

service, Western will retain an amount equal to the then current rate for firm weekly point-to-point service with the balance credited against the ATRR at the next rate recalculation.

#### Legal Authority

Western is proposing an Unreserved Use Penalty rate for the P-SMBP—ED in accordance with section 302 of the Department of Energy (DOE) Organization Act (42 U.S.C. 7152). This section transferred to and vested in the Secretary of Energy the power marketing functions of the Secretary of the Department of Interior and the Bureau of Reclamation under the Reclamation Act of 1902 (ch. 1093, 32 Stat. 388), as amended and supplemented by subsequent laws, particularly section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)); and section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s); and other acts that specifically apply to the projects involved.

By Delegation Order No. 00-037.00, effective December 6, 2001, the Secretary of Energy delegated: (1) The authority to develop power and transmission rates to Western's Administrator; (2) the authority to confirm, approve, and place such rates into effect on an interim basis to the Deputy Secretary of Energy; and (3) the authority to confirm, approve, and place into effect on a final basis, to remand, or to disapprove such rates to the FERC. Existing DOE procedures for public participation in power rate adjustments (10 CFR part 903) were published on September 18, 1985 (50 FR 37835).

After review of public comments, and possible amendments or adjustments, Western will recommend the Deputy Secretary of Energy approve the proposed rates on an interim basis.

#### Availability of Information

All brochures, studies, comments, letters, memorandums, or other documents that Western initiates or uses to develop the proposed rates are available for inspection and copying at the Upper Great Plains Regional Office, located at 2900 4th Avenue North, Billings, Montana. Many of these documents and supporting information are also available on its Web site under the "2009 Transmission and Ancillary Services Rate Adjustment Process" section located at <http://www.wapa.gov/ugp/rates/default.htm>.

#### Regulatory Procedure Requirements

##### Environmental Compliance

In compliance with the National Environmental Policy Act of 1969

(NEPA) (42 U.S.C. 4321-4347), Council on Environmental Quality Regulations (40 CFR parts 1500-1508), and DOE NEPA Regulations (10 CFR part 1021), Western is in the process of determining whether an environmental assessment or an environmental impact statement should be prepared or if this action can be categorically excluded from those requirements.

#### Determination Under Executive Order 12866

Western has an exemption from centralized regulatory review under Executive Order 12866; accordingly, no clearance of this notice by the Office of Management and Budget is required.

Dated: June 18, 2009.

**Timothy J. Meeks,**

Administrator.

[FR Doc. E9-15047 Filed 6-25-09; 8:45 am]

**BILLING CODE 6450-01-P**

#### ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPPT-2003-0004; FRL-8424-3]

#### Access to Confidential Business Information by Computer Sciences Corporation's Identified Subcontractor

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

**ACTION:** Notice.

**SUMMARY:** EPA has authorized a subcontractor, of its prime contractor, Computer Sciences Corporation (CSC) of Chantilly, VA, to access information which has been submitted to EPA under all sections of the Toxic Substances Control Act (TSCA). Some of the information may be claimed or determined to be Confidential Business Information (CBI).

**DATES:** Access to the confidential data will occur no sooner than July 6, 2009.

**FOR FURTHER INFORMATION CONTACT:** For general information contact: Colby Lintner, Regulatory Coordinator, Environmental Assistance Division (7408M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (202) 554-1404; e-mail address: [TSCA-Hotline@epa.gov](mailto:TSCA-Hotline@epa.gov).

For technical information contact: Scott Sherlock, Information Management Division (7407M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (202) 564-8257; fax number: (202) 564-

8251; e-mail address: [Scott.Sherlock@epa.gov](mailto:Scott.Sherlock@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

##### A. Does This Notice Apply to Me?

This action is directed to the public in general. This action may, however, be of interest to you if you are conducting, or may be required to conduct testing of chemical substances under the Toxic Substances Control Act (TSCA). 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 technical person listed under **FOR FURTHER INFORMATION CONTACT**.

##### B. How Can I Get Copies of This Document and Other Related Information?

1. *Docket.* EPA has established a docket for this action under docket identification (ID) number EPA-HQ-OPPT-2003-0004. All documents in the docket are listed in the docket index available at <http://www.regulations.gov>. 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, will be publicly available only in hard copy. Publicly available docket materials are available electronically at <http://www.regulations.gov>, or, if only available in hard copy, at the OPPT Docket. The OPPT Docket is located in the EPA Docket Center (EPA/DC) at Rm. 3334, EPA West Bldg., 1301 Constitution Ave., NW., Washington, DC. The EPA/DC Public Reading Room hours of operation are 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays. The telephone number of the EPA/DC Public Reading Room is (202) 566-1744, and the telephone number for the OPPT Docket is (202) 566-0280. Docket visitors are required to show photographic identification, pass through a metal detector, and sign the EPA visitor log. All visitor bags are processed through an X-ray machine and subject to search. Visitors will be provided an EPA/DC badge that must be visible at all times in the building and returned upon departure.

2. *Electronic access.* You may access this **Federal Register** document electronically through the EPA Internet under the "**Federal Register**" listings at <http://www.epa.gov/fedrgstr>.

