

**ENVIRONMENTAL PROTECTION AGENCY****[ER-FRL-6654-4]****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 2, 2004 (69 FR 17403).

**Draft EISs**

ERP No. D-BIA-K65270-NV Rating LO, Weber Dam Repair and Modification Project, Propose to Repair and Modify Dam, Walker River Paiute Tribe, Right-of-Way Grant and U.S. Army COE Section 404 Permit, Walker River Valley, Lyon and Mineral Counties, NV.

*Summary:* EPA expressed a lack of objections but recommended that the Final EIS clarify Clean Water Act requirements on placing dredged or fill material in waters of the United States.

ERP No. D-FTA-C40163-NY Rating EC2, Fulton Street Transit Center, Construction and Operation, To Improve Access to and from Lower Manhattan to Serve 12 NYCT Subway Lines, Metropolitan Transportation Authority (MTA), MTA New York City Transit (NYCT), New York, NY.

*Summary:* EPA expressed environmental concerns with the impacts to air quality. EPA indicated that additional analysis of both the direct and cumulative impacts to air quality (NO<sub>x</sub>, NO<sub>2</sub>, and ozone) will be necessary and asked that additional information regarding the mitigation proposals and commitments be provided.

ERP No. D-FTA-C54009-00 Rating EC2, Permanent World Trade Center (WTC) PATH Terminal Project, Reconstruction of a Permanent Terminal at the WTC Site in Lower Manhattan, Port Authority Trans-Hudson (PATH), Several Permits Required for Approval, The Port Authority of New York and New Jersey, NY and NJ.

*Summary:* EPA expressed environmental concerns with the impacts to air quality. EPA also indicated that additional analysis of the cumulative impacts to air quality (NO<sub>x</sub> and VOC) will be necessary and

requested that more information regarding the mitigation proposals and commitments be provided.

ERP No. DS-FHW-G40169-AR Rating LO, Springdale Northern Bypass Projects, U.S. Highway 412 Construction, Additional Information Designation of a Preferred Alternative, Funding and NPDES Permit Issuance, Benton and Washington Counties, AR.

*Summary:* EPA had no objection to the selection of the preferred alternative.

**Final EISs**

ERP No. F-AFS-J65400-UT East Fork Fire Salvage Project Timber Harvesting of Dead and Dying Trees, Implementation, Wasatch-Cache National Forest, Evanston Ranger District, Summit County, UT.

*Summary:* EPA continues to express concern relating to soil erosion, disturbance, and compaction; runoff and potential degradation of water quality and habitats in streams and affected reservoirs; sedimentation of streams and water-storage reservoirs; and fish and wildlife impacts to sensitive species.

ERP No. F-DOE-E09014-KY Paducah, Kentucky, Site Depleted Uranium Hexafluoride Conversion Facility, Construction and Operation, McCracken County, KY.

*Summary:* EPA continues to express concern since radiological monitoring, appropriate storage and disposition of radioactive waste will be necessary during the operation phase.

ERP No. F-FHW-E40794-NC Second Bridge to Oak Island Transportation Improvement Project, SR-1104 (Beach Drive) to NC-211, Funding, U.S. Army COE Section 404 and US Coast Guard Bridge Permits Issuance, Brunswick County, NC.

*Summary:* EPA continues to be concerned due to a change in the purpose and need statement and because the commitments for offsite compensatory wetlands and habitat mitigation are uncertain.

ERP No. F-FHW-H40176-00 US 81 Highway, Yankton Bridge Replacement, Missouri River Crossing between the City of Yankton, Yankton County, South Dakota and Cedar County, Nebraska, Funding and Permit Issuance, SD and NE.

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

ERP No. F-FHW-J40155-CO CO-9 (Frisco to Breckenridge) Highway Improvements Project to Improve a 14.5-kilometer (9-mile) stretch of CO-9 between the Towns of Frisco and Breckenridge to Decrease Travel Time, Improve Safety, Support Transportation needs of Local and Regional Travelers,

Funding, Right-of-Way and US Army COE Section 404 Permits, Summit County, CO.

