

EIS No. 20080179, ERP No. FS-FTA-G40191-TX, Southeast Corridor Project, Preferred Alternative is the Light Rail Alternative, Proposed Fixed-Guideway Transit System, Funding, Metropolitan Transit Authority (METRO) of Harris County, Houston, Harris County, TX.

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

Dated: June 17, 2008.

**Robert W. Hargrove,**  
Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. E8-14004 Filed 6-19-08; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-8582-8]

### 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 06/09/2008 through 06/13/2008 Pursuant to 40 CFR 1506.9.

*EIS No. 20080234, Draft EIS, AFS, WA,* Dosewallips Road Washout Project, to Reestablish Road Access to both Forest Service Road (FSR) 2610 and Dosewallips Road, Hood Canal Ranger District Olympic National Forest, Olympic National Park, Jefferson County, WA, *Comment Period Ends:* 08/19/2008, *Contact:* Tim Davis 360-956-2375.

*EIS No. 20080235, Final Supplement, NOA, AK,* Cook Inlet Beluga Whale Subsistence Harvest Project, Proposes to Implement a Long-Term Harvest Plan and Fulfill the Federal Government's Trust Responsibility, Cook Inlet, AK, *Wait Period Ends:* 07/21/2008, *Contact:* Robert D Mecum 907-586-7235.

*EIS No. 20080236, Final EIS, BIA, WA,* Spokane Tribes Integrated Resource Management Plan (IRMP) for the Spokane Indian Reservation, Implementation, Stevens County, WA, *Wait Period Ends:* 07/21/2008, *Contact:* Donna Smith 509-258-4561.

*EIS No. 20080237, Draft EIS, NPS, SD,* Wind Cave National Park Project, Elk General Management Plan, Implementation, Custer County, SD, *Comment Period Ends:* 08/18/2008, *Contact:* Nick Chevance 402-661-1844.

*EIS No. 20080238, Draft EIS, AFS, WY,* Off-Highway Vehicle (OHV) Route

Designation Project, Proposing to Improve Management of Public Summer Motorized Use (May 1–November 30) by Designating Roads and Motorized Trails, Bridger-Teton National Forest, Buffalo, Jackson and Big Piney Ranger Districts, Teton, Lincoln and Sublette Counties, WY, *Comment Period Ends:* 08/04/2008, *Contact:* Linda Merigliano 307-739-5428.

*EIS No. 20080239, Draft Supplement, UAF, MA,* Pave Paws Early Warning Radar Operation Project, Continued Operation of the Solid-State Phased-Array Radar System (SSPARS), also known as Pave, Phased Array Warning Systems (PAWS), Cape Cod Air Force Station, MA, *Comment Period Ends:* 08/04/2008, *Contact:* Lynne Neuman 719-554-6406.

*EIS No. 20080240, Draft EIS, DOA, 00,* PROGRAMMATIC—Geothermal Leasing in the Western United States, *Comment Period Ends:* 09/17/2008, *Contact:* Jack G. Peterson 208-373-4048.

Department of the Interior/Bureau of Land Management and Department of Agriculture/Forest Service's are Joint Lead Agencies for the above project. The contact person for (BLM) is Jack G. Peterson at 208-373-4048 and the contact person for (AFS) is Tracy Parker at 703-605-4796.

### Amended Notices

*EIS No. 20080125, Draft EIS, FHW, NC,* I-26 Connector Project, Proposed Multi-Land Freeway from I-40 to US19-23-70 North of Asheville, Funding, U.S. Coast Guard Permit, U.S. Army COE section 10 and 404 Permit, Buncombe County, Asheville, NC, *Comment Period Ends:* 06/23/2008, *Contact:* John F. Sullivan III, P.E. 919-856-4346 Ext. 122.

Revision of FR Notice Published 04/11/2008: Extending Comment from 05/19/2008 to 06/23/2008.

*EIS No. 20080186, Draft EIS, FAA, NV,* City of Mesquite, Proposed Replacement General Aviation Airport, Implementation, Clark County, NV, *Comment Period Ends:* 07/18/2008, *Contact:* Barry Franklin 650-876-2778.

Revision to FR Notice Publish 05/16/2008: Extending Comment from 07/03/2008 to 07/18/2008.

Dated: June 17, 2008.