## II. What Action Is the Agency Taking?

Under GSA Contract Number GS00T99ALD0204, Task Order Number T0002AJMZ39, contractor CSC of 15000 Conference Center Dr., Chantilly, VA, and its subcontractor General Dynamics Systems Development and Integration Services, Inc., previously named Veridian Information Solutions, of 10560 Arrowhead Drive, Fairfax, VA will assist the Office of Pollution Prevention and Toxics (OPPT) in computer operations and maintenance of TSCA CBI Computer Systems and Communications Network, linking CBI sites located in Washington, DC. CSC and its subcontractor will also assist in maintaining and operating the EPA CBI computer facilities located in Research Triangle Park, NC.

In accordance with 40 CFR 2.306(j), EPA has determined that under GSA Contract Number GS00T99ALD0204, Task Order Number T0002AJMZ39, CSC and its subcontractor will require access to CBI submitted to EPA under all sections of TSCA to perform successfully the duties specified under the contract. CSC and its subcontractor personnel will be given access to information submitted to EPA under all sections of TSCA. Some of the information may be claimed or determined to be CBI.

EPA is issuing this notice to inform all submitters of information under all sections of TSCA that EPA may provide CSC and its subcontractor access to these CBI materials on a need-to-know basis only. All access to TSCA CBI under this contract will take place at EPA Headquarters and the Research Triangle Park, NC facilities under the EPA *TSCA CBI Protection Manual*.

CSC and its subcontractor will be authorized access to TSCA CBI at EPA Headquarters and the Research Triangle Park, NC facilities under the EPA *TSCA CBI Protection Manual*.

Access to TSCA data, including CBI, will continue until September 30, 2009. If the contract is extended, this access will also continue for the duration of the extended contract without further notice.

CSC and its subcontractor personnel will be required to sign nondisclosure agreements and will be briefed on appropriate security procedures before they are permitted access to TSCA CBI.

### List of Subjects

Environmental protection,  
Confidential business information.

Dated: June 22, 2009.

**Matthew Leopard,**

*Acting Director, Information Management Division, Office of Pollution Prevention and Toxics.*

[FR Doc. E9-15142 Filed 6-25-09; 8:45 am]

**BILLING CODE 6560-50-S**

## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-8594-8]

### 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 202-564-7146.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated April 17, 2009 (74 FR 17860).

### Draft EISs

EIS No. 20090066, ERP No. D-AFS-L65569-OR, Tracy Placer Mining Project, Proposing Mine Development on a Portion of the Unpatented Cedar Gulch Group Placer Claim, Plan-of-Operations, Wild Rivers Ranger District, Rogue River-Siskiyou National Forest, Josephine County, OR.

*Summary:* EPA expressed environmental objections to Alternative 2 based on the likelihood of mining and timber harvest activities to increase temperatures in Sucker Creek, and impact Cedar Gulch and the un-named creek in the project area. In addition, we have concerns about potential impacts to listed species; coho salmon and northern spotted owl, and reclamation and long term site recovery. Rating EO2.

EIS No. 20090071, ERP No. D-FHW-F40447-OH, Cleveland Innerbelt Project, Proposing Major Rehabilitation and Reconstruction between I-71 and I-90, Cleveland Central Business District, Funding, City of Cleveland, Cuyahoga County, OH.

*Summary:* EPA expressed environmental concerns about stormwater impacts. Rating EC2.

EIS No. 20090087, ERP No. D-FRA-K59009-00, DesertXpress High-Speed Passenger Train Project, Proposes to Construct and Operate High-Speed

Passenger Train between Victorville, California and Las Vegas, Nevada.

*Summary:* EPA expressed environmental concerns about impacts to hydrology, aquatic resources, air quality, and wildlife movement. Rating EC2.

EIS No. 20090137, ERP No. D-AFS-K65362-CA, Sierra National Forest Travel Management Plan, To Prohibit Motorized Vehicle Travel Off Designated National Forest Transportation System (NFIS) Roads, Trails and Area, Fresno, Mariposa, Madera Counties, CA.

*Summary:* EPA expressed environmental concerns about impacts to watersheds with significant water quality impairment. Rating EC2.

### Final EISs

EIS No. 20090128, ERP No. F-AFS-K65347-CA, Gemmill Thin Project, Proposal to Reduce the Intensity and Size of Future Wildfires, and to Maintain/Improve Ecosystem Function and Wildlife Habitat, Chanchellula Late-Successional Reserve, Shasta-Trinity National Forest, Trinity County, CA.

*Summary:* EPA continues to have environmental concerns about the criteria and decision-making process that will be use in this thinning project.

EIS No. 20090138, ERP No. FA-COE-K36098-CA, Santa Ana River Interceptor (SARI) Protection/Relocation Project, Reduce the Risk of Damage to the SARI to allow for the Operation of Santa Ana River Project (SARP), and Releases from Prado Dam of up to 30,000 cubic feet per second (cfs), Right-of-Way Permit and US COE Section 404 Permit, Orange and Riverside Counties, CA.

*Summary:* EPA's previous concerns have been resolved; therefore, EPA does not object to the proposed action.

Dated: June 23, 2009.

**Robert W. Hargrove,**

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

[FR Doc. E9-15140 Filed 6-25-09; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-8594-7]

### Environmental Impact Statements; Notice of Availability

*Responsible Agency:* Office of Federal Activities, General Information (202) 564-1399 or <http://www.epa.gov/compliance/nepa/>