

EPA's conformity rule requires that transportation plans, programs, and projects conform to state air quality implementation plans (SIPs) and establishes the criteria and procedures for determining whether or not they do. Conformity to a SIP means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the national ambient air quality standards.

The criteria by which we determine whether a SIP's motor vehicle emission budgets are adequate for conformity purposes are outlined in 40 CFR 93.118(e)(4). Please note that an adequacy review is separate from EPA's completeness review.

We've described our process for determining the adequacy of submitted SIP budgets in guidance (May 14, 1999 memo titled "Conformity Guidance on Implementation of March 2, 1999 Conformity Court Decision"). We followed this guidance in making our adequacy determination.

**Authority:** 42 U.S.C. 7401-7671 q.

Dated: July 18, 2000.

**Chuck Findley,**

*Acting Regional Administrator, Region 10.*

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## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-6609-5]

### Environmental Impact Statements; Notice of Availability

*Responsible Agency:* Office of Federal Activities, General Information (202) 564-7157 or [www.epa.gov/oeca/ofa](http://www.epa.gov/oeca/ofa)  
Weekly Receipt of Environmental Impact Statements  
Filed July 17, 2000  
Through July 21, 2000  
Pursuant to 40 CFR 1506.9

*EIS No. 000253, Draft EIS, AFS, MN,*  
Little East Creek Fuel Reduction Project, Plan to Grant Access Across Federal Land to Non-Federal Landowners, Implementation, LaCroix Ranger District, Superior National Forest, Saint Louis County, MN, Due: September 11, 2000, Contact: Jim Thompson (218) 666-0020.

*EIS No. 000254, Draft EIS, AFS, ID,*  
South Fourth of July Ecosystem Restoration Project, Implementation, Salmon-Cobalt Ranger District, Salmon-Challis National Forest, Lemhi County, ID, Due: September 11, 2000, Contact: Doug Weaver (208) 756-5219.

*EIS No. 000255, Final EIS, FRC, CA, UT,*  
AZ, NM, Southern Trails Pipeline Project (CP99-163-000), Conversion of an Existing Crude Oil Pipeline (known as the ARCO Four Corners Pipeline Line 90 System), Construction and Operation, CA, AZ, UT and NM, Due: August 28, 2000, Contact: Paul McKee (202) 208-1066.

*EIS No. 000256, Draft EIS, COE, NJ,*  
Meadowlands Mills Project, Construction of a Mixed-Use Commercial Development, Permit Application Number 95-07-440-RS for Issuance of a USCOE Section 404 Permit, Boroughs of Carlstadt and Monnachie, Township of South Hackensack, Bergen County, NJ, Due: September 11, 2000, Contact: Steven Schumach (212) 264-0183.

*EIS No. 000257, Draft EIS, USN, CA,*  
Point Mugu Sea Range Naval Air Warfare Center Weapons Division (NAWCWPWS), Proposes To Accommodate TMD Testing and Training, Additional Training Exercises, Ventura, Los Angeles, Santa Barbara, San Diego and San Luis Obispo Counties, CA, Due: September 11, 2000, Contact: Cora Fields (888) 217-9045.

*EIS No. 000258, Draft EIS, DOE, TN,*  
WA, ID, Programmatic—Accomplishing Expanded Civilian Nuclear Energy Research and Development and Isotope Production Missions in the United States, Including the Role of the Fast Flux Test, ID, TN, WA, Due: September 18, 2000, Contact: Colette E. Brown (877) 562-4593.

*EIS No. 000259, Draft EIS, SFW, CA,*  
Bolsa Chica Lowlands Restoration Project, Creation of Wetland Habitat Areas, Approval and Issuance of USCOE Section 404 and USCGD Bridge Permits, Orange County, CA, Due: September 11, 2000, Contact: Jack Fancher (760) 431-9440. USFWS and USCOE are Joint Lead Agencies for the above EIS.

Dated: July 25, 2000.

