

appropriate Federal, State, local, and tribal governmental agencies; public review and a hearing on the draft EIS; publication of a final EIS; and publication of a Record of Decision expected in 2010. Additional informal public meetings may be held in the proposed Project area if public interest and issues indicate a need.

Western will hold an open-house public scoping meeting on February 24, 2009, in White, South Dakota, as noted above. The purpose of the scoping meeting is to provide information about Western's Federal action and Basin Electric's proposed Project, display maps, answer questions, and take written comments from interested parties. Attendees are welcome to come and go at their convenience and to speak one-on-one with Western and Basin Electric representatives. The public will have the opportunity to provide written comments at the meeting. In addition, attendees may provide written comments by fax, e-mail, or mail as discussed under **DATES** above.

Dated: January 30, 2009.

**Timothy J. Meeks,**

*Administrator.*

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-SFUND-2009-0078; FRL-8771-9]

### Agency Information Collection Activities; Proposed Collection; Comment Request; Brownfields Program—Revitalization Grantee Reporting (Renewal); EPA ICR No. 2104.03, OMB Control No. 2050-0192

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit a request to renew an existing approved Information Collection Request (ICR) to the Office of Management and Budget (OMB). This ICR is scheduled to expire on July 31, 2009. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below.

**DATES:** Comments must be submitted on or before April 7, 2009.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-

SFUND-2009-0078, by one of the following methods:

- *www.regulations.gov:* Follow the on-line instructions for submitting comments.
- *E-mail:* [docket.superfund@epa.gov](mailto:docket.superfund@epa.gov).
- *Fax:* 202-566-0276.
- *Mail:* EPA Docket Center (EPA/DC), Environmental Protection Agency, Mailcode: 28221T, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

• *Hand Delivery:* EPA Docket Center, Environmental Protection Agency, Room 3334, 1301 Constitution Ave., NW., Washington, DC. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

**Instructions:** Direct your comments to Docket ID No. EPA-HQ-SFUND-2009-0078. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at [www.regulations.gov](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 [www.regulations.gov](http://www.regulations.gov) or e-mail. The [www.regulations.gov](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 [www.regulations.gov](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>.

#### FOR FURTHER INFORMATION CONTACT:

Rachel Lentz, Environmental Protection Agency, Office of Brownfields and Land Revitalization, (5105-T), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460;

telephone number: 202-566-2745; fax number: 202-566-1476; e-mail address: [lentz.rachel@epa.gov](mailto:lentz.rachel@epa.gov).

#### SUPPLEMENTARY INFORMATION:

#### How Can I Access the Docket and/or Submit Comments?

EPA has established a public docket for this ICR under Docket ID No. EPA-HQ-SFUND-2009-0078, which is available for online viewing at [www.regulations.gov](http://www.regulations.gov), or in person viewing at the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC. The EPA/DC Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is 202-566-1744, and the telephone number for the Superfund Docket is 202-566-9744.

Use [www.regulations.gov](http://www.regulations.gov) to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the docket, and to access those documents in the public docket that are available electronically. Once in the system, select "search," then key in the docket ID number identified in this document.

#### What Information Is EPA Particularly Interested in?

Pursuant to section 3506(c)(2)(A) of the PRA, EPA specifically solicits comments and information to enable it 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. In particular, EPA is requesting comments from very small businesses (those that employ less than 25) on examples of specific additional efforts that EPA could make to reduce the paperwork burden for very small businesses affected by this collection.

### What Should I Consider When I Prepare My Comments for EPA?

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible and provide specific examples.
2. Describe any assumptions that you used.
3. Provide copies of any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.
5. Offer alternative ways to improve the collection activity.
6. Make sure to submit your comments by the deadline identified under **DATES**.
7. To ensure proper receipt by EPA, be sure to identify the docket ID number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

### What Information Collection Activity or ICR Does This Apply to?

*Affected entities:* Entities potentially affected by this action are: General purpose units of local government; land clearance authorities or other quasi-governmental entities that operate under the supervision and control of, or as an agent of, a general purpose unit of local government; government entities created by State legislature; regional councils or groups of general purpose units of local government; redevelopment agencies that are chartered or otherwise sanctioned by the State; States; Indian Tribes other than in Alaska; Alaska Native Regional Corporations, Alaska Native Village Corporations, and Metlakatla Indian Communities; and non-profit organizations.

*Title:* Brownfields Program—Revitalization Grantee Reporting (Renewal).