**Robert W. Hargrove,**  
Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. E8-14005 Filed 6-19-08; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OAR-2008-0449; FRL-8683-4]

### Proposed Approval of the Central Characterization Project's Transuranic Waste Characterization Program at Oak Ridge National Laboratory

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of availability; opening of public comment period.

**SUMMARY:** The Environmental Protection Agency (EPA or we) is announcing the availability of, and soliciting public comments for 45 days on, the proposed approval of the radioactive, contact-handled (CH), transuranic (TRU) waste characterization program implemented by the Central Characterization Project (CCP) at Oak Ridge National Laboratory (ORNL) in Oak Ridge, Tennessee. This waste is intended for disposal at the Waste Isolation Pilot Plant (WIPP) in New Mexico.

In accordance with the WIPP Compliance Criteria, EPA evaluated the characterization of CH TRU debris waste from ORNL-CCP during an inspection conducted the week of November 13, 2007. Using the systems and processes developed as part of the U.S. Department of Energy's (DOE's) Carlsbad Field Office (CBFO) program, EPA verified whether DOE could adequately characterize CH TRU waste consistent with the Compliance Criteria. The results of EPA's evaluation of ORNL-CCP's program and its proposed approval are described in the Agency's inspection report, which is available for review in the public dockets listed in **ADDRESSES**. We will consider public comments received on or before the due date mentioned in **DATES**.

This notice summarizes the waste characterization processes evaluated by EPA and EPA's proposed approval. As required by the 40 CFR 194.8, at the end of a 45-day comment period EPA will evaluate public comments received, and if appropriate, finalize the reports responding to the relevant public comments, and issue a final report and approval letter to DOE.

**DATES:** Comments must be received on or before August 4, 2008.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-OAR-2008-0449, by one of the following methods:

- <http://www.regulations.gov>: Follow the on-line instructions for submitting comments.
- E-mail: [a-and-r-docket@epa.gov](mailto:a-and-r-docket@epa.gov).
- Fax: 202-566-1741.

• Mail: Air and Radiation Docket and Information Center, Environmental Protection Agency, Mailcode: 6102T, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

**Instructions:** Direct your comments to Attn: Docket ID No. EPA-HQ-OAR-2008-0449. The Agency's policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov> or e-mail. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through <http://www.regulations.gov> your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket visit the EPA Docket Center homepage at <http://www.epa.gov/epahome/dockets.htm>.

**Docket:** All documents in the docket are listed in the <http://www.regulations.gov> index. 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>. As provided in EPA's regulations at 40 CFR Part 2, and in accordance with normal EPA docket procedures, if copies of any docket materials are requested, a reasonable fee may be charged for photocopying.

#### FOR FURTHER INFORMATION CONTACT:

Rajani Joglekar or Ed Feltcorn, Radiation Protection Division, Center for Federal Regulations, Mail Code 6608J, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, Washington, DC, 20460; telephone number: 202-343-9601; fax number: 202-343-2305; e-mail address: [joglekar.rajani@epa.gov](mailto:joglekar.rajani@epa.gov) or [feltcorn.ed@epa.gov](mailto:feltcorn.ed@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

###### A. What Should I Consider as I Prepare My Comments for EPA?

1. **Submitting CBI.** Do not submit this information to EPA through <http://www.regulations.gov> or e-mail. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD ROM that you mail to EPA, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. **Tips for Preparing Your Comments.** When submitting comments, remember to:

- Identify the rulemaking by docket number and other identifying information (subject heading, **Federal Register** date and page number).
- Follow directions—The agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.
- Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.
- Describe any assumptions and provide any technical information and/or data that you used.
- If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.
- Provide specific examples to illustrate your concerns, and suggest alternatives.
- Explain your views as clearly as possible, avoiding the use of profanity or personal threats.
- Make sure to submit your comments by the comment period deadline identified.

##### II. Background

DOE is developing the WIPP, near Carlsbad in southeastern New Mexico, as a deep geologic repository for disposal of TRU radioactive waste. As defined by the WIPP Land Withdrawal Act (LWA) of 1992 (Pub. L. No. 102-579), as amended (Pub. L. No. 104-201), TRU waste consists of materials that have atomic numbers greater than 92 (with half-lives greater than twenty years), in concentrations greater than 100 nanocuries of alpha-emitting TRU isotopes per gram of waste. Much of the existing TRU waste consists of items contaminated during the production of nuclear weapons, such as rags, equipment, tools, and sludges.

