

The National Security Archive filed an Appeal from a denial by the Office of Energy Intelligence of a request for information that it filed under the Freedom of Information Act (FOIA). Energy Intelligence withheld most of one responsive document under Exemption 1. In considering the

information that was withheld, the DOE determined on Appeal that the information was not DOE classified information and did not fall within the scope of Exemption 1. However, because it related to intelligence activities, the DOE referred the document to the CIA for review. The

CIA determined that some of the information previously withheld must continue to be withheld under Exemptions 1 and 3. Accordingly, the Appeal was granted in part and denied in part.

Refund Applications

The Office of Hearings and Appeals issued the following Decisions and Orders concerning refund applications, which are not summarized. Copies of the full texts of the Decisions and Orders are available in the Public Reference Room of the Office of Hearings and Appeals.

Carrollton School Dist. et al	RF272-96302	9/23/98
Circle V Farms	RK272-01791	9/25/98
Sarah L. Wicklund	RK272-04851	
Crude Oil Supplemental Refunds	RB272-00146	9/25/98
Yeager Trucking, Inc	RK272-04844	9/21/98
Dakota Sand & Gravel Co	RK272-04845	

Dismissals

The following submissions were dismissed.

Name	Case No.
Jackie Hair Moldenhauer	VWA-0020
Skymark International, Inc	VEE-0049
State of Indiana, Dept/Commerce	VEG-0005

[FR Doc. 98-34685 Filed 12-30-98; 8:45 am]
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ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-5498-4]

Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared December 14, 1998 Through December 18, 1998 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 FR dated April 10, 1998 (62 FR 17856).

Final EISs

ERP No. F-AFS-J65265-WY, Tie Camp Timber Sale, Harvesting Timber and Road Construction, Medicine Bow-Routt National Forest, Brush Creek/Hayden Ranger District, Carbon County, WY and Jackson County, CO.

Summary: EPA concerns were addressed in the Final EIS.

ERP No. F-AFS-J65283-CO, North Fork Salvage Timber Analysis Area,

Implementation, Medicine Bow-Routt National Forest, Routt County, CO.

Summary: EPA concerns were addressed in the preferred alternative.

ERP No. F-AFS-K61143-CA, Emigrant Wilderness Management Direction, Implementation, Stanislaus National Forest, Tuolumne County, CA.

Summary: Review of the Final EIS was not deemed necessary. No formal comment letter was sent to the preparing agency.

ERP No. F-AFS-L61216-WA, White Pass Ski Area Expansion, Special-Use-Permit, Pigtail Basin and Hogback Basin, Wenatchee and Gifford, Pinchot National Forests, Yakima and Lewis Counties, WA.

Summary: Review of the Final EIS was not deemed necessary. No formal comment letter was sent to the preparing agency.

ERP No. F-COE-K32050-CA, Oakland Harbor Inner and Outer Deep Navigation (-50 Foot) Improvement Project, Implementation, Feasibility Study, Port of Oakland, Alameda and San Francisco Counties, CA.

Summary: EPA continued to have specific comments and concerns on several issues, although the FEIS generally responded to many issues raised by EPA on the DEIS. EPA provided comments on mitigation for air quality impacts, the need for a new general air quality conformity applicability analysis should dredged material be transported to different locations, the projected volumes of

dredged material in future years from maintenance dredging of channel and berth areas, and adverse noise impacts in the City of Alameda.

ERP No. F-COE-K36122-CA, Upper Guadalupe River Feasibility Study, Flood Control Protection, Construction, National Economic Development Plan (NED), Santa Clara Valley Water District, City of San Jose, Santa Clara County, CA.

Summary: EPA expressed environmental concerns that the Corps' two separate EIS's for the project (one EIS for Federal funding, a second EIS on issuance of a Clean Water Act Section 404 permit) should have been addressed in a single consolidated FEIS.

ERP No. F-COE-K39046-AZ, Rio Salado Environmental Restoration of two Sites along the Salt River; (1) Phoenix Reach and (2) Tempe Reach, Feasibility Report, in the Cities of Phoenix and Tempe, Maricopa County, AZ.

Summary: EPA provided comments regarding the Clean Water Act Section 402 (NPDES) permits that would be required for the project's construction and operation, the location of groundwater production wells required by the project in connection with the 19th Avenue Landfill Federal Superfund site, and monitoring of groundwater derived from these production wells.

ERP No. F-USN-K11086-CA, US Pacific Fleet F/A 18 E/F Aircraft for Development of Facilities to Support

Basing on the West Coast of the United States, Possible Installations are (1) Lemoore Naval Air Station and (2) El Centro Naval Air Facility, Fresno, King and Imperial Counties, CA.

Summary: EPA concerns were not addressed in the Navy's response to comments on the DEIS or in the FEIS text. EPA recommended that an addendum to the document be created to answer the comments that were overlooked, that the comments and the Navy's response be circulated to all interested parties, and the public comment be invited by means of extending the review period.

Dated: December 28, 1998.

Ken Mittelholtz,

Environmental Protection Specialist, Office of Federal Activities.

[FR Doc. 98-34714 Filed 12-30-98; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-5498-3]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564-7167 OR (202) 564-7153.