**Ken Mittelholtz,**

*Environmental Protection Specialist, Office of Federal Activities.*

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## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-6609-6]

### 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 14, 2000 (65 FR 20157).

#### Draft EISs

ERP No. D-FHW-D40307-VA Rating EC2, Coalfields Expressway Location Study, Improvements from Route 23 near Pound, VA to the WV State Line east of Slate, VA, Funding and COE Section 404 Permit, Wise, Dickerson and Buchanan, VA.

*Summary:* EPA expressed concerns about the direct impact to forests, streams and wetlands. EPA recommends that VDOT and FHWA consider flexibility in the design standards of this road to allow for contact sensitive design and that the right-of-way limits and clearing be kept to a minimum.

ERP No. D-RUS-E39053-KY Rating EC2, Jackson County Lake Project, Implementation, To Provide Adequate Water Supplies for the Projected Residential, Commercial and Industrial Needs, Funding and Possible COE Section 10 and 404 Permits, Jackson County, KY.

*Summary:* EPA expressed environmental concerns due to long-term water quality implications of the proposal and request additional information regarding project purposed/need.

ERP No. DS-FTA-C40046-NY Rating LO, Buffalo Inner Harbor Development Project, Waterfront Redevelopment, Funding and COE Section 10 and 404 Permit Issuance, New Information in Response to a Court Order concerning Historic Preservation, Erie County, NY.

*Summary:* EPA has no objection to implementation of the proposed project.

#### FINAL EISs

ERP No. F-BLM-K67049-CA Soledad Canyon Sand and Gravel Mining Project, Proposal to Mine, Produce and Sell, "Split Estate" Private Owned and Federally Owned Lands, Transit Mixed Concrete, Los Angeles County, CA.

*Summary:* EPA concurred with BLM's conformity determination and is satisfied that air quality standards will be protected. EPA expressed continuing concerns that a jurisdictional analysis has not yet been conducted for waters of the U. S., and potential impacts and appropriate mitigation measures remain uncertain.

ERP No. F-DOE-A08031-00  
Transmission System Vegetation Management Program, Implementation, Managing Vegetation, Site Specific, Right-of-Way Grant, CA, ID, MT, OR, UT, WA and WY.

*Summary:* EPA expressed lack of objections with the proposed action.

ERP No. F-DOE-E09806-TN Treating Transuranic (TRU)/Alpha Low-Level Waste at the Oak Ridge National Laboratory, Construct, Operate, and Decontaminate/Decommission of Waste Treatment Facility, Oak Ridge, TN.

*Summary:* EPA continues to have environmental concerns about potential process releases and project impacts, due to the magnitude and scope of the project.

ERP No. F-FHW-C40147-NY Stewart Airport Access Transportation Improvement Project, A New Interchange on I-84 at Drury Lane, Reconstruction of Drury Lane and a new East-West Connector Road from Drury Lane to Stewart International Airport, Funding, Towns of Montgomery, Newburgh and New Windsor, Orange County, NY.

*Summary:* While EPA has no objection to the proposed action, EPA would like to review the wetlands avoidance and minimization measures prior to the release of the ROD. EPA also requested that the information, and the wetland mitigation/monitoring plan be included in the Department of Army Section 404 permits.

ERP No. F-FHW-E40781-FL FL-423 (John Young Parking), Improvements from FL-50 to FL-434, City of Orlando, Orange County, FL.

*Summary:* EPA continues to be concerned regarding the need to monitor storm water and that the entire project should have a delineated bike lane.

ERP No. F-FHW-F40386-OH Meigs-124-21.16 Transportation Corridor, Relocating existing OH-124 and US 33, Meigs County, OH.

*Summary:* EPA has no objection to the proposed action, since the selected alternative avoids impacts to threatened and endangered species, historic sites, Section 4(f) areas and other important resources in the area, while also minimizing adverse impacts on the area's wetlands.