TRU waste is itself divided into two categories, based on its level of radioactivity. Contact-handled (CH) TRU waste accounts for about 97 percent of the volume of TRU waste currently destined for the WIPP. It is packaged in 55-gallon metal drums or in metal boxes and can be handled under controlled conditions without any shielding beyond the container itself. The maximum radiation dose at the surface of a CH TRU waste container is 200 millirems per hour. CH waste primarily emits alpha particles that are easily shielded by a sheet of paper or the outer layer of a person's skin.

Remote-handled (RH) TRU waste emits more radiation than CH TRU waste and must therefore be both handled and transported in shielded casks. Surface radiation levels of unshielded containers of remote-handled transuranic waste exceed 200 millirems per hour. RH waste primarily emits gamma radiation, which is very penetrating and requires concrete, lead, or steel to block it.

On May 13, 1998, EPA issued a final certification of compliance for the WIPP facility. The final rule was published in the **Federal Register** on May 18, 1998 (63 FR 27354). EPA officially recertified WIPP on March 29, 2006 (71 FR 18015). Both the certification and recertification determined that WIPP complies with the Agency's radioactive waste disposal regulations at 40 CFR part 191, subparts B and C, and is therefore safe to contain TRU waste.

The final WIPP certification decision includes conditions that (1) prohibit shipment of TRU waste for disposal at WIPP from any site other than the Los Alamos National Laboratories (LANL) until the EPA determines that the site has established and executed a quality assurance program, in accordance with §§ 194.22(a)(2)(i), 194.24(c)(3), and 194.24(c)(5) for waste characterization activities and assumptions (Condition 2

of Appendix A to 40 CFR Part 194); and (2) (with the exception of specific, limited waste streams and equipment at LANL) prohibit shipment of TRU waste for disposal at WIPP (from LANL or any other site) until EPA has approved the procedures developed to comply with the waste characterization requirements of § 194.22(c)(4) (Condition 3 of Appendix A to 40 CFR Part 194). The EPA's approval process for waste generator sites is described in § 194.8 (revised July 2004).

Condition 3 of the WIPP Certification Decision requires EPA to conduct independent inspections at DOE's waste generator/storage sites of their TRU waste characterization capabilities before approving their program and the waste for disposal at the WIPP. EPA's inspection and approval process gives EPA (a) Discretion in establishing technical priorities, (b) the ability to accommodate variation in the site's waste characterization capabilities, and (c) flexibility in scheduling site WC inspections.

As described in § 194.8(b), EPA's baseline inspections evaluate each WC process component (equipment, procedures, and personnel training/experience) for its adequacy and appropriateness in characterizing TRU waste destined for disposal at WIPP. During an inspection, the site demonstrates its capabilities to characterize TRU waste(s) and its ability to comply with the regulatory limits and tracking requirements under § 194.24. A baseline inspection may describe any limitations on approved waste streams or waste characterization processes [§ 194.8(b)(2)(iii)]. In addition, a baseline inspection approval must specify what subsequent WC program changes or expansion should be reported to EPA [§ 194.8(b)(4)]. The Agency is required to assign Tier 1 (T1) and Tier 2 (T2) to the reportable changes depending on their potential impact on data quality. A T1 designation requires that the site must notify EPA of

proposed changes to the approved components of an individual WC process (such as radioassay equipment or personnel), and EPA must also approve the change before it can be implemented. A WC element with a T2 designation allows the site to implement changes to the approved components of individual WC processes (such as visual examination procedures) but requires EPA notification. The Agency may choose to inspect the site to evaluate technical adequacy before approval. EPA inspections conducted to evaluate T1 or T2 changes are follow-up inspections under the authority of § 194.24(h). In addition to the follow-up inspections, if warranted, EPA may opt to conduct continued compliance inspections at TRU waste sites with a baseline approval under the authority of § 194.24(h).

The site inspection and approval process outlined in § 194.8 requires EPA to issue a **Federal Register** notice proposing the baseline compliance decision, docket the inspection report for public review, and seek public comment on the proposed decision for a period of 45 days. The report must describe the WC processes EPA inspected at the site, as well as their compliance with § 194.24 requirements.

