

or permit activities, outer continental shelf plans and federal financial assistance activities. 16 U.S.C. 1456. Therefore, Federal agencies and the public must have an opportunity to review proposed changes to a State's enforceable policies.

Program changes are also important because the CZMA federal consistency provision is triggered only if the federal action has reasonably foreseeable coastal effects and a State has applicable policies approved by NOAA that are legally enforceable under state law. It is therefore important for states to submit to NOAA for approval timely updates to CZMA enforceable policies.

## II. Need for Revised Program Change Regulations

The current program change regulations, 15 CFR part 923, subpart H, have been in place since the late 1970's. In 1996, NOAA made minor revisions to the regulations and also issued program change guidance that further elaborated on program change requirements. Over the years, states and NOAA have, at times, found the regulations difficult to interpret. For example, determining: When a program change is "routine" or an "amendment;" when a program change is "substantial;" what level of state analysis is required; when preliminary approval can be granted by NOAA.

In addition, the CZMA was revised in 1990, in part, to place greater emphasis on state CMP enforceable policies. This has led to the submission to NOAA of many more updates to CMPs. This increase in program change submissions has furthered the complexities of the current program change regulations. States and NOAA have, therefore, recognized the need to clarify the program change procedures and to provide a more administratively efficient submission and review process, while still addressing the importance of program changes, as discussed above.

## III. Action Requested From the Public

NOAA requests input from states, federal agencies and the public on revised program change regulations. Some of NOAA's goals in revising the program change regulations that reviewers should consider are:

1. Establishing a clearer and more efficient and transparent process for program change review;
2. Describing clearer approval/disapproval criteria and how these apply;
3. Using the statutory language of the CZMA, including time lines, extensions, and preliminary approval;

4. Keeping the "routine" concept to streamline the process for truly routine changes, but do away with "routine program changes (RPCs)" and "Amendments" and replace with just "program changes;"

5. Removing the "substantial" evaluations currently done by states and replace with just describing what the change is to the program. Further evaluations (by states or NOAA) would be for specific CZMA, NEPA, ESA, NHPA, etc., purposes, e.g., is a NEPA Environmental Assessment or Environmental Impact Statement, or ESA consultation needed;

6. Establishing use of NEPA categorical exclusions;

7. Submitting underline/strikeout documents showing changes to previously approved policies; and

8. Creating a program change checklist that states would submit to ease state and NOAA paperwork burdens and promote consistent submissions and NOAA analyses.

Comments received by NOAA will help to develop a proposed rule for 15 CFR part 923, subpart H. Any proposed changes to the CZMA program change regulations would be published in the **Federal Register** following compliance with the Administrative Procedure Act and other relevant statutes and executive orders.

Dated: May 13, 2008.

**John H. Dunnigan,**

*Assistant Administrator for Oceans and Coastal Zone Management.*

[FR Doc. E8-11064 Filed 5-19-08; 8:45 am]

**BILLING CODE 3510-08-M**

## DEPARTMENT OF DEFENSE

### Department of the Army; Corps of Engineers

#### 33 CFR Part 385

#### Programmatic Regulations for the Comprehensive Everglades Restoration Plan

**AGENCY:** Department of the Army, U.S. Army Corps of Engineers, DoD.

**ACTION:** Notice of initiation of rule review.

**SUMMARY:** The Army has initiated a review of the programmatic regulations for the Comprehensive Everglades Restoration Plan required by section 601(h)(3)(E) of the Water Resources Development Act of 2000. As part of scoping the review for the regulations, the public is invited to provide comments on this review. Specifically, we welcome your comments on issues

concerning the programmatic regulations, any items in the regulations that should be reviewed, or suggestions to improve the programmatic regulations.

**DATES:** We will accept comments until August 18, 2008.

**ADDRESSES:** If you wish to comment on the review of the programmatic regulations, you may submit your comments by either of these methods:

1. You may submit written comments to: U.S. Army Corps of Engineers, ATTN: Stu Appelbaum, P.O. Box 4970, Jacksonville, FL 32232-0019.

