

individuals, groups, and agencies who requested a copy, or as required by regulation or policy.

A 30-day protest period was provided on the land use plan decisions contained in the Proposed RMP/Final EIS in accordance with 43 CFR Part 1610.5-2. Six protests were received (two from the same party), three of the six letters were subsequently resolved by the BLM Director, whose decision constitutes final agency action for the U.S. Department of the Interior. The main protest issues in these letters pertained to special status species, wildlife, livestock grazing, watershed management, and level of detail of decisions in the Proposed RMP. No changes to proposed management actions resulted from the resolution of the protests.

Three of the six protest letters received were determined not to have standing under the regulations at 43 CFR 1610.5-2. During the process of reviewing protest letters, the BLM became aware of a mapping error and potentially unnecessary management direction for the proposed ACEC at the Rock Animal Corral. The BLM has determined that the area does not require special management as an ACEC to protect its relevant and important values. Protection of the values can be achieved by maintaining the current designation as the Rock Animal Corral archaeological site with existing restrictions on fluid and solid mineral leasing, locatable minerals and mineral material sales on the 160 acre site. This is consistent with the current management in Alternative A in the Proposed RMP. The Approved RMP reflects that change.

The BLM provided the Governor of Nevada with a 60-day Governor's Consistency Review as provided by the regulations. No specific inconsistencies with state or local plans, policies, or programs were noted from the review. BLM received comments from the Nevada Department of Wildlife and the Nevada Division of Water Resources. BLM responded to the Department of Wildlife comments with a meeting and a letter. No changes to the Approved RMP resulted from the Governors' Consistency Review. Based upon comments received during the protest period, some minor editorial modifications have been made in preparing the Approved RMP. These modifications provide further clarification of some of the decisions/maps.

In accordance with Section 7 of the Endangered Species Act, the U.S. Fish and Wildlife Service (USFWS) issued a Biological Opinion. The USFWS

Biological Opinion has been included as an appendix to the ROD/Approved RMP.

The ROD serves as the final decision for the land use plan decisions described in the Approved RMP. The ROD also contains implementation-level decisions for Paleontological Resource Management, Travel Management route identifications, and Forest/Woodland and Other Plant Products. These decisions are included in the Approved RMP. Designations, such as route closures are planning-level decisions. These implementation-level decisions are appealable under 43 CFR Part 4. Any party adversely affected by the (proposed) implementation decisions may appeal the decisions within 30 days of publication of this Notice of Availability pursuant to 43 CFR, Part 4, Subpart E. The appeal should state the specific decision(s) in the Approved RMP which are being appealed.

The appeal must be filed with the Ely District Manager at the address listed above. Please consult the appropriate regulations (43 CFR, Part 4, Subpart E) for further appeal requirements.

(Authority: H-1790-1-National Environmental Policy Act Handbook)

**Ron Wenker,**

*Nevada State Director.*

[FR Doc. E8-22540 Filed 9-25-08; 8:45 am]

**BILLING CODE 4310-HC-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[MT-070-1990-EX]

#### Notice of Availability of the Final Environmental Impact Statement for the Proposed "M" Pit Mine Expansion at the Montana Tunnels Mine, Jefferson County, MT

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of availability.

**SUMMARY:** In accordance with the *National Environmental Policy Act of 1969* (NEPA, 42 U.S.C. 4321 *et seq.*) and the *Federal Land Policy and Management Act of 1976* (FLPMA, 43 U.S.C. 1701 *et seq.*), a Final Environmental Impact Statement (FEIS) has been prepared for the Montana Tunnels Mine "M" Pit Mine Expansion. The mine permit is administered by the Bureau of Land Management's (BLM's) Butte Field Office and the Montana Department of Environmental Quality. Operations on public lands in the permit area are on mining claims located in accordance with the *General*

*Mining Law of 1872*, as amended (30 U.S.C. 22 *et seq.*).

**DATES:** The FEIS will be available for review for 30 days following the date the Environmental Protection Agency (EPA) publishes the Notice of Availability in the **Federal Register**. A Record of Decision (ROD) will be prepared following the 30-day public availability period.