### III. Proposed Baseline Compliance Decision

EPA has performed a baseline inspection of CH TRU waste characterization (WC) activities at ORNL-CCP (EPA Inspection No. EPA-ORNL-CCP-CH-11.07-8). The purpose of EPA's inspection was to verify that the waste characterization program implemented at ORNL-CCP for characterizing CH TRU, retrievably-stored, debris waste is technically adequate and meets the regulatory requirements at 40 CFR 194.24.

During the inspection, EPA evaluated the adequacy of the site's WC programs for CH TRU debris (S5000) waste to be disposed of at the WIPP. The Agency examined the following activities:

- Acceptable knowledge (AK) for CH retrievably-stored TRU debris waste (S5000)
- One nondestructive assay (NDA) system, the Drum Waste Assay System Imaging Passive-Active Neutron/Segmented Gamma Scanner (DWAS IPAN/SGS) system for characterizing debris (S5000) waste
- Real-time radiography (RTR) for CH retrievably-stored TRU debris waste (S5000)
- WIPP Waste Information System (WWIS) for CH retrievably-stored TRU debris waste (S5000)

During the inspection, ORNL-CCP personnel stated that load management will never be performed at the site and EPA did not evaluate this aspect during the inspection [see Section 8.1(5) of the inspection report]. Therefore, this proposed approval does not include load management for ORNL-CCP.

The EPA inspection team determined that the ORNL-CCP WC program for CH TRU waste was technically adequate. EPA is proposing to approve the ORNL-CCP CH TRU WC program in the configuration observed during this inspection and described in docketed inspection report and its' attached checklists (Attachments A.1 through A.4). This proposed approval includes the following:

- (1) The AK process for CH retrievably-stored TRU debris wastes
  - (2) The DWAS IPAN/SGS system for assaying debris wastes
  - (3) The nondestructive examination (NDE) process of RTR for retrievably-stored debris wastes
  - (4) The WWIS process for tracking waste contents of debris wastes
- ORNL-CCP must report and receive EPA approval of any Tier 1 (T1) changes to the ORNL-CCP WC activities from the date of the baseline inspection, and must notify EPA regarding Tier 2 (T2) changes according to Table 1, below. The format of Table 1 in this report closely follows the format used in previous CH baseline approval reports.

TABLE 1.—TIERING OF TRU WC PROCESSES IMPLEMENTED BY ORNL-CCP BASED ON NOVEMBER 13–15, 2007, SITE BASELINE INSPECTION

WC process elements	ORNL-CCP WC T1 changes	ORNL-CCP WC T2 changes <sup>a</sup>
Acceptable Knowledge (AK) and Load Management.	Implementation of load management; AK (5). Implementation of AK for wastes other than retrievably-stored debris (i.e., retrievably stored soil/gravel and solids and/or any type of newly-generated waste); AK (15).	Notification to EPA upon completion of AK accuracy reports; AK (2). Notification to EPA upon completion of new versions or updates/substantive modifications <sup>b</sup> of the following:  —Changes to AK-NDA communications and memoranda; AK (3). —Changes to site procedure; AK (4).

TABLE 1.—TIERING OF TRU WC PROCESSES IMPLEMENTED BY ORNL–CCP BASED ON NOVEMBER 13–15, 2007, SITE BASELINE INSPECTION—Continued

WC process elements	ORNL–CCP WC T1 changes	ORNL–CCP WC T2 changes <sup>a</sup>
Non Destructive Assay (NDA) .....	New equipment or physical modifications to approved equipment; <sup>c</sup> NDA (1). Extension or changes to approved calibration range for approved equipment; NDA (2).	—AK summaries that describe wastes beyond the 144 containers described in this report; AK (6). —Radiological Discrepancy Resolution Reports (AK–AK and AK–NDA) pertinent to Waste Stream OR–NFS–CH–HET; AK (11). —Completed Attachments 4 and 6 and associated memoranda for Waste Stream OR–NFS–CH–HET; AK (10) and (14). —AK Summaries/Waste Stream Profile Forms (WSPFs) and AK documentation reports; AK (15). Notification to EPA upon completion of changes to software for approved equipment, operating range(s), and site procedures that require CBFO approval; NDA (2).
Real-Time Radiography (RTR) .....	N/A .....	Notification to EPA upon the following: —Implementation of new RTR equipment or substantive changes <sup>c</sup> to approved RTR equipment; RTR (1). —Completion of changes to site RTR procedures requiring CBFO approvals; RTR (2). Not approved at this time.
Visual Examination (VE) ..... WIPP Waste Information System (WWIS)	Not approved at this time ..... Implementation of load management; WWIS (4).	Notification to EPA upon the following: —Completion of changes to WWIS procedure(s) requiring CBFO approvals; WWIS (1).

