking?*

EPA is releasing for public comment its human health and environmental fate and effects risk assessments and related documents for sumithrin and soliciting public comment on risk management ideas or proposals. Sumithrin is a first generation, synthetic pyrethroid used for the control of adult mosquitoes and other nuisance insects. Sumithrin is used as an insecticide in human clothing/bedding/mattresses, domestic dwellings, commercial/industrial/institutional settings, warehouses, vehicles, animal kennels, medical institutions, ornamentals and for vector control. Sumithrin may be applied as Ready-to-Use (RTU) spray container, crack and crevice and/or spot treatment, fogger, automatic sprayer, aerosol can and foam applicator. There are separate formulations for vector control. For vector control, sumithrin is applied using an ultra low volume (ULV) spray by ground or aerial application. EPA developed the risk assessments and risk characterization for sumithrin through a modified version of its public process for making pesticide reregistration eligibility decisions. Through these programs, EPA is ensuring that pesticides meet current standards under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Federal Food, Drug, and

Cosmetic Act (FDCA), as amended by the Food Quality Protection Act of 1996 (FQPA).

EPA is providing an opportunity, through this notice, for interested parties to provide comments and input on the Agency's risk assessments for sumithrin. Such comments and input could address the availability of additional data to further refine the risk assessments, or could address the Agency's risk assessment methodologies and assumptions as applied to this specific pesticide.

Through this notice, EPA also is providing an opportunity for interested parties to provide risk management proposals or otherwise comment on risk management for sumithrin. Risks of concern associated with the use of sumithrin are: Residential scenarios that result in exposures of concern, an occupational scenario of concern at the maximum use rate, chronic risks in mammals, acute risks to honeybees, and acute and chronic risks to estuarine/marine and benthic invertebrates. In targeting these risks of concern, the Agency solicits information on effective and practical risk reduction measures.

EPA seeks to achieve environmental justice, the fair treatment and meaningful involvement of all people, regardless of race, color, national origin, or income, in the development, implementation, and enforcement of environmental laws, regulations, and policies. To help address potential environmental justice issues, the Agency seeks information on any groups or segments of the population who, as a result of their location, cultural practices, or other factors, may have atypical, unusually high exposure to sumithrin compared to the general population.

EPA is applying the principles of public participation to all pesticides undergoing reregistration. The Agency's "Pesticide Tolerance Reassessment and Reregistration; Public Participation Process," published in the **Federal Register** on May 14, 2004 (69 FR 26819) (FRL-7357-9), explains that in conducting these programs, the Agency is tailoring its public participation process to be commensurate with the level of risk, extent of use, complexity of the issues, and degree of public concern associated with each pesticide. For sumithrin, a modified, 4-Phase process with one comment period and ample opportunity for public consultation seems appropriate in view of its use pattern and risk issues. However, if as a result of comments received during this comment period EPA finds that additional issues warranting further discussion are raised,

the Agency may lengthen the process and include a second comment period, as needed.

All comments should be submitted using the methods in **ADDRESSES**, and must be received by EPA on or before the closing date. Comments will become part of the Agency Docket for sumithrin. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

#### *B. What is the Agency's Authority for Taking this Action?*

Section 4(g)(2) of FIFRA, as amended, directs that, after submission of all data concerning a pesticide active ingredient, "the Administrator shall determine whether pesticides containing such active ingredient are eligible for reregistration," before calling in product-specific data on individual end-use products and either reregistering products or taking other "appropriate regulatory action."

#### **List of Subjects**

Environmental protection, Pesticides and pests.

Dated: March 7, 2008.

**Steven Bradbury,**

*Director, Special Review and Reregistration Division, Office of Pesticide Programs.*

[FR Doc. E8-5044 Filed 3-13-08; 8:45 am]

**BILLING CODE 6560-50-S**

## **ENVIRONMENTAL PROTECTION AGENCY**

[ER-FRL-6696-9]

### **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 **Federal Register** dated April 6, 2007 (72 FR 17156).

#### **Draft EISs**

*EIS No. 20070452, ERP No. D-BLM-  
J65496-CO, Canyons of the Ancients National Monument Resource Management Plan, To Address Future Management Options for Approximately 165.00 Acres of Land,*

*Dolores and Montezuma Counties, CO.*

*Summary:* EPA does not object to the preferred alternative. *Rating:* LO.