2. You may send comments by electronic mail (e-mail) to: [ProRegs@usace.army.mil](mailto:ProRegs@usace.army.mil).

If submitting comments by electronic format, please submit them in ASCII file format or Word file format and avoid the use of special characters and any form of encryption. Please include your name and return e-mail address in your e-mail message. Please note that your e-mail address will not be retained at the termination of the public comment period.

**FOR FURTHER INFORMATION CONTACT:** Stu Appelbaum, Corps of Engineers, Jacksonville District, P.O. Box 4970, Jacksonville, FL 32232-0019, phone (904) 232-2584; fax (904) 232-1251.

**SUPPLEMENTARY INFORMATION:** On November 12, 2003 the Department of the Army published the final rule in the **Federal Register** that established the programmatic regulations required by the Water Resources Development Act of 2000 as 33 CFR Part 385. Section 601(h)(3)(E) of the Water Resources Development Act of 2000 requires that the Secretary of the Army review the programmatic regulations whenever necessary, but at least every five years. Section 385.6 of the programmatic regulations requires that upon completing the review of the regulations, the Secretary of the Army will promulgate any revisions to the regulations after notice and opportunity for public comment in accordance with applicable law, with the concurrence of the Secretary of the Interior and the Governor, and in consultation with the Seminole Tribe of Florida, the Miccosukee Tribe of Indians of Florida, the Administrator of the Environmental Protection Agency, the Secretary of Commerce, and other Federal, State, and local agencies.

The first step of the review process is to scope out issues and concerns. The public is invited to provide comments on the review of the programmatic regulations. We welcome the public to tell us about specific issues that should

be addressed or suggestions to improve the programmatic regulations. We will be providing additional opportunities for public involvement throughout the review process. An electronic copy of the current programmatic regulations is available at: [http://www.evergladesplan.org/pm/progr\\_regs\\_final\\_rule.aspx](http://www.evergladesplan.org/pm/progr_regs_final_rule.aspx).

**Brenda S. Bowen,**

*Army Federal Register Liaison Officer.*

[FR Doc. E8-11250 Filed 5-19-08; 8:45 am]

**BILLING CODE 3710-AJ-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 50

[EPA-HQ-OAR-2006-0735; FRL-8563-7]

RIN 2060-AN83

### Public Hearings for National Ambient Air Quality Standards for Lead

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

**ACTION:** Announcement of public hearings.

**SUMMARY:** The EPA is announcing two public hearings to be held for the proposed rule “National Ambient Air Quality Standards for Lead” which is published elsewhere in this **Federal Register**. The hearings will be held concurrently in Baltimore, Maryland and St. Louis, Missouri on Thursday, June 12, 2008.

In the notice of proposed rulemaking, EPA describes making revisions to the primary and secondary national ambient air quality standards (NAAQS) for lead to provide requisite protection of public health and welfare, respectively, to make corresponding revisions in data handling procedures and ambient air monitoring and reporting requirements for lead, and to provide guidance on its proposed approach for implementing the proposed revised primary and secondary standards for lead.

**DATES:** The public hearings will be held on June 12, 2008. Please refer to

**SUPPLEMENTARY INFORMATION** for additional information on the public hearings.

**ADDRESSES:** The hearings will be held at the following locations:

1. *Baltimore:* Tremont Grand Historic Venue, 225 North Charles Street, Baltimore, Maryland 21201, telephone (443) 573-8444. The hearing will be held in The Marble Room on the First Floor of the hotel.

2. *St. Louis:* Omni Majestic Hotel, 1019 Pine Street, St. Louis, Missouri

63101, telephone (314) 436-2355. The hearing will be held in Salon A and B.

Written comments on this proposed rule may also be submitted to EPA electronically, by mail, by facsimile, or through hand delivery/courier. Please refer to the notice of proposed rulemaking for the addresses and detailed instructions for submitting written comments.