*ICR numbers:* EPA ICR No. 2104.03, OMB Control No. 2050-0192.

*ICR status:* This ICR is currently scheduled to expire on July 31, 2009. 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 title 40 of the CFR, after appearing in the **Federal Register** when approved, are listed in 40 CFR part 9, are displayed either by publication in the **Federal Register** or by other appropriate means, such as on the related collection instrument or form, if applicable. The display of OMB

control numbers in certain EPA regulations is consolidated in 40 CFR part 9.

*Abstract:* The Small Business Liability Relief and Brownfields Revitalization Act (Pub. L. 107-118) ("the Brownfields Amendments") was signed into law on January 11, 2002. The Act amends the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, and authorizes EPA to award grants to States, tribes, local governments, and other eligible entities to assess and clean up brownfields sites. Under the Brownfields Amendments, a brownfields site means real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. For grant funding purposes, EPA uses the term "brownfields property(ies)" synonymously with the term "brownfields sites." The Brownfields Amendments authorize EPA to award several types of grants to eligible entities on a competitive basis. Under subtitle A of the Small Business Liability Relief and Brownfields Revitalization Act, States, tribes, local governments, and other eligible entities can receive assessment grants to inventory, characterize, assess, and conduct planning and community involvement related to brownfields properties; cleanup grants to carry out cleanup activities at brownfields properties; grants to capitalize revolving loan funds and provide subgrants for cleanup activities; and job training grants to support the creation and implementation of environmental job training and placement programs. Under subtitle C of the Small Business Liability Relief and Brownfields Revitalization Act, States and tribes can receive grants to establish and enhance their response programs. The grants support activities necessary to establish or enhance four elements of state and tribal response programs and to meet the public record requirements under the statute. The four elements eligible for grant funding include: (a) Timely survey and inventory of brownfield sites in the State or in the tribal land; (b) oversight and enforcement authorities or other mechanisms and resources; (c) mechanisms and resources to provide meaningful opportunities for public participation; and (d) mechanisms for approval of a cleanup plan and verification and certification that cleanup is complete. States and tribes that receive funding under subtitle C must establish a public record system

during the grant funding period unless an adequate public record system is already established.

Grant recipients have general reporting and record keeping requirements as a condition of their grant that result in burden. A portion of this reporting and recordkeeping burden is authorized under 40 CFR Parts 30 and 31 and identified in the EPA's general grants ICR (OMB Control Number 2030-0020). EPA requires Brownfields program grant recipients to maintain and report additional information to EPA on the uses and accomplishments associated with the funded brownfields activities. EPA uses several forms to assist grantees in reporting the information and to ensure consistency of the information collected. EPA uses this information to meet Federal stewardship responsibilities to manage and track how program funds are being spent, to evaluate the performance of the Brownfields Cleanup and Redevelopment Program, to meet the Agency's reporting requirements under the Government Performance Results Act, and to report to Congress and other program stakeholders on the status and accomplishments of the grants program.

This ICR addresses the burden imposed on grant recipients that are associated with those reporting and recordkeeping requirements that are specific to grants awarded under the Small Business Liability Relief and Brownfields Revitalization Act. This ICR renewal modifies the annual reporting and recordkeeping burden under the previous ICR. The modified burden reflects an increase in the number of respondents subject to the reporting and recordkeeping requirements, and improvements to the reporting forms based on EPA's experience implementing the grant program. Specifically, subtitle C grant recipients are now subject to the reporting and recordkeeping requirements previously established for subtitle A grant recipients. By using the same form to report information on grant activities, EPA is adopting a streamlined approach that avoids potential confusion among grant recipients and allows the Agency to collect and report program information consistently across all brownfields grants. EPA is also modifying the reporting form to simplify and clarify the reporting requirements, which will improve the accuracy of information reported and minimize the burden to grant recipients.

*Burden Statement:* The annual public reporting and recordkeeping burden for this collection of information is estimated to average 1.25 hours per

response. 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 which have subsequently changed; 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.

The ICR provides a detailed explanation of the Agency's estimate, which is only briefly summarized here:

*Estimated total number of potential respondents: 294.*

*Frequency of response:* Bi-annual for subtitle C grant recipients; quarterly for subtitle A grant recipients.

*Estimated total average number of responses for each respondent: 20.*

*Estimated total annual burden hours: 8,683.*

*Estimated total annual costs: \$547,345.* This includes an estimated burden cost of \$547,345 and an estimated cost of \$0 for capital investment or maintenance and operational costs.