*Summary:* EPA continued to express concerns due to wetland impacts.

ERP No. F-JUS-G81011-TX Rio Grande Operation Project, Reduction or Elimination of Illegal Drug Activities and Illegal Immigrants, Starr, Hidalgo and Cameron Counties, TX.

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

ERP No. F-USN-K11035-CA Military Family Housing (MFH) in the San Diego Region, Construction of 1,600 MFH Units, Three MFH Sites are Located in the Marine Corps Air Station (MCAS), Miramar in the City of San Diego, San Diego County, CA.

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

ERP No. FS-FHW-F40118-MI US-31 Freeway Connection to I-94, Napier Avenue to I-94 Transportation Improvements, Berrien County, MI.

*Summary:* Since EPA's previous concerns have been resolved, EPA has no objection to the proposed action.

Dated: August 2, 2004.

**B. Katherine Biggs,**

*Associate Director, Office of Federal Activities.*

[FR Doc. 04-18031 Filed 8-5-04; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY****[OPP-2004-0173; FRL-7643-3]****FIFRA Scientific Advisory Panel; Notice of Cancellation of Public Meeting**

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

**ACTION:** Notice.

**SUMMARY:** The July 29 and 30, 2004, Federal Insecticide, Fungicide, and Rodenticide Act Scientific Advisory Panel (FIFRA SAP) meeting to consider and review Dimethoate issues related to the hazard and dose-response assessment was canceled. Any information related to the rescheduling of this meeting will be announced in a future **Federal Register** notice. For further information, please notify the Designated Federal Official (DFO) listed under **FOR FURTHER INFORMATION CONTACT** or see the **Federal Register** of June 21, 2004 (69 FR 34348) (FRL-7365-1).

**FOR FURTHER INFORMATION CONTACT:** Myrta Christian, DFO, Office of Science Coordination and Policy (7201M), Environmental Protection Agency, 1200

Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 564-8450; fax number: (202) 564-8382; e-mail address: [christian.myrta@epa.gov](mailto:christian.myrta@epa.gov).

#### List of Subjects

Environmental protection, Pesticides and pests.

Dated: August 3, 2004.

**Joseph Merenda,**

*Director, Office of Science Coordination and Policy.*

[FR Doc. 04-18022 Filed 8-5-04; 8:45 am]

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#### ENVIRONMENTAL PROTECTION AGENCY

[FRL-7799-1]

#### Clean Water Act Section 303(d): Availability of EPA's Decision To Add Waters and Pollutants to Colorado's 2004 List

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

**ACTION:** Notice of availability.

**SUMMARY:** Region VIII of the EPA is hereby providing notice, and requesting public comment on EPA's decision to identify additional water quality limited segments and associated pollutants in Colorado to be listed pursuant to Clean Water Act section 303(d)(2). Section 303(d)(2) of the Clean Water Act requires that states submit and EPA approve or disapprove lists of waters for which existing technology-based pollution controls are not stringent enough to attain or maintain state water quality standards and for which total maximum daily loads (TMDLs) must be prepared.

On July 26, 2004, EPA partially approved and partially disapproved Colorado's section 303(d) list submittal for the 2004 listing cycle. Specifically, EPA approved Colorado's listing of 117 waters, associated pollutants, and associated priority rankings. EPA

disapproved Colorado's decisions not to list six waterbodies and associated pollutants and one pollutant for a waterbody already listed by the State. EPA identified these additional water bodies and pollutants along with priority rankings for inclusion on the year 2004 section 303(d) list.

EPA is providing the public the opportunity to review its decisions to add waters and pollutants (shown in Table 1) to Colorado's 2004 section 303(d) list, as required by EPA's Public Participation regulations (40 CFR part 25). EPA will consider public comments in reaching its final decisions on the additional water bodies and pollutants identified for inclusion on Colorado's list.