ERP No. F-FHW-K40220-CA CA-125 South Route Location, Adoption and Construction, between CA-905 on Otay Mesa to CA-54 in Spring Valley, Funding and COE Section 404 Permit, San Diego County, CA.

*Summary:* EPA believes the FEIS remains inadequate for purposes of public disclosure under the National Environmental Policy Act. Pursuant to CEQ's NEPA implementing Regulations, EPA strongly recommended that FHWA prepare a Supplemental EIS to address several actions related to, and/or connected to, State Route 125 which would not proceed without construction of the roadway.

ERP No. F-FHW-L40201-WA US 101 Highway Aberdeen-Hoquiam Corridor Project, Improvements, US Coast Guard and COE Section 404 Permit, Grays Harbor County, WA.

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

ERP No. F-IBR-H39007-00  
Republican River Basin Long-Term Water Supply Contract Renewals for Five Irrigation Districts, Frenchman-Cambridge, Frenchman Valley and Bostwick Irrigation District in Nebraska and Bostwick No.2 and Almena Irrigation Districts on Kansas, NE and KS.

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

ERP No. FS-FHW-H40136-KS South Lawrence Trafficway Construction, Kansas Turnpike, I-70 to KS-10/Noria Road, New Information concerning KS-10 on the East and US 59 on the West, Funding, COE Section 404 Permit and Right-of-Way Acquisition, Douglas County, KS.

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

Dated: July 25, 2000.

**Ken Mittelholtz,**

*Environmental Protection Specialist, Office of Federal Activities.*

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## **ENVIRONMENTAL PROTECTION AGENCY**

**[FRL-6842-4]**

### **Regulatory Reinvention (XL) Pilot Projects**

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

**ACTION:** Notice of availability of the Project XL Proposed Final Project Agreement: Buncombe County Leachate Recirculation/Gas Recovery (Bioreactor) Project.

**SUMMARY:** EPA is requesting comments on a proposed Project XL Final Project Agreement (FPA) for Buncombe County. The FPA is a voluntary agreement developed collaboratively by Buncombe County, the North Carolina Department of Environment and Natural Resources (NCDENR), and EPA. Project XL, announced in the **Federal Register** on May 23, 1995 (60 FR 27282), gives regulated entities the flexibility to develop alternative strategies that will replace or modify specific regulatory or procedural requirements on the condition that they produce greater environmental benefits. EPA has set a goal of implementing fifty XL projects undertaken in full partnership with the states.

In the draft Final Project Agreement, Buncombe County proposes to use certain bioreactor techniques (e.g., leachate recirculation) at its municipal solid waste landfill (MSWLF), to accelerate the biodegradation of landfill waste and decrease the time it takes for the waste to stabilize in the landfill. The principal objectives of this bioreactor XL project are to evaluate performance of an alternative landfill liner and to assess waste decomposition when recirculated leachate is added to the landfill. To achieve the objectives of the project, Buncombe County proposes to recirculate leachate in MSWLF cells to be constructed with a liner that differs in certain respects from the liner design specified in the Subtitle D regulations. In order to carry out this project, Buncombe County would need relief from current Resource Conservation and Recovery Act (RCRA) Subtitle D regulations (40 CFR part 258), which set forth design and operating criteria. This criteria currently precludes the recirculation of leachate in Subtitle D landfill cells not constructed with the standard Subtitle D composite liner system. Buncombe County desires to construct the remainder of its landfill cells with an approved alternative liner while implementing this leachate recirculation/gas recovery project. Buncombe County is also seeking regulatory flexibility from the prohibition in 40 CFR 258.28, Liquid Restrictions, which currently precludes the addition of useful bulk or non-containerized liquid amendments. During periods of low leachate generation, Buncombe County desires to supplement the leachate flow with water from the adjoining French Broad River to maintain moisture levels in the landfill.

Some of the superior environmental benefits that Buncombe County expects to achieve with this project include: improved leachate quality; reduction in