

**ENVIRONMENTAL PROTECTION AGENCY**

[ER-FRL-8583-3]

**Environmental Impacts Statements; Notice of Availability**

*Responsible Agency:* Office of Federal Activities, General Information (202) 564-7167 or <http://www.epa.gov/compliance/nepa/>.

Weekly receipt of Environmental Impact Statements

Filed 06/23/2008 through 06/27/2008.

Pursuant to 40 CFR 1506.9.

*EIS No. 20080255, Final EIS, AFS, UT, Indian Springs Road Realignment, Reducing Adverse Impacts to Watershed and Fisheries, U.S. Army COE Section 404 Permit, Uinta-Wasatch-Cache National Forest, Wasatch County, UT, Wait Period Ends: 08/18/2008, Contact: Jim Percy 435-654-0470.*

*EIS No. 20080256, Draft EIS, NOA, 00, Amendment 29 Reef Fish Fishery Management Plan, Effort Management in the Commercial Grouper and Tilefish Fisheries, Reducing Overcapacity, Gulf of Mexico, Comment Period Ends: 08/18/2008, Contact: Roy E. Crabtree 727-824-5301.*

*EIS No. 20080257, Draft EIS, FAA, NM, Spaceport America Commercial Launch Site, Proposal to Develop and Operate, Issuance of License, Sierra County, NM, Comment Period Ends: 08/18/2008, Contact: Stacey M. Zee 202-267-9305.*

*EIS No. 20080258, Draft EIS, NHT, 00, Corporate Average Fuel Economy (CAFE) Proposed Standards for Model Year 2011-2025 Passenger Cars and Light Trucks, Implementation, Comment Period Ends: 08/18/2008, Contact: Carol Hammel-Smith 202-366-5206.*

This document is available on the Internet at: <http://www.nhtsa.dot.gov>.

**Amended Notices**

*EIS No. 20080242, Draft EIS, BLM, WV, East Lynn Lake Coal Lease Project, Proposal to Lease Federal Coal that lies Under Nine Tracts of Land for Mining, Wayne County, WV, Comment Period Ends: 09/24/2008, Contact: Chris Carusona 414-297-4463.*

Revision of FR Notice Published 06/27/2008: Correction to project's state location from VA to WV.

Dated: June 30, 2008.

**Robert W. Hargrove,**

*Director, NEPA Compliance Division, Office of Federal Activities.*

[FR Doc. E8-15144 Filed 7-2-08; 8:45 am]

BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

[EPA-HQ-OPP-2007-0884; FRL-8369-7]

**Experimental Use Permit; Receipt of Revised Application**

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

**ACTION:** Notice.

**SUMMARY:** This notice announces receipt of a revised application 264-EUP-RUG from Bayer CropScience requesting an experimental use permit (EUP) for *Bacillus thuringiensis* Cry2Ae protein and the genetic material necessary for its production (pTEM12) in Event GHB 119 or GHB 714 cotton plants and the *Bacillus thuringiensis* Cry1Ab protein and the genetic material necessary for its production (pTDL004 or pTDL008) in Event T303-3 or T304-40 cotton plants. In some protocols, Cry 2Ae will be used with the previously registered *Bacillus thuringiensis* Cry1Ab protein. The Agency has determined that the application may be of regional and national significance. Therefore, in accordance with 40 CFR 172.11(a), the Agency is soliciting comments on this application.

**DATES:** Comments must be received on or before August 4, 2008.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2007-0884 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-2007-

0884. 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 [www.regulations.gov](http://www.regulations.gov) or e-mail. The [www.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 [www.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 [www.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 [www.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:**

Shanaz Bacchus, Biopesticides and Pollution Prevention Division (7511P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8097; e-mail address: [bacchus.shanaz@epa.gov](mailto:bacchus.shanaz@epa.gov).

**SUPPLEMENTARY INFORMATION:****I. General Information***A. Does this Action Apply to Me?*

This action is directed to the public in general. This action may, however, be of interest to those persons who are interested in agricultural biotechnology or may be required to conduct testing of pesticidal substances under the Federal Food, Drug, and Cosmetic Act (FFDCA) or the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Since other entities may also 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 [regulations.gov](http://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**

Bayer CropScience has requested to revise the application request for EUP 264-EUP-RUG. In the **Federal Register** of September 12, 2007 (72 FR 52127) (FRL-8145-4) the receipt of this EUP application was published. This revised application updates the proposed acreages and dates for planting and seeks to harmonize the requests of two EUPs, 264-EUP-RUG and 264-EUP-140. The proposed program will be carried out in the States of: Alabama, Arkansas, Arizona, California, Florida, Georgia, Louisiana, Mississippi, North Carolina, Puerto Rico, South Carolina, Tennessee and Texas. Bayer CropScience is now proposing to extend the experimental program until December 31, 2010 to allow for fall planting in Puerto Rico. Details of the proposed experimental program in accordance with EUP 264-EUP-RUG are available to the public in electronic documents attached to the docket ID number EPA-HQ-OPP-2007-0884 (see <http://www.regulations.gov>).

**III. What Action is the Agency Taking?**

Following the review of the Bayer CropScience application and any comments and data received in response to this notice, EPA will decide whether to issue or deny the revised EUP request for this EUP program, and if issued, the conditions under which it is to be conducted. Any issuance of an EUP will be announced in the **Federal Register**.

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

The specific legal authority for EPA to take this action is under FIFRA section 5.

**List of Subjects**

Environmental protection, Experimental use permits.

Dated: June 25, 2008.

**W. Michael McDavit,**

*Acting Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.*

[FR Doc. E8-15158 Filed 7-2-08; 8:45 am]

**BILLING CODE 6560-50-S**

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-8687-7]

**Proposed Settlement Agreement, Clean Air Act Citizen Suit**

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

**ACTION:** Notice of Proposed Settlement Agreement; Request for Public Comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("Act"), 42 U.S.C. 7413(g), notice is hereby given of a proposed settlement agreement to address a lawsuit filed by the National Environmental Development Association's Clean Air Project in the United States Court of Appeals for the District of Columbia: *National Environmental Development Association's Clean Air Project v. EPA*, No. 06-1428 (D.C. Cir.). Petitioner filed a petition for review challenging EPA's notice entitled "Recent Posting to the Applicability Determination Index (ADI) of Agency Applicability Determinations, Alternative Monitoring Decisions, and Regulatory Interpretations Pertaining to Standards of Performance for New Stationary Sources and National Emission Standards for Hazardous Air Pollutants, and the Stratospheric Protection Program," 71 FR 70383 (December 4, 2006). Under the terms of the proposed settlement agreement, EPA agrees that in the first ADI Posting Notice signed after the settlement agreement becomes final, EPA will use specific language as set forth in the settlement agreement. In addition, no later than 30 days after the settlement agreement becomes final, EPA will provide a new search capability for users of the ADI.

**DATES:** Written comments on the proposed settlement agreement must be received by *August 4, 2008*.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2008-0471, online at <http://www.regulations.gov> (EPA's preferred method); by e-mail to [oei.docket@epa.gov](mailto:oei.docket@epa.gov); mailed to EPA Docket Center, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave., NW.,