

Substances (OPPTS) are continuing the existing request for critical use exemption applications for methyl bromide, under the Clean Air Act (CAA) and in accordance with U.S. obligations under the Montreal Protocol on Substances that Deplete the Ozone Layer (Protocol). The information is collected so that the U.S. government can submit a technically valid methyl bromide critical use exemption nomination to the Ozone Secretariat of the United Nations Environment Programme on an annual basis. Since 2002, this information has primarily been collected through agricultural consortia, though individuals have also submitted applications. If an applicant indicates that the application contains Confidential Business Information (CBI), that information will be treated as such by EPA. Responses to the collection of information are required in order for users to obtain a critical use exemption benefit.

In 2003, EPA created separate applications for methyl bromide pre-plant users and post-harvest users in order to facilitate data collection as the pre-plant and post-harvest fumigation contexts differ. In 2005, EPA is considering proposing to format both the pre-plant and post-harvest applications to more closely resemble the forms for the nominations required by the Methyl Bromide Technical Options Committee (MBTOC), an advisory body to the Parties to the Protocol.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations in 40 CFR are listed in 40 CFR part 9.

EPA initially calculated that 95% of users would apply with a consortia and the remaining 5% would apply independently. EPA also calculated each user's burden prior to submitting data to a consortia. EPA encourages the electronic submission of CUE applications.

The EPA would like to solicit comments to:

(i) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;

(ii) Evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(iii) Enhance the quality, utility, and clarity of the information to be collected; and

(iv) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

*Burden Statement:*

The annual burden is reported in this notice by annual respondent burden. This estimate includes the time needed to read the CAA request for applications, process, compile, and review the requested data for accuracy and appropriateness, generate application correspondence, and store, file, and maintain the information. This ICR renewal does not include any burden for third-party or public disclosures that were not previously reviewed and approved by OMB.

EPA estimated approximated 80% of the respondents would be pre-plant or soil users, with the remaining 20% being post-harvest users. EPA also initially calculated individual and consortia burden. The annual burden hours for this collection of information were initially estimated and summarized as follows, as stated in a notice published in the **Federal Register** on June 27, 2001 (66 FR 34181):

Respondents/affected entities: 200.

Estimated total number of potential respondents: 200.

Frequency of response: Annual.

Estimated total/average number of responses for each respondent: 1.

Estimated total annual burden hours: 25,000.

Estimated total annual burden costs: \$1,500,000.

EPA seeks comment on the above summary. EPA may revise the calculations based on the critical use exemption applications received annually between 2002–2004.

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of

information; and transmit or otherwise disclose the information.

Dated: February 2, 2005

**Drusilla Hufford,**

*Director, Stratospheric Protection Division,  
Office of Air and Radiation.*

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## ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–6660–5]

### 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) 564–7167.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in the **Federal Register** dated April 2, 2004 (69 FR 17403).

#### Draft EISs

ERP No. D–AFS–D65031–PA Rating LO, Martin Run Project, To Implement Management Direction as Outlined in Allegheny National Forest Plan, Bradford Ranger District, Allegheny National Forest, Warren and McKean Counties, PA.

*Summary:* EPA does not object to the preferred alternative.

ERP No. D–AFS–J65425–00 Rating EC2, Black Hills National Forest Land and Resource Management Plan Phase II Amendment, Proposal to Amend the 1997 Land and Resource Management Plan, Custer, Fall River, Lawrence, Meade, and Pennington Counties, SD and Crook and Weston Counties, WY.

*Summary:* EPA expressed environmental concerns because the Preferred Alternative may cause adverse impacts to water quality, aquatic, and terrestrial resources, and recommends that the Final EIS include quantitative analysis of water and air quality, and provisions for greater natural resource and water quality protection.

ERP No. D–AFS–L65473–OR Rating LO, Rogue River-Siskiyou National Forest, Special Use Permits for Outfitter and Guide Operations on the Lower Rogue and Lower Illinois Rivers, Gold Beach Ranger District, Rogue River-Siskiyou National Forest, Curry County, OR.

*Summary:* EPA conducted a limited review of the Draft EIS and does not object to the proposed project.

ERP No. D-BOP-D80031-WV Rating EC2, Southern West Virginia Proposed Federal Correctional Institution, Four Alternatives Sites in Southern West Virginia: Boone County, Mingo County, Nicholas County, and McDowell County, WV.

*Summary:* EPA expressed environmental concerns because of secondary and cumulative impacts with all alternatives, and requested that these issues be evaluated in the Final EIS. Also, EPA asked that the Final EIS provide documentation to verify completion of the mitigation specified in the 404 permit.

ERP No. D-CGD-K03027-CA Rating EC2, Cabrillo Port Liquefied Natural Gas (LNG) Deepwater Port, Construction and Operation an Offshore Floating Storage and Regasification Unit (FSRU), Application for License, Ventura and Los Angeles Counties, CA.

*Summary:* EPA expressed environmental concerns about impacts to air quality, the analysis for General Conformity, and the availability of emission reduction credits. EPA requested that additional information be provided on the potential impacts and risks from emergency/accidental releases of LNG or natural gas. EPA also requested additional information on several NPDES permitting issues, impacts to waters of the U.S., and compliance with the Safe Drinking Water Act.