*EIS No. 20070497, ERP No. D-FAA-K51043-CA, Horizon Air Service to Mammoth Yosemite Airport Project, Proposed Operations Specifications Amendment to Provide Scheduled Air Service, Town of Mammoth Lakes, Mono County, CA.*

*Summary:* EPA does not object to the proposed action. *Rating:* LO.

*EIS No. 20070523, ERP No. D-NRC-E06025-NC, Generic—License Renewal of Nuclear Plants (GEIS) Regarding Shearon Harris Nuclear Power Plant, Unit 1, Plant-Specific Supplement 33 to NUREG-1437, Wake County, NC.*

*Summary:* EPA expressed environmental concerns about water withdrawal impacts to surface water under exceptional drought conditions, and requested radiological monitoring of all plant effluents, and appropriate storage and disposition of radioactive waste. *Rating:* EC1.

*EIS No. 20080006, ERP No. D-FHW-H40192-NE, Nebraska Highway 35 (N-35) Corridor, To Improve 66-mile from Norfolk to South Sioux City, Funding, Madison, Stanton, Wayne, Dixon, and Dakota Counties, NE.*

*Summary:* EPA expressed environmental concern about impacts on two impaired streams, and the cumulative impacts of induced residential development, and recommended that noise attenuation measures other than structural be examined. *Rating:* EC2.

*EIS No. 20080013, ERP No. D-AFS-G65107-NM, Santa Fe National Forest Project, Settlement Land Transfers: Pueblo de San Ildefonso, Pueblo of Santa Clara and Los Alamos County, Implementation, Santa Fe National Forest, Los Alamos, Rio Arriba and Santa Fe Counties, NM.*

*Summary:* EPA does not object to the proposed action. *Rating:* LO.

*EIS No. 20080016, ERP No. D-FHW-L40233-ID, Three Cities River Crossing Project, New Roadway Crossing of the Boise River at the Juncture of the Cities of Boise, Eagle and Garden, Ada County Highway District (ACHD), Ada County, ID.*

*Summary:* EPA expressed environmental concerns about air quality, including ozone, particulate matter, air toxics, wetlands, aquatic resources, floodplains, water quality and stormwater management, and the

need to mitigate these impacts. *Rating:* EC2.

*EIS No. 20080018, ERP No. D-FHW-K40267-CA, Phase I—CA 11 Corridor Location and Route Adoption and Location Identification of the Otay Mesa East Port of Entry (POE) on Otay Mesa, Presidential Permit for the POE and Acquisition of Right-Of-Way Permit, San Diego County, CA.*

*Summary:* EPA expressed environmental concerns about air quality impacts associated with idling trucks and mobile source air toxics and cumulative impacts to multiple resources, and recommended completing a full cumulative impact analysis, addressing mobile source air toxics and committing to anti-idling methods. *Rating:* EC2.

*EIS No. 20070541, ERP No. DS-NOA-L91011-AK, Cook Inlet Beluga Whale Subsistence Harvest Project, Proposes to Implement a Long-Term Harvest Plan and Fulfill the Federal Government's Trust Responsibility, Cook Inlet, AK.*

*Summary:* EPA does not object to the proposed project. *Rating:* LO.

#### **Final EISs**

*EIS No. 20070415, ERP No. F-AFS-J65435-UT, Ogden Ranger District Travel Plan Revision, To Present Additional Analysis for Six Alternatives, Wasatch-Cache National Forest, Ogden Ranger District, Box Elder, Cache, Morgan, Weber and Rich Counties, UT.*

*Summary:* EPA continues to have environmental concerns about impacts from trails needing maintenance and that new trails may not receive sufficient upkeep.

*EIS No. 20070539, ERP No. F-SFW-K39015-CA, PROGRAMMATIC—South Bay Salt Pond Restoration Project, Restored Tidal Marsh, Managed Ponds, Flood Control Measures and Public Access Features, Don Edward San Francisco Bay National Wildlife Refuge, Alameda, Santa Clara and San Mateo Counties, CA.*

*Summary:* The Final PEIS addressed EPA's previous concerns; therefore, EPA does not object to the proposed action.

*EIS No. 20080009, ERP No. F-AFS-J65465-WY, Lower Valley Energy (LVE) Natural Gas Pipeline Project, Construction and Operation of a Pressurized Natural Gas Pipeline, Special-Use-Authorization, Big Piney and Jackson Ranger Districts, Bridger-Teton National Forest, Sublette and Teton Counties, WY.*