SORE Rule, which applies to all gasoline, diesel, and other fueled utility and lawn and garden equipment engines 25 horsepower and under, with certain exceptions established two ''tiers'' of exhaust emission standards for these engines (Tier 1 from 1995 through 1998 model years, and Tier 2 for model year 1999 and beyond), as well as numerous other requirements. By letter dated October 4, 1999, CARB notified EPA that it had adopted numerous amendments to its SORE Regulations which were first approved at a public hearing on March 26, 1998. These amendments are the product of CARB's continuing reviews of industry efforts to comply with the requirements of the CARB nonroad program. The Board directed the CARB staff to review the industry progress in developing the technology required to comply with the Tier 2 standards, and to consider issues raised by the industry in this process. The staff recommended to the Board that the SORE regulations ''be modified to reflect the realities of the small engine market and the technological capabilities of the industry.'' [12] These recommended amendments which CARB adopted consequently reduce compliance burdens on manufacturers while also ''preserving most of the emission reductions—including most reductions in excess of comparable federal program—that U.S.E.P.A. previously authorized.'' [13]

In its request letter, CARB asked EPA to confirm the CARB determination that the amendments to the SORE regulations set forth in its request package are within the scope of the 209(e) authorization of the original authorization granted by EPA for the SORE Rule in July 1995. EPA has made such a determination for most of the regulation amendments included in the CARB request.[14] EPA also determined, on the other hand, that one set of regulation amendments in this request cannot be considered within the scope of the previous authorization because these particular amendments set brand new, more stringent standards and therefore properly should be reviewed as a new authorization request. These amendments set useful life standards for covered engines (where before there were none). Accordingly, EPA offered the opportunity for a public hearing, and requested public comments, on these new standards, as the Act requires us to do, by publication of a **Federal Register** notice to such effect on November 20, 2000.[15] There was no request for a public hearing, nor were any comments received on the CARB standards at issue. Therefore, EPA has made this determination based on the information submitted by CARB in its request.

C. Authorization Decision

EPA has decided to authorize California to enforce amendments to its SORE regulations that set durability standards for engines covered by the Rule. In its request letter, CARB stated that the various amendments will not cause the California nonroad standards, in the aggregate, to be less protective of public health and welfare than the applicable Federal standards. CARB also stated that California's need for the emission reductions retained from the SORE regulations obviously remains compelling. Finally, regarding consistency with section 209, CARB stated that the amendments (1) apply only to nonroad engines and vehicles and not to motor vehicles or engines, (2) apply only to those nonroad engines and vehicles which are not included in the preempted categories, and (3) do not raise any concerns of inadequate leadtime or technological feasibility or impose any inconsistent certification requirements (compared to the Federal requirements).

EPA agrees with all CARB findings with regard to the provisions listed. Additionally, no information was presented to EPA by any party which would demonstrate that California did not meet the burden of satisfying the statutory criteria of section 209(e). For these reasons, EPA authorizes California to enforce these durability standards.

My decision will affect not only persons in California but also the manufacturers outside the State who must comply with California's requirements in order to produce nonroad engines and vehicles for sale in California. For this reason, I hereby determine and find that this is a final action of national applicability.

Under section 307(b)(1) of the Act, judicial review of this final action may be sought only in the United States Court of Appeals for the District of Columbia Circuit. Petitions for review must be filed by January 20, 2004. Under section 307(b)(2) of the Act, judicial review of this final action may not be obtained in subsequent enforcement proceedings.

As with past authorization decisions, this action is not a rule as defined by Executive Order 12866. Therefore, it is exempt from review by the Office of Management and Budget as required for rules and regulations by Executive Order 12866.

In addition, this action is not a rule as defined in the Regulatory Flexibility Act, 5 U.S.C. 601(2). Therefore, EPA has not prepared a supporting regulatory flexibility analysis addressing the impact of this action on small business entities.

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, does not apply because this action is not a rule, for purposes of 5 U.S.C. 804(3).