A complete set of documents related to the proposal is available for public inspection at the EPA Docket Center, located at 1301 Constitution Avenue, NW., Room 3334, Washington, DC between 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding legal holidays. A reasonable fee may be charged for copying. Documents are also available through the electronic docket system at <http://www.regulations.gov>.

The EPA Web site for the rulemaking, which includes the proposal and information about the public hearings can be found at: <http://www.epa.gov/air/lead/actions.html>.

**FOR FURTHER INFORMATION CONTACT:** If you would like to speak at the public hearings or have questions concerning the public hearings, please contact Ms. Tricia Crabtree at the address given below under **SUPPLEMENTARY INFORMATION**.

Questions concerning the “National Ambient Air Quality Standards for Lead” proposed rule should be addressed to Dr. Deirdre Murphy, U.S. EPA, Office of Air Quality Planning and Standards, Health and Environmental Impacts Division (C504-06), Research Triangle Park, NC 27711, telephone (919) 541-0729, e-mail: [Murphy.deirdre@epa.gov](mailto:Murphy.deirdre@epa.gov).

**SUPPLEMENTARY INFORMATION:** The proposal for which EPA is holding the public hearings is published elsewhere in this **Federal Register** and is also available on the following Web site: <http://www.epa.gov/air/lead/actions.html>.

The public hearings will provide interested parties the opportunity to present data, views, or arguments concerning the proposed rules. The EPA may ask clarifying questions during the oral presentations, but will not respond to the presentations at that time. Written statements and supporting information submitted during the comment period will be considered with the same weight as any oral comments and supporting information presented at the public hearings. Written comments must be received by the last day of the comment period, as specified in the proposal.

The two public hearings will be held concurrently in Baltimore, Maryland and St. Louis, Missouri on June 12,

2008. The public hearings will begin each day at 9 a.m. and continue into the evening until 9 p.m. (local time) or later, if necessary, depending on the number of speakers wishing to participate. The EPA will make every effort to accommodate all speakers that arrive and register before 9 p.m. The EPA is scheduling lunch breaks from 12:30 p.m. until 2 p.m. and dinner breaks from 6 p.m. until 7:30 p.m. If you would like to present oral testimony at the hearings, please notify Ms. Tricia Crabtree (C504-02), U.S. EPA, Research Triangle Park, NC 27711. The preferred method for registering is by e-mail ([crabtree.tricia@epa.gov](mailto:crabtree.tricia@epa.gov)). Ms. Crabtree may be reached by telephone at (919) 541-5688. She will arrange a general time slot for you to speak. The EPA will make every effort to follow the schedule as closely as possible on the day of the hearings.

Oral testimony will be limited to five (5) minutes for each commenter to address the proposal. We will not be providing equipment for commenters to show overhead slides or make computerized slide presentations unless we receive special requests in advance. Commenters should notify Ms. Crabtree if they will need specific audiovisual (AV) equipment. Commenters should also notify Ms. Crabtree if they need specific translation services for non-English speaking commenters. The EPA encourages commenters to provide written versions of their oral testimonies either electronically on computer disk or CD ROM or in paper copy.

The hearing schedules, including lists of speakers, will be posted on EPA’s Web site for the proposal at <http://www.epa.gov/air/lead/actions.html> prior to the hearings. Verbatim transcripts of the hearings and written statements will be included in the rulemaking dockets.

### How Can I Get Copies Of This Document and Other Related Information?

The EPA has established a docket for this action under Docket ID No. EPA-HQ-OAR-2006-0735. The EPA has also developed a Web site for lead NAAQS materials, including the notice of proposed rulemaking, at the address given above. Please refer to the notice of proposed rulemaking for detailed information on accessing information related to the proposal.

Dated: April 29, 2008.

**Jennifer Edmonds,**

*Acting Director, Office of Air Quality Planning and Standards.*

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