<sup>a</sup> Upon receiving EPA approval, ORNL–CCP will report all T2 changes to EPA at the end of each fiscal quarter.

<sup>b</sup> “Substantive changes” means changes with the potential to impact the site’s WC activities or documentation thereof, excluding changes that are solely related to ES&H, nuclear safety, or RCRA, or that are editorial in nature.

<sup>c</sup> Modifications to approved equipment include all changes with the potential to affect NDA data relative to waste isolation and exclude minor changes, such as the addition of safety-related equipment.

#### IV. Availability of the Baseline Inspection Report for Public Comment

EPA has placed the report discussing the results of the Agency’s inspection of the ORNL–CCP Site in the public docket as described in **ADDRESSES**. In accordance with 40 CFR 194.8, EPA is providing the public 45 days to comment on these documents. The Agency requests comments on the proposed approval decision, as described in the inspection report. EPA will accept public comment on this notice and supplemental information as described in Section 1.B. above. EPA will not make a determination of compliance before the 45-day comment period ends. At the end of the public comment period, EPA will evaluate all relevant public comments and revise the inspection report as necessary. If appropriate, the Agency will then issue a final approval letter and inspection report, both of which will be posted on the WIPP Web site.

Information on the certification decision is filed in the official EPA Air Docket, Docket No. A–93–02 and is available for review in Washington, DC, and at the three EPA WIPP informational docket locations in Albuquerque, Carlsbad, and Santa Fe, New Mexico. The dockets in New

Mexico contain only major items from the official Air Docket in Washington, DC, plus those documents added to the official Air Docket since the October 1992 enactment of the WIPP LWA.

Dated: May 30, 2008.

**Elizabeth Cotsworth,**  
*Director, Office of Radiation and Indoor Air.*  
[FR Doc. E8–14006 Filed 6–19–08; 8:45 am]  
**BILLING CODE 6560–50–P**

#### FEDERAL ELECTION COMMISSION

##### Sunshine Act Notices

**AGENCY:** Federal Election Commission.

**DATE AND TIME:** Tuesday, June 17, 2008 at 10 a.m.

**PLACE:** 999 E Street, NW., Washington, DC.

**STATUS:** This meeting will be closed to the public.

**ITEMS TO BE DISCUSSED:** Compliance matters pursuant to 2 U.S.C. 437g. Audits conducted pursuant to 2 U.S.C. 437g, § 438(b), and Title 26, U.S.C. Matters concerning participation in civil actions or proceedings or arbitration. Internal personnel rules and procedures or matters affecting a particular employee.

#### PERSON TO CONTACT FOR INFORMATION:

Mr. Robert Biersack, Press Officer,  
Telephone: (202) 694–1220.

**Mary W. Dove,**

*Secretary of the Commission.*

[FR Doc. E8–13928 Filed 6–19–08; 8:45 am]

**BILLING CODE 6715–01–M**

#### FEDERAL MARITIME COMMISSION

##### Notice of Meeting

**AGENCY HOLDING THE MEETING:** Federal Maritime Commission.

**TIME AND DATE:** June 25, 2008—2 p.m.

**PLACE:** 800 North Capitol Street, NW., First Floor Hearing Room, Washington, DC.

**STATUS:** A portion of the meeting will be in Open Session and the remainder of the meeting will be in Closed Session.

**MATTERS TO BE CONSIDERED:**

##### Open Session

(1) *FMC Agreement No. 201186*—Mobile Container Terminal Cooperative Working Agreement, effective July 4, 2008.

(2) *FMC Agreement No. 201187*—Port of Seattle/Port of Tacoma Puget Sound Air Quality Discussion Agreement, effective July 5, 2008.