Finally, the Administrator has delegated the authority to make determinations regarding authorizations under section 209(e) of the Act to the Assistant Administrator for Air and Radiation.

Dated: November 10, 2003.

Robert Brenner,

Acting Assistant Administrator for Air and Radiation.

[FR Doc. 03–29183 Filed 11–20–03; 8:45 am]

BILLING CODE 6560–50–P

[12] CARB Notice of Public Hearing with attached Staff Report, Docket A–2000–09, entry II–B–2, p. 2.

[13] Letter from CARB to EPA requesting within the scope confirmation for amendments to SORE Rule, dated October 4, 1999, Docket A–2000–09, entry II–B–1, p.3.

[14] Decision Document for California Nonroad Engine Regulations Amendments, Dockets A–2000–05 to 08, entry V–B.

[15] 65 FR 69763 (November 20, 2000).

ENVIRONMENTAL PROTECTION AGENCY

(ER–FRL–6645–7)

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 FR dated April 04, 2003 (68 FR 16511).

Draft EISs

ERP No. D–AFS–L65429–WA Rating EC2, Gotchen Risk Reduction and Restoration Project, Implementation, Mount Adams Ranger District, Gifford Pinchot National Forest, Skamania and Yakima Counties, WA.

Summary: EPA expressed environmental concerns regarding potential adverse impacts to water quality and designated critical habitat and endangered species from proposed

silvicultural practices in Late-Successional Reserves.

ERP No. D–CGD–L59001–WA Rating LO, Seattle Monorail Project (SMP), Green Line 14–Mile Monorail Transit System Construction and Operation, Reviewing a Water Crossing at the Lake Washington Ship Canal Bridge and Duwamish Waterway Bridge Modification, USCG Bridge, Endangered Species Act Section 7 and U.S. Army COE Section 404 Permits Issuance, City of Seattle, WA.

Summary: EPA expressed no objections to the project as proposed. EPA also expressed support for the project purpose, which would provide an alternate transportation mode for the project area, and encouraged proponents to seek opportunities to maximize links with existing modes.

ERP No. D–FHW–E40798–NC Rating EC2, Greensboro-High Point Road (NC–1486–NC–4121) Improvements from U.S. 311 (I–74) to Hilltop Road (NC–1424), Cities of Greensboro and High Point, Town of Jamestown, Guilford County, NC.

Summary: EPA has environmental concerns with the proposed project regarding the long term protection of water supplies associated with a present intake and the planned downstream Randleman Reservoir. EPA recommends that additional mitigation be evaluated for the abatement of stormwater runoff impacts.

ERP No. D–FHW–L40219–AK Rating EC2, Gravina Access Project, Transportation Improvements between Revillagigedo Island and Gravina Island, Funding, Endangered Species Act 7, NPDES and U.S. Army COE Section 404 Permits Issuance, Ketchikan Gateway Borough, AK.

Summary: EPA has environmental concerns with the proposed project regarding the potential direct and indirect impacts to water quality, wetlands, marine habitat and subsistence resources associated with project construction and subsequent development on Gravina and Pennock Islands. EPA recommends that additional analyses of the No Action and ferry alternative be included in the EIS along with information and maps related to expected future development that reflect the comprehensive planning efforts of the Ketchikan Gateway Borough.

ERP No. D2–AFS–L61190–OR Rating EC2, Mt. Ashland Ski Area Expansion, Site Specific Project, Maintenance and Enhancements of Environmental Resources, Implementation, Special Use Permit, Ashland Ranger District, Rogue River National Forest and Scott River Ranger District, Klamath National Forest, Jackson County, OR.

Summary: EPA expressed environmental concerns that the expansion may increase sedimentation, degrade water quality, change surface flow, damage high value wetlands and riparian reserves in Ashland Creek, which drains into a municipal water supply reservoir. The Final EIS should include detail on mitigation and minimization measures, and whether such measures compensate for project impacts.

Dated: November 18, 2003.

