

addressed in the EIS/EIR. The scoping meeting dates are:

- Tuesday, December 2, 2008. 1 p.m. to 4 p.m., Folsom, CA.
- Tuesday, December 2, 2008. 6 p.m. to 9 p.m., Folsom, CA.
- Thursday, December 4, 2008. 6 p.m. to 9 p.m., El Dorado Hills, CA.

Written comments on the scope of the EIS/EIR will be accepted until January 3, 2009.

ADDRESSES: The public scoping meetings will be held at:

- Folsom: Folsom Community Center, 52 Natoma Street, Folsom, CA 95630.
- El Dorado Hills: El Dorado Hills Community Services District, 1021 Harvard Way, El Dorado Hills, CA 95762.

Written comments on the scope of the EIS/EIR document should be sent to Ms. Elizabeth Vasquez, Central California Area Office, Bureau of Reclamation, 7794 Folsom Dam Road, Folsom, CA 95630-1799; or e-mailed to FolsomDamMods@mp.usbr.gov.

FOR FURTHER INFORMATION CONTACT: Ms. Elizabeth Vasquez, Central California Area Office, Bureau of Reclamation, at the CCAO general telephone number 916-988-1707, e-mail at: FolsomDamMods@mp.usbr.gov.

SUPPLEMENTARY INFORMATION:

Background

The March 2007 Folsom Dam Safety and Flood Damage Reduction EIS/EIR (Folsom DS/FDR EIS/EIR) included NEPA/CEQA analysis of modifying MIAD. The analysis in the Folsom DS/FDR EIS/EIR considered several methods to modify MIAD to achieve Reclamation's risk standards for dam safety. The May 2007 *Record of Decision Folsom Dam Safety of Dams and Security Upgrades Project* documented that the preferred alternative for MIAD modification was to place an overlay and seepage control filters on the downstream (terrestrial) side of MIAD and reinforce the MIAD foundation using a construction technique known as jet grouting. At that time, some of the required permits and consultations (Endangered Species Act, Fish and Wildlife Coordination Act, and Sec 106 of the National Historic Preservation Act) were also obtained. Subsequent investigations into the feasibility of the MIAD Modification Project as conceived in the Folsom DS/FDR EIS/EIR have indicated that the design of the MIAD Modification Project will need to be changed to achieve Reclamation's existing risk standards for dam safety. Specifically, the utilization of jet grouting to stabilize the foundation of

MIAD is unlikely to meet those risk standards.

The purpose of the Proposed Action is to reduce the seismic and static risk of failure of MIAD. In this way, Reclamation will achieve the existing standards for dam safety and reduce the risk of injury to those people living and working downstream of the Folsom Dam complex. This proposed project is a feature of the Folsom Dam Safety of Dams Project, and the analysis will tier from the March 2007 NEPA/CEQA environmental analysis, the Folsom DS/FDR EIS/EIR.

At this time, there are no known or possible Indian trust assets or environmental justice issues associated with the Proposed Action.

Special Assistance for Public Scoping Meetings

If special assistance is required to participate in the public hearings, please contact Ms. Elizabeth Vasquez at 916-989-7192, TDD 916-989-7285, or e-mail evasquez@mp.usbr.gov. Please notify Ms. Vasquez as far in advance as possible to enable Reclamation to secure the needed services. If a request cannot be honored, the requestor will be notified. A telephone device for the hearing impaired (TDD) is available at 916-989-7285.

Public Disclosure

Before including your name, address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: October 28, 2008.

Michael Chotkowski,

Acting Regional Environmental Officer, Mid-Pacific Region.

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DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

Black Mesa Project Final Environmental Impact Statement, OSM-EIS-033

AGENCY: Office of Surface Mining Reclamation and Enforcement, Interior.

ACTION: Notice of availability of the final environmental impact statement for the Black Mesa Project.

SUMMARY: The Office of Surface Mining Reclamation and Enforcement (we or OSM), as lead Federal agency, announces the availability of the final environmental impact statement (EIS) for the proposed Black Mesa Project. The proposed project consists of Peabody Western Coal Company's (Peabody's) operation and reclamation plans for coal mining at the Black Mesa Complex near Kayenta, Arizona.

DATES: The waiting period for OSM's and the Bureau of Land Management's (BLM's) records of decision on the proposed project ends on December 8, 2008.

FOR FURTHER INFORMATION CONTACT: OSM, Western Region, P.O. Box 46667, Denver, CO 80201, Dennis Winterringer, Black Mesa Project EIS Leader, telephone (303) 293-5048 or by e-mail at BMKEIS@osmre.gov.

SUPPLEMENTARY INFORMATION: In 2006, under the National Environmental Policy Act of 1969 (NEPA), we prepared and made available for public review a draft EIS analyzing the effects of the Black Mesa Project. The Environmental Protection Agency (EPA) published the notice of availability on December 1, 2006 (71 FR 69562). The proposed project consisted of (1) Peabody's operation and reclamation plans for coal mining at the Black Mesa Complex near Kayenta, Arizona; (2) Black Mesa Pipeline Incorporated's (BMPI's) coal slurry preparation plant at the Black Mesa Complex; (3) BMPI's reconstruction of the 273-mile-long coal slurry pipeline across northern Arizona from the coal slurry preparation plant to the Mohave Generating Station in Laughlin, Nevada; and (4) the Mohave Generation Station co-owners' construction and operation of a water supply system consisting of water wells in the Coconino aquifer (C aquifer) near Leupp, Arizona, and of a water supply pipeline running 108 miles across the Navajo and Hopi Reservations from the wells to the coal slurry preparation plant. Peabody proposed to continue supplying coal to the Navajo Generating Station and the Mohave Generating Station. The coal slurry preparation plant, coal-slurry pipeline, and Coconino aquifer water-supply system were associated with supplying coal to the Mohave Generating Station.