**ADDRESSES:** Copies of the FEIS have been sent to affected federal, state, and local government agencies and to interested parties. Copies of the FEIS are available for public inspection at the Montana Department of Environmental Quality, 1520 East 6th Avenue, Helena, MT 59620-0901 and the Bureau of Land Management, Butte Field Office, 106 N. Parkmont, Butte, MT 59701. Interested parties may also review the FEIS on the Internet at <http://www.deq.mt.gov>.

**FOR FURTHER INFORMATION CONTACT:** Greg Hallsten, Montana Department of Environmental Quality, P.O. Box 200901, Helena, MT 59620-0901; or David Williams, Bureau of Land Management, Butte Field Office, 106 N. Parkmont, Butte, MT 59701.

**SUPPLEMENTARY INFORMATION:** The Montana Tunnels Mine is a 1200 acre lead, zinc, gold and silver mine located T. 7 N., R. 4 W. in Jefferson County 5 miles west of Jefferson City, Montana. In September 2004, Montana Tunnels, Inc. submitted an application to expand their operation. The Notice of Intent to prepare the EIS was published in the **Federal Register**, 70 FR 8612 on February 22, 2005 and the Notice of Availability of the Draft EIS was announced in the **Federal Register**, 73 FR 7588-89 on February 8, 2008. Comments on the Draft EIS received from the public, from other agencies, and from the internal DEQ and BLM review were incorporated into the FEIS. These comments resulted in the addition of clarifying text but did not significantly change the alternatives.

The FEIS addresses three alternatives associated with the Montana Tunnels Mine "M" Pit Mine Expansion: The No Action Alternative, the Proposed Action Alternative, and the Agency Modified Alternative, which is the preferred alternative. The No Action Alternative would limit mine disturbance to 1200 acres, and the mine would close in 2010. The Proposed Action Alternative would result in disturbance of 1452 acres and a pit depth of 4250. This Alternative would result in the loss of approximately 2600 feet of Clancy Creek as the stream would be diverted around the expanded open pit in both a pipe and open flow channel. A portion of the Clancy Creek flow would be diverted

into the pit to augment the formation of a pit lake following completion of mining. The Agency Modified Alternative would be similar to the Proposed Action Alternative, with the exception of measures to improve environmental performance including: More natural surface reclamation techniques, improved geochemical and groundwater monitoring, and establishment of a reconstructed Clancy Creek channel to protect streamflow, wetlands, and fisheries.

**Rick M. Hotaling,**

*Field Manager.*

[FR Doc. E8-22535 Filed 9-25-08; 8:45 am]

**BILLING CODE 4310-DN-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[MT-921-08-1320-EL-P; MTM 98618]

#### Notice of Invitation—Coal Exploration License Application MTM 98618

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice.

**SUMMARY:** Members of the public are hereby invited to participate with Western Energy Company in a program for the exploration of coal deposits owned by the United States of America in lands located in Rosebud County, Montana, encompassing 921.06 acres.

**FOR FURTHER INFORMATION CONTACT:** Robert Giovanini, Mining Engineer, or Connie Schaff, Land Law Examiner, Branch of Solid Minerals (MT-921), Bureau of Land Management (BLM), Montana State Office, Billings, Montana 59101-4669, telephone (406) 896-5084 or (406) 896-5060, respectively.

**SUPPLEMENTARY INFORMATION:** The lands to be explored for coal deposits are described as follows:

T.1N., R.4E., P.M.M.

22: All.

24: Lots 1, 2, W $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ .

Any party electing to participate in this exploration program shall notify, in writing, both the State Director, BLM, 5001 Southgate Drive, Billings, Montana 59101-4669, and Western Energy Company, P.O. Box 99, Colstrip, Montana 59323. Such written notice must refer to serial number MTM 98618 and be received no later than 30 calendar days after publication of this Notice in the **Federal Register** or 10 calendar days after the last publication of this Notice in the *Miles City Star* newspaper, whichever is later. This Notice will be published once a week

for two (2) consecutive weeks in the *Miles City Star*, Miles City, Montana.