ERP No. DS-GSA-D81027-MD Rating EC1, U.S. Food and Administration (FDA) Consolidation, Updated and New Information, Constructing a New Eastern Access Road and over Paint Branch, Construct Additional Facilities to Support Expanded Program, Relocating The Day Care Center, Federal Research Center at White Oak, Silver Spring, Montgomery, MD.

*Summary:* EPA expressed environmental concerns about the proposed project's impacts on stream banks and water quality within the Federal Research Center, and requested that additional information, including adoption of stringent mitigation measures and stream valley re-vegetation, be provided in the Final EIS to address these issues.

ERP No. D1-BLM-K65158-CA Rating \*\*3, Clear Creek Resource Management Area Plan Amendment, Hollister Resource Management Plan, Implementing the Decision Made in the 1999 CCMA ROD, San Benito and Fresno Counties, CA.

*Summary:* The Draft EIS does not adequately assess the project's

potentially significant impacts to human health. Recent sampling conducted by EPA indicates that off-highway vehicle users in the project area are exposed to substantially higher amounts of asbestos than was assumed in the DEIS. EPA recommends that BLM wait until EPA completes its forthcoming exposure evaluation, use it to recalculate the health risk, and incorporate this information into a Revised or Supplemental EIS. The Revised or Supplemental DEIS should also analyze a full array of reasonable alternatives and mitigation measures in order to avoid or reduce these impacts, including complete closure of the area and full dry season closure.

#### Final EISs

ERP No. F-AFS-J65419-MT Gallatin National Forest, Main Boulder Fuels Reduction Project, Implementation, Gallatin National Forest, Big Timber Ranger District, Big Timber, Sweetgrass and Park Counties, MT.

*Summary:* While EPA support reducing fuels and fire risk, we continue to have some concerns about the potential for adverse impacts of the proposed actions on water quality, fisheries, and riparian habitats.

ERP No. F-AFS-L65454-OR Diamond Lake Restoration Project, Improve Water Quality and the Recreational Fishery, Umpqua National Forest, Diamond Lake Ranger District, Umpqua River Basin, Douglas County, OR.

*Summary:* No formal comment letter was sent to the preparing agency.

ERP No. F-BIA-J02044-WY Wind River Natural Gas Field Development Project, Construction, Drilling and Production Operation of Natural Gas Wells, Fremont County, WY.

*Summary:* No formal comment letter was sent to the preparing agency.

ERP No. F-CGD-G39040-LA Gulf Landing Deepwater Port License Application for Construct of a Deepwater Port and Associated Anchorages in the Gulf of Mexico, South of Cameron, LA.

*Summary:* EPA continues to express concern regarding air modeling issues and cumulative impacts.

ERP No. F-FHW-F40413-IL US Route 20 (FAP 301) Project, Construction from IL Route 84 north of Galena to Bolton Road northwest of Freeport, Funding, NPDES Permit and U.S. Army COE Section 404 Permit Issuance, Jo Davies and Stephenson Counties, IL.

*Summary:* Since EPA's previous concerns have been resolved, EPA has no objection to the action as proposed.

ERP No. F-NOA-L91024-00 Puget Sound Chinook Harvest Resource Management Plan (RMP) 2004-2009,

Implementation, Endangered Species Act, OR and WA.

*Summary:* No formal comment letter sent to the preparing agency.

ERP No. F-NPS-D39027-00 Chesapeake Bay Special Resource Study (SRS), To Conserve and Restore Chesapeake Bay, New Unit of the National Park System, MD, VA, PA and DC.

*Summary:* EPA does not object to the selection of the preferred alternative.

ERP No. F-NPS-F08011-WI Arrowhead-Weston Transmission Line Right-of-Way Crossing of the St. Croix National Scenic Riverway, U.S. Army COE Section 10 and 404 Permits, Washburn County, WI.

*Summary:* EPA's previous issues have been addressed, therefore EPA has no objection to the proposed action.

Dated: February 8, 2005.

**Robert W. Hargrove,**

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

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## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-6660-4]

### Environmental Impact 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 January 31, 2005 through February 4, 2005.

Pursuant to 40 CFR 1506.9.

EIS No. 050044, Draft EIS, BLM, WY,

Jonah Infill Drilling Project, Propose to Expand Development of Natural Gas Drilling, Sublette County, WY. Comment Period Ends: April 12, 2005. Contact: Carol Kruse (307) 367-5352.

EIS No. 050045, Final EIS, AFS, AZ, Coconino, Kaibab, and Prescott National Forest, Integrated Treatment of Noxious and Invasive Weeds. Implementation, Coconino, Mojave and Yavapai Counties, AZ. Wait Period Ends: March 14, 2005. Contact: Charles Ernst (928) 635-8317.

EIS No. 050046, Draft Supplement, BLM, MT, Golden Sunlight Mine Pit Reclamation Alternatives. Updated Information, Operating Permit No. 00065 and Plan-of-Operation #MTM 82855, Whitehall, Jefferson County, MT. Comment Period Ends: April 12, 2005. Contact: David Williams (406) 533-7655.