Since the draft EIS was issued, the scope of the proposed project has been reduced to Peabody's operation and reclamation plans for coal mining at the Black Mesa Complex for supplying coal

to the Navajo Generating Station. The proposed project no longer includes the originally-proposed project components associated with supplying coal to the Mohave Generating Station, although the final EIS continues to analyze them in one of the EIS alternatives.

OSM is the lead Federal agency preparing the EIS. The BLM, EPA, Navajo Nation, Hopi Tribe, Hualapai Tribe, County of Mohave, Arizona, and City of Kingman, Arizona are cooperating agencies.

The preferred alternative in the final EIS is for OSM to approve the permit application submitted by Peabody under the Surface Mining Control and Reclamation Act and for BLM to approve the mining plan submitted by Peabody under Secretarial Order No. 3087, Amendment No. 1 (February 7, 1983), and the Tribal Lands Leasing Act (25 U.S.C. 396a).

The final EIS analyzes the potential direct, indirect, and cumulative impacts of approval of the proposed project and alternative actions on the physical, biological, and human environments. The final EIS is not a decision document. OSM will use it to make an informed decision on the permit application. In accordance with the Council on Environmental Quality's regulation at 40 CFR 1506.10(b)(2), the BLM and OSM records of decision can be made no sooner than 30 days after EPA's weekly **Federal Register** notice announcing that the Black Mesa Project EIS has been filed with it. OSM is timing this notice to coincide with the date of publication of the EPA notice.

You may view and download a copy of the final EIS on the OSM Internet Web site at <http://www.wrcc.osmre.gov/WR/BlackMesaEIS.htm>. Limited numbers of compact disk and paper copies of the final EIS are available by contacting the person listed in **FOR FURTHER INFORMATION CONTACT**.

Dated: October 22, 2008.

Allen D. Klein,

Regional Director, Western Region, OSM.

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA-317P]

Controlled Substances: Proposed Aggregate Production Quotas for 2009

AGENCY: Drug Enforcement Administration (DEA), Justice.

ACTION: Notice of proposed year 2009 aggregate production quotas.

SUMMARY: This notice proposes initial year 2009 aggregate production quotas for controlled substances in schedules I and II of the Controlled Substances Act (CSA).

DATES: Comments or objections must be received on or before December 8, 2008.

ADDRESSES: To ensure proper handling of comments, please reference "Docket No. DEA-317P" on all written and electronic correspondence. Written comments should be sent to the DEA Headquarters, Attn: DEA **Federal Register** Representative/ODL, 8701 Morrisette Drive, Springfield, Virginia 22152. Comments may be directly sent to DEA electronically by sending an electronic message to dea.diversion.policy@usdoj.gov. Comments may also be sent electronically through <http://www.regulations.gov> using the electronic comment form provided on that site. An electronic copy of this document is also available at the <http://www.regulations.gov> Web site. DEA will accept attachments to electronic comments in Microsoft Word, WordPerfect, Adobe PDF, or Excel file formats only. DEA will not accept any file format other than those specifically listed here.

FOR FURTHER INFORMATION CONTACT: Christine A. Sannerud, PhD, Chief, Drug and Chemical Evaluation Section, 8701 Morrisette Drive, Springfield, Virginia 22152, Telephone: (202) 307-7183.

SUPPLEMENTARY INFORMATION: Section 306 of the CSA (21 U.S.C. 826) requires that the Attorney General establish aggregate production quotas for each basic class of controlled substance listed in schedules I and II. This responsibility has been delegated to the Administrator

of the DEA by 28 CFR 0.100. The Administrator, in turn, has redelegated this function to the Deputy Administrator, pursuant to 28 CFR 0.104.

The proposed year 2009 aggregate production quotas represent those quantities of controlled substances that may be produced in the United States in 2009 to provide adequate supplies of each substance for: The estimated medical, scientific, research, and industrial needs of the United States; lawful export requirements; and the establishment and maintenance of reserve stocks. These quotas do not include imports of controlled substances for use in industrial processes.

In determining the proposed year 2009 aggregate production quotas, the Deputy Administrator considered the following factors: Total actual 2007 and estimated 2008 and 2009 net disposals of each substance by all manufacturers; estimates of 2008 year-end inventories of each substance and of any substance manufactured from it and trends in accumulation of such inventories; product development requirements of both bulk and finished dosage form manufacturers; projected demand as indicated by procurement quota applications filed pursuant to 21 CFR 1303.12; and other pertinent information.

Pursuant to 21 CFR 1303, the Deputy Administrator of the DEA will adjust aggregate production quotas and individual manufacturing quotas allocated for the year based upon 2008 year-end inventory and actual 2008 disposition data supplied by quota recipients for each basic class of schedule I or II controlled substance.

Therefore, under the authority vested in the Attorney General by Section 306 of the CSA of 1970 (21 U.S.C. 826), and delegated to the Administrator of the DEA by 28 CFR 0.100, and redelegated to the Deputy Administrator pursuant to 28 CFR 0.104, the Deputy Administrator hereby proposes that the year 2009 aggregate production quotas for the following controlled substances, expressed in grams of anhydrous acid or base, be established as follows:

Basic class—Schedule I	Proposed 2009 quotas (g)
2,5-Dimethoxyamphetamine	2
2,5-Dimethoxy-4-ethylamphetamine (DOET)	2
3-Methylfentanyl	2
3-Methylthiofentanyl	2
3,4-Methylenedioxyamphetamine (MDA)	25
3,4-Methylenedioxy-N-ethylamphetamine (MDEA)	10
3,4-Methylenedioxymethamphetamine (MDMA)	20
3,4,5-Trimethoxyamphetamine	2