The proposed exploration program is fully described, and will be conducted pursuant to an exploration plan to be approved by the Bureau of Land Management. The exploration plan, as submitted by Western Energy Company, is available for public inspection at the BLM, 5001 Southgate Drive, Billings, Montana, during regular business hours (9 a.m. to 4 p.m.), Monday through Friday.

Dated: September 19, 2008.

**Edward L. Hughes,**

*Acting Chief, Branch of Solid Minerals.*

[FR Doc. E8-22699 Filed 9-25-08; 8:45 am]

**BILLING CODE 4310-SS-P**

## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

#### Manufacturer of Controlled Substances; Notice of Application

Pursuant to § 1301.33(a) of Title 21 of the Code of Federal Regulations (CFR), this is notice that on August 28, 2008, Mallinckrodt Inc., 3600 North Second Street, St. Louis, Missouri 63147, made application by letter to the Drug Enforcement Administration (DEA) as a bulk manufacturer of Oripavine (9330), a basic class of controlled substance listed in schedule II.

The company plans to use the above listed controlled substance as an intermediate in the manufacture of a non-controlled product.

Any other such applicant, and any person who is presently registered with DEA to manufacture such substances, may file comments or objections to the issuance of the proposed registration pursuant to 21 CFR 1301.33(a).

Any such written comments or objections should be addressed, in quintuplicate, to the Drug Enforcement Administration, Office of Diversion Control, Federal Register Representative (ODL), 8701 Morrisette Drive, Springfield, Virginia 22152; and must be filed no later than November 25, 2008.

Dated: September 18, 2008.

**Joseph T. Rannazzisi,**

*Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.*

[FR Doc. E8-22696 Filed 9-25-08; 8:45 am]

**BILLING CODE 4410-09-P**

## DEPARTMENT OF JUSTICE

### Office of Justice Programs

[OJP (OJP) Docket No. 1488]

#### Meeting of the Public Safety Officer Medal of Valor Review Board

**AGENCY:** Office of Justice Programs (OJP), Justice.

**ACTION:** Notice of meeting.

**SUMMARY:** This is an announcement of a meeting of the Public Safety Officer Medal of Valor Review Board to review applications for the 2007-2008 Medal of Valor Awards and to discuss upcoming activities. The meeting time and location are located below.

**DATES:** October 30, 2008, 10 a.m. to 5 p.m.

**ADDRESSES:** The meeting will take place at the Office of Justice Programs, 810 7th Street, NW., Washington, DC 20531.

**FOR FURTHER INFORMATION CONTACT:** Gregory Joy, Policy Advisor, Bureau of Justice Assistance, Office of Justice Programs, 810 7th Street, NW., Washington, DC 20531, by telephone at (202) 514-1369, toll free (866) 859-2687, or by e-mail at [gregory.joy@usdoj.gov](mailto:gregory.joy@usdoj.gov).

**SUPPLEMENTARY INFORMATION:** The Public Safety Officer Medal of Valor Review Board carries out those advisory functions specified in 42 U.S.C. 15202. Pursuant to 42 U.S.C. 15201, the President of the United States is authorized to award the Public Safety Officer Medal of Valor, the highest national award for valor by a public safety officer. The purpose of this meeting is to review applications for the 2007-2008 Medal of Valor Awards and to discuss upcoming activities related thereto.

This meeting will be open to the public. For security purposes, members of the public who wish to attend must register at least five (5) days in advance of the meeting by contacting Mr. Joy. All attendees will be required to sign in at the front desk. **Note:** Photo identification will be required for admission. Additional identification documents may be required.

Access to the meeting will not be allowed without prior registration. Anyone requiring special accommodations should contact Mr. Joy at least five (5) days in advance of the meeting.

**Eric Holland,**

*Deputy Assistant Attorney General, Office of Justice Programs.*

[FR Doc. E8-22709 Filed 9-25-08; 8:45 am]

**BILLING CODE 4410-18-P**