Weekly receipt of Environmental Impact Statements

Filed December 21, 1998 Through December 24, 1998

Pursuant to 40 CFR 1506.9

EIS No. 980520, DRAFT EIS, DOA, AR, Departee Creek Watershed Plan Flood Prevention, Implementation, COE Section 404 Permit, Independence and Jackson Counties, AR, Due: February 16, 1999, Contact: Kalven L. Trice (501) 301-3110.

EIS No. 980521, FINAL EIS, USA, IN, Newport Chemical Depot, Construction and Operation, Pilot Testing of Neutralization/Supercritical Water Oxidation of VX Agent, Vermillion County, IN, Due: February 01, 1999, Contact: Matthew Hurlburt (410) 436-7027.

EIS No. 980522, DRAFT EIS, AFS, MT, Bull Lake Estates Road Access Project, Implementation, Easement Grant Permit, Kootenai National Forest, Three Rivers Rangers District, Lincoln County, MT, Due: February 16, 1999, Contact: Mark Natale (406) 295-4693.

Amended Notices EIS

EIS No. 980423, DRAFT EIS, FHW, VT, VT 9/100 Transportation Improvement Study (NH-010-1(33), In the Towns of Wilmington and West Dover, Federal Permits and

Approvals, NPDES Permit and COE Section 10 and 404 Permits. Windham County, VT, Due: January 29, 1999, Contact: Kenneth R. Sikora, Jr (802) 828-4423. Published FR 10-23-98 Review Period Extended.

EIS No. 980459, DRAFT EIS, USA, ND, Maple River Dam and Reservoir, Construction and Operation, Flood Control, Cass County Joint Water Resource District, Cass County, ND, Due: February 16, 1999, Contact: Dwight Olson (402) 221-4628. Published FR 11-13-98—Review Period extended.

Dated: December 28, 1998.

Ken Mittelholtz,

Environmental Protection Specialist, Office of Federal Activities.

[FR Doc. 98-34713 Filed 12-30-98; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-6213-7]

Preliminary Draft Pesticides, Alkyl-Lead, and Octachlorostyrene Reports Published in Response to the United States' Challenge Goals in "The Great Lakes Binational Toxics Strategy; Canada—United States Strategy for the Virtual Elimination of Persistent Toxic Substances in the Great Lakes"

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Availability of Preliminary Draft Pesticides, Alkyl-Lead, and Octachlorostyrene Reports published in response to the United States' challenge goals in "The Great Lakes Binational Toxics Strategy; Canada—United States Strategy for the Virtual Elimination of Persistent Toxic Substances in the Great Lakes," and opportunity to comment.

SUMMARY: "The Great Lakes Binational Toxics Strategy; Canada—United States Strategy for the Virtual Elimination of Persistent Toxic Substances in the Great Lakes (the Strategy)," was signed on April 7, 1997. The Strategy set forth a number of challenges to be met on the path toward virtual elimination of the Level I Strategy substances. Two of these challenges required USEPA to report by the end of 1998, indicating whether the respective challenges had been met. These challenges are as follows:

U.S. Challenge: Confirm by 1998 that there is no longer use or release from sources that enter the Great Lakes Basin of five bioaccumulative pesticides (chlordane, aldrin/dieldrin, DDT, mirex,

and toxaphene), and of the industrial byproduct/contaminant octachlorostyrene. If ongoing, long-range sources of these substances from outside of the U.S. are confirmed, work within international frameworks to reduce or phase out releases of these substances.

U.S. Challenge: Confirm by 1998, that there is no longer use of alkyl-lead in automotive gasoline. Support and encourage stakeholder efforts to reduce alkyl-lead releases from other sources.

Two preliminary draft reports have been prepared in response to the first challenge, one regarding the five bioaccumulative pesticides (chlordane, aldrin/dieldrin, DDT, mirex, and toxaphene), and one regarding the industrial byproduct/contaminant octachlorostyrene. A third preliminary draft report was prepared to respond to the alkyl-lead challenge.

All three of these reports can be found on the internet at the following address: <http://www.epa.gov/bns/>. Commenters may transmit their comments electronically by following the directions provided on the website, or may send written comments to Elizabeth LaPlante at the following address: U.S. EPA, Great Lakes National Program Office, 77 West Jackson Boulevard, G-17J, Chicago, Illinois, 60604. Comments may also be sent to Ms. LaPlante via facsimile at (312) 353-2018.

DATES: The preliminary draft reports will be made available to the public by December 31, 1998. Comments on the reports must be submitted no later than March 1, 1999.

SUPPLEMENTARY INFORMATION: Additional information on the Great Lakes Binational Toxics Strategy, or the draft reports, may be obtained by contacting Elizabeth LaPlante by phone at (312) 353-2694, via E-mail at the address "laPlante.elizabeth@epa.gov" or at the address or fax number listed above.

Dated: December 23, 1998.

David A. Ullrich,

Acting Regional Administrator, Region 5.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-6213-8]

Proposed CERCLA Administrative Cost Recovery Settlement; Standard Scrap Site

AGENCY: Environmental Protection Agency.