#### **Are There Changes in the Estimates From the Last Approval?**

There is no change in hours in the total estimated respondent burden compared with that identified in the ICR currently approved by OMB.

#### **What Is the Next Step in the Process for This ICR?**

EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval pursuant to 5 CFR 1320.12. At that time, EPA will issue another **Federal Register** notice pursuant to 5 CFR 1320.5(a)(1)(iv) to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB. If you have any questions about this ICR or the approval process, please contact the technical person listed under **FOR FURTHER INFORMATION CONTACT.**

Dated: January 29, 2009.

**David R. Lloyd,**

*Director, Office of Brownfields and Land Revitalization.*

[FR Doc. E9-2558 Filed 2-5-09; 8:45 am]

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### **ENVIRONMENTAL PROTECTION AGENCY**

**[ER-FRL-8590-3]**

#### **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 202-564-7146.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated April 6, 2008 (73 FR 19833).

#### **Draft EISs**

*EIS No. 20080408, ERP No. D-COE-E15002-GA,* Fort McPherson Project, Disposal and Reuse, Implementation, in City Limits of Atlanta, Fulton County, GA.

*Summary:* EPA expressed environmental concerns about potential impacts to air quality, as well as water supply and water quality; and requested that the Final EIS account for drought conditions and impaired stream impacts. EPA also requested that the DOA consider encumbrances that would be protective of water quality and encourage local community participation in the implementation of the proposed action. Rating EC1.

*EIS No. 20080421, ERP No. D-NSA-D11045-MD,* Fort George G. Meade Utilities Upgrade Project, Proposes to Construct and Operate (1) North Utility Plant (2) South Generator Facility and (3) Central Boiler Plant, Fort George M. Meade, MD.

*Summary:* EPA expressed environmental concerns about impacts to forested resources on the Forest Conservation Area. Rating EC2.

*EIS No. 20080451, ERP No. D-COE-K80051-CA,* University of California (UC) Merced Campus and University Community Project, Development of a Major Research University, To Allow for the Discharge of Fill Material into 76.7 Acres of Wetlands, U.S. Army COE Section 404 Permit, Merced County, CA.

*Summary:* EPA expressed environmental concerns about the potential impacts to wetlands, groundwater supply, and air quality. EPA also recommended measures to reduce greenhouse gas emissions, and recommended additional information on cumulative and growth inducing impacts be provided in the Final EIS. Rating EC2.

*EIS No. 20080480, ERP No. D-USN-C11023-NJ,* Laurelwood Housing Area, Access at Naval Weapons Station Earle, Lease Agreement, Monmouth County, NJ.

*Summary:* EPA does not object to the proposed project. Rating LO.

*EIS No. 20080481, ERP No. D-NOA-K80052-CA,* Southwest Fisheries Science Center Replacement, Construction and Operation, located on University of California, San Diego Scripps Institute of Oceanography Campus, La Jolla, CA.

*Summary:* EPA expressed environmental concerns about air quality construction impacts, and impacts to Diegan coastal sage scrub. Rating EC2.

*EIS No. 20080506, ERP No. D-USA-E11069-GA,* Maneuver Center of Excellence at Fort Benning, Georgia Project, Proposed Community Services, Personnel Support, Classroom Barracks, and Dining Facilities would be constructed in three of the four Cantonment Areas, Fort Benning, GA.

*Summary:* EPA expressed environmental concerns about impacts to aquatic habitats, water resources, and wetlands. Rating EC2.

*EIS No. 20080440, ERP No. DA-COE-K39052-CA,* Hamilton Wetland Restoration Project, Dredged Material Aquatic Transfer Facility, Implementation, Marin County, CA.

*Summary:* EPA expressed environmental concerns because of the lack of information regarding avoiding impacts to green sturgeon and long-fin smelt and recommended coordination with NOAA Fisheries. Additional concerns include water quality monitoring, reducing criteria pollutant emissions, and consistency with local dredge sediment disposal goals. Rating EC2.

#### **Final EISs**

*EIS No. 20080456, ERP No. F-COE-D40340-PA,* Southern Beltway Transportation Project, Transportation Improvement between I-79 to Mon/Fayette Expressway (PA Turnpike 43), Application for U.S. Army COE Section 404 Permit, Washington County, PA.