Joseph C. Montgomery,

Director, NEPA Compliance, Office of Federal Activities.

[FR Doc. 03–29189 Filed 11–20–03; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–6645–6]

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 November 10, 2003 Through November 14, 2003.

Pursuant to 40 CFR 1506.9.

EIS No. 030518, Final EIS, FHW, MT, I–15 Corridor Project, Transportation Improvements from Montana City to the Lincoln Road Interchange, Funding and U.S. Army COE Section 404 Permit Issuance, Jefferson and Lewis & Clark Counties, MT, Wait Period Ends: December 22, 2003, Contact: Carl James (406) 449–5302.

EIS No. 030519, Draft EIS, AFS, CA, Meteor Project, Proposal for Harvesting Timber and Conducting Associated Activities on 744 Acres, Implementation, Klamath National Forest, Salmon River Ranger District, Siskiyou County, CA, Comment Period Ends: January 5, 2004, Contact: Margaret J. Boland (530) 841–4501. This document is available on the Internet at: *http://www.fs.fed.us/r5/klamath/projects/project/meteor/.*

EIS No. 030520, Final EIS, AFS, SD, Prairie Project Area, (Lower Rapid Creek Area) Multiple Resource Management Actions, Implementation, Black Hills National Forest, Mystic Ranger District, Pennington County, ID, Wait Period Ends: December 22, 2003, Contact: Robert Thompson (605) 343–1567.

EIS No. 030521, Final EIS, FAA, NJ, Atlantic City International Airport, Air Service Improvements, Economic Development and Efficiency and Safety Enhancements, Airport Layout Plan Approval, Atlantic County, NJ, Wait Period Ends: December 22, 2003, Contact: Daisy Mather (718) 553–2511.

EIS No. 030522, Final EIS, NSA, NM, Chemistry and Metallurgy Research Building Replacement Project, Consolidation and Relocation, Los Alamos National Laboratory, Los Alamos County, NM, Wait Period Ends: December 22, 2003, Contact: Elizabeth Withers (505) 667–8690.

EIS No. 030523, Final EIS, MMS, AK, Cook Inlet Planning Area Oil and Gas Lease Sales 191 and 199, Outer Continental Shelf, Offshore Marine Environment, Cook Inlet, AK, Wait Period Ends: December 22, 2003, Contact: George Valiulis (703) 787–1662.

EIS No. 030524, Final EIS, COE, GA, Lake Sidney Lanier Project to Continue the Ongoing Operation and Maintenance Activities Necessary for Flood Control, Hydropower Generation, Water Supply, Recreation, Natural Resources Management and Shoreline Management, U.S. Army COE Section 10 and 404 Permits, Dawson, Forsyth, Lumpkin, Hill and Gwinnett Counties, GA, Wait Period Ends: January 9, 2004, Contact: Glen Coffee (251) 690–2729.

EIS No. 030525, Draft EIS, AFS, OR, Biscuit Fire Recovery Project, Improve Firefighter Reduce the Risk of High-Intensity, Stand Replace Fire Public and Private Managed Lands, Siskiyou National Forest, Rogue River, Josephine and Curry Counties, OR, Comment Period Ends: January 5, 2004, Contact: Tom Link (541) 471–6500. This document is available on the Internet at: *http://www.biscuitfire.com.*

EIS No. 030526, Draft Supplement, FTA, WA, Central Link Light Rail Transit Project (Sound Transit) Construction and Operation of the North Link Light Rail Extension from Downtown Seattle and Northgate, Funding, Right-of-Way and U.S. Army COE Section Permits, Cities of Seattle, SeaTac and Tukwila, King County, WA, Comment Period Ends: January 30, 2004, Contact: John Witmer (206) 220–4463.

Amended Notices

EIS No. 030513, Draft EIS, NRC, IL, Quad Cities Nuclear Power Station Units 1 and 2, Supplement 16 to NUREG–1437, License Renewal, IL, Comment Period Ends: January 27, 2004, Contact: Louis L. Wheeler (301)