**DATES:** Comments must be submitted to EPA on or before September 20, 2004.

**ADDRESSES:** Comments on the proposed decisions should be sent to Kathryn Hernandez, TMDL Team (8EPR-EP), U.S. Environmental Protection Agency Region VIII, 999 18th Street, Suite 300, Denver, CO 80202-2466, telephone (303) 312-6101, facsimile (303) 312-6339, e-mail [hernandez.kathryn@epa.gov](mailto:hernandez.kathryn@epa.gov). Oral comments will not be considered. Copies of EPA's decision concerning Colorado's list that explain the rationale for EPA's decisions can be obtained at EPA Region VIII's Web site at <http://www.epa.gov/region08/water/tmdl>, or by writing or calling Ms. Hernandez at the above address. The full administrative record containing background technical information is on file and may be inspected at the U.S. EPA, Region VIII Technical Library found in the Environmental Information Service Center (EISC). The Library and Service Center are located on the ground floor at Denver Place, 999 18th Street, Denver Colorado. The Library is open to the public from 10 a.m. to 4 p.m. The Library can be contacted by calling the Service Center at (303) 312-6312 or (800) 227-8917. Arrangements to

examine the administrative record may also be made by contacting Kathryn Hernandez.

#### FOR FURTHER INFORMATION CONTACT:

Kathryn Hernandez at (303) 312-6101 or Bruce Zander (TMDL Coordinator) at (303) 312-6846 or [zander.bruce@epa.gov](mailto:zander.bruce@epa.gov).

**SUPPLEMENTARY INFORMATION:** Section 303(d) of the Clean Water Act (CWA) requires that each state identify those waters for which existing technology-based pollution controls are not stringent enough to attain or maintain state water quality standards. For those waters, states are required to establish TMDLs according to a priority ranking.

EPA's Water Quality Planning and Management regulations include requirements related to the implementation of section 303(d) of the CWA (40 CFR 130.7). The regulations require states to identify water quality limited waters still requiring TMDLs every two years. The lists of waters still needing TMDLs must also include priority rankings, identify the pollutants causing the impairment, and must identify the waters targeted for TMDL development during the next two years (40 CFR 130.7).

Consistent with EPA's regulations, Colorado submitted to EPA its listing decisions under section 303(d)(2) on March 18, 2004. On July 26, 2004, EPA approved Colorado's listing of 117 waters and associated priority rankings. EPA disapproved Colorado's decisions not to list six water quality limited segments and associated pollutants as well as one pollutant for a segment already on the State's list. EPA identified these additional waters and pollutants along with priority rankings for inclusion on the 2004 section 303(d) list. EPA solicits public comment on its identification of the additional waters, associated pollutants and priority rankings, for inclusion on Colorado's 2004 section 303(d) list.

TABLE 1.—LIST OF WATERS AND POLLUTANTS FOR ADDITION TO COLORADO'S 2004 CWA SECTION 303(D) LIST

Waterbody description	Pollutant(s)	Water quality standard not met	Priority ranking
Red Mountain Creek (from East Fork of Red Mountain Creek to Uncompahgre River) Segment COGUUN06b.	Copper, lead, zinc .....	Aquatic life use .....	Low.
West Fork of Clear Creek (from Woods Creek to Clear Creek mainstem) Segment COSPCL05.	Zinc .....	Zinc numeric standard (acute) for aquatic life use.	Low.
Middle South Platte River (from Big Dry Creek to Highway 60) Segment COSPMS01.	Dissolved oxygen .....	Dissolved oxygen numeric standard for aquatic life use.	Low.
Blue River Tributaries (Camp Creek, Jones Gulch) Segment COUCBL06.	pH .....	pH numeric standard for aquatic life use.	Low.
Blue River Tributaries (Keystone Gulch, Mozart Creek) Segment COUCBL08.	pH .....	pH numeric standard for aquatic life use.	Low.
Bear Creek (from Evergreen Lake to Harriman Ditch) Segment COSPBE01.	Temperature .....	Aquatic life use .....	Low.