

### Early Notice of Importance of Public Participation in Subsequent Environmental Review

A draft environmental impact statement will be prepared for comment. The comment period on the draft environmental impact statement will be 45 days from the date the Environmental Protection Agency publishes the notice of availability in the **Federal Register**.

The Forest Service believes, at this early stage, it is important to give reviewers notice of several court rulings related to public participation in the environmental review process. First, reviewers of draft environmental impact statements must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 553 (1978). Also, environmental objections that could be raised at the draft environmental impact statement stage but that are not raised until after completion of the final environmental impact statement may be waived or dismissed by the courts. *City of Angoon v. Hodel*, 803 F.2d 1016, 1022 (9th Cir. 1986) and *Wisconsin Heritages, Inc. v. Harris*, 490 F. Supp. 1334, 1338 (E.D. Wis. 1980). Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the 45 day comment period so that substantive comments and objections are made available to the Forest Service at a time when it can meaningfully consider them and respond to them in the final environmental impact statement.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the draft environmental impact statement should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft statement. Comments may also address the adequacy of the draft environmental impact statement or the merits of the alternatives formulated and discussed in the statement. Reviewers may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.

Comments received, including the names and addresses of those who comment, will be considered part of the public record on this proposal and will be available for public inspection.

(Authority: 40 CFR 1501.7 and 1508.22; Forest Service Handbook 1909.15, Section 21)

Dated: June 26, 2006.

**Brad Exton,**

*Deputy Forest Supervisor, Black Hills National Forest.*

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**BILLING CODE 3410-11-M**

### ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

#### Meeting

**AGENCY:** Architectural and Transportation Barriers Compliance Board.

**ACTION:** Notice of meeting.

**SUMMARY:** The Architectural and Transportation Barriers Compliance Board (Access Board) has scheduled its regular business meetings to take place in Washington, DC from Monday through Wednesday, July 24-26, 2006, at the times and location noted below.

**DATES:** The schedule of events is as follows:

#### Monday, July 24, 2006

8:30-9:30 a.m. Technical Programs Committee (Closed Session).  
9:30-11 Planning and Evaluation Committee.  
11-Noon Budget Committee.  
3 p.m.-5 Planning and Evaluation Committee.

#### Tuesday, July 25, 2006

9 a.m.-Noon Information Meeting on Transportation Vehicle Access.  
1:30-4:30 p.m. Information Meeting on Communications Access.

#### Wednesday, July 26, 2006

3-4 p.m. Board Meeting.

**ADDRESSES:** All meetings will be held at the Crowne Plaza Hotel, 1001 14th Street, NW., Washington, DC, 20005.

**FOR FURTHER INFORMATION CONTACT:** For further information regarding the meetings, please contact Lawrence W. Roffee, Executive Director, (202) 272-0001 (voice) and (202) 272-0082 (TTY).

**SUPPLEMENTARY INFORMATION:** At the Board meeting, the Access Board will consider the following agenda items:

- Approval of the May 10, 2006 draft Board Meeting Minutes.
- Technical Programs Committee Report.
- Planning and Evaluation Committee Report.
- Budget Committee Report.
- Public Rights-of-Way Access Advisory Committee Report.

- Transportation Vehicle Access Information Meeting Report.
- Communications Access Issues Information Meeting Report.
- Special Election; Access Board Vice Chair.

The Technical Programs Committee session will be closed to the general public; all remaining meetings are open. All meetings are accessible to persons with disabilities. Persons attending Board meetings are requested to refrain from using perfume, cologne, and other fragrances for the comfort of other participants.

**Lawrence W. Roffee,**

*Executive Director, Architectural and Transportation Barriers Compliance Board.*

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### DEPARTMENT OF COMMERCE

#### Bureau of Industry and Security

[Docket No. 05-BIS-20]

**In the Matter of MUTCO International Kelenbergweg 37 1101 EX Amsterdam, Netherlands; Respondent**

#### Decision and Order

In a charging letter dated November 22, 2005, the Bureau of Industry and Security ("BIS") alleged that Respondent, MUTCO International ("MUTCO"), committed two violations of the Export Administration Regulations ("Regulations"),<sup>1</sup> issued under the Export Administration Act of 1979, as amended (50 U.S.C. app. 2401-2420 (2000)) (the "Act").<sup>2</sup> BIS alleged that MUTCO conspired to obtain toxins, including Aflatoxin (M1, P1, Q1) and Staphylococcal Enterotoxin (A and B), items subject to the Regulations and

<sup>1</sup> The Regulations are currently codified at 15 CFR Parts 730-774 (2006). The charged violations occurred in 2000 through 2002. The Regulations governing the violations at issue are found in the 2000 through 2002 versions of the Code of Federal Regulations (15 CFR Parts 730-774 (2000-2002)). The 2006 Regulations establish the procedures that apply to this matter.

<sup>2</sup> From August 21, 1994 through November 12, 2000, the Act was in lapse. During that period, the President, through Executive Order 12924, which had been extended by successive Presidential Notices, the last of which was August 3, 2000 (3 CFR Part 2000 Comp. 397 (2001)), continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701-1706 (2000)) ("IEEPA"). On November 13, 2000, the Act was reauthorized and it remained in effect through August 20, 2001. Since August 21, 2001, the Act has been in lapse and the President, through Executive Order 13222 of August 17, 2001 (3 CFR Part 2001 Comp. 783 (2002)), which has been extended by successive Presidential Notices, the most recent being that of August 2, 2005 (70 FR 45,273 (August 5, 2005)), has continued the Regulations in effect under IEEPA.