

week, to contact the Bureau of Land Management.

**Linda L. Keskitalo,**

*Land Law Examiner, Branch of Land Transfer Adjudication II.*

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**BILLING CODE 4310-JA-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[UT-910-08-1040-PH-24-1A]

#### Notice of Utah's Resource Advisory Council Conference Call

**AGENCY:** Bureau of Land Management, Department of Interior.

**ACTION:** Notice of Utah's Resource Advisory Council (RAC) Conference Call.

**SUMMARY:** In accordance with the Federal Land Policy and Management Act (FLPMA) and The Federal Advisory Committee Act of 1972 (FACA), the U.S. Department of the Interior, Bureau of Land Management's (BLM) Utah Resource Advisory Council (RAC) will meet as indicated below.

**DATES:** The Utah Resource Advisory Council (RAC) will conduct a conference call on August 21, 2008, from 10 a.m.–noon.

**ADDRESSES:** On August 21, the RAC will conduct a business meeting via conference call. There will be a limited number of telephone call-in lines available; however, the public may participate on the call at any of Utah's Bureau of Land Management field offices or at the Utah State Office, 440 West 200 South, Salt Lake City, Utah, in the Monument Conference Room (5th floor).

**FOR FURTHER INFORMATION:** Contact Sherry Foot, Special Programs Coordinator, Utah State Office, Bureau of Land Management, P.O. Box 45155, Salt Lake City, Utah 84145-0155; phone (801) 539-4195.

**SUPPLEMENTARY INFORMATION:** The 15-member Council advises the Secretary of the Interior, through the Bureau of Land Management, on a variety of planning and management issues associated with public land management in Utah. On August 21 (10 a.m.–noon), the Resource Advisory Council will provide feedback on the draft plan amendment and NEPA documents for the Five-Mile Pass area. RAC member, Ashley Korenblat, will provide an update on the Search and Rescue support letter. A half-hour public comment period is scheduled to

begin from 11:15 a.m.–11:45 a.m. Written comments may be sent to the Bureau of Land Management addressed as listed above. The Resource Advisory Council and members of the public may call the toll free conference call number at (888) 576-2912. To join the call, enter access code 395323 followed by the # sign. All meetings are open to the public; however, transportation, lodging, and meals are the responsibility of the participating public.

Dated: July 8, 2008.

**Jeff Rawson,**

*Associate State Director.*

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## INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

### United States Section; Final Programmatic Environmental Impact Statement for Improvements to the USIBWC Tijuana River Flood Control Project in San Diego County, CA

**AGENCY:** United States Section, International Boundary and Water Commission (USIBWC).

**ACTION:** Notice of Availability for the Record of Decision (ROD).

**SUMMARY:** This notice is provided in accordance with 40 Code of Federal Regulations (CFR) parts 1500–1508 of the National Environmental Policy Act (NEPA), and USIBWC procedures for implementing NEPA. The USIBWC anticipates the need to improve maintenance practices or functionality of the Tijuana River Flood Control Project (Tijuana River FCP) located in southern San Diego County, California. Measures under consideration include changes in vegetation management within the floodway, water quality improvements, and support to local or regional initiatives for multipurpose use of the project for wildlife habitat development and other environmental improvements. Identified measures were incorporated into a Multipurpose Project Management (MPM) Alternative for long-term improvement of the Tijuana River FCP.

A Programmatic Environmental Impact Statement (PEIS) was prepared to evaluate potential consequences of changes associated with the MPM Alternative relative to the continuation of current operation and maintenance (O&M) activities (No Action Alternative). The USIBWC will apply this programmatic evaluation as a guideline for the environmental impacts

assessment of future individual projects considered possible at a conceptual level, but not currently anticipated for implementation. Following the programmatic evaluation of potential impacts, the MPM Alternative was adopted as the preferred option for long-term improvements to the Tijuana River FCP. In implementing this alternative, the USIBWC will continue to improve functionality of the Tijuana River FCP to meet its mandate for flood control while supporting regional initiatives for improvement of water quality and environmental conditions.

**FOR FURTHER INFORMATION CONTACT:** Mr. Daniel Borunda, Environmental Protection Specialist, Environmental Management Division, USIBWC, 4171 North Mesa Street, C-100, El Paso, Texas 79902 or e-mail: [danielborunda@ibwc.gov](mailto:danielborunda@ibwc.gov).

**SUPPLEMENTARY INFORMATION:** The USIBWC operates and maintains the Tijuana River FCP located in southern San Diego County, California. The flood control project, constructed in 1978, provides flood protection in urban, suburban, and agricultural areas in the United States. It consists of a two-levee system that runs along a modified stream channel 2.3 miles long, extending from the international border to the start of the natural Tijuana River channel. The floodway between the levees encompasses approximately 400 acres. The Tijuana River FCP is located upstream of natural resources conservation areas managed by the County of San Diego, State of California, and U.S. Fish and Wildlife Service. These conservation areas are of great regional value as they contain a diversified plant and animal species assemblage that includes many protected animal and plant species.

The USIBWC anticipates a need for improvements in O&M practices of the Tijuana River FCP. Potential changes would include measures to support local and/or regional initiatives to improve environmental conditions and/or water quality, incorporated into the MPM Alternative. Most improvements are conceptual-level measures considered feasible but not currently envisioned for implementation. Known or anticipated improvements are typically associated with utilization of the flood control project in support of local or regional initiatives for multipurpose use of the Tijuana River FCP for wildlife habitat development and other improvements in environmental conditions.

A PEIS was prepared to assess potential consequences of implementing new maintenance practices and

improvements that would allow USBWC to meet its mandate for flood protection while minimizing potential impacts and taking advantage of environmental improvement opportunities. Potential consequences of the MPM Alternative were evaluated relative to the No Action Alternative, which is continuation of current O&M activities. A Draft PEIS was released for a 45-day public review period on August 10, 2007. Comments on the Draft PEIS were received from four federal agencies, four California State agencies, the County of San Diego, the City of Imperial Beach, and two individual reviewers. Oral comments were also received from three presenters during a public hearing held in the City of Imperial Beach, California on August 30, 2007. The Notice of Availability of the Final PEIS was published in the **Federal Register** on May 14, 2008.

**Finding:** Because of its potential to improve biological resources and environmental conditions, the MPM Alternative was identified as the preferred option for long-term improvement to the Tijuana River FCP. In implementing the MPM Alternative, the USBWC will continue to improve functionality and maintenance of the Tijuana River FCP to meet its mandate for flood control while supporting regional initiatives for improvement of environmental conditions, including improved water quality and wildlife habitat development, both within the floodway and downstream from the Tijuana River FCP.

**Availability:** Copies of the Record of Decision may be obtained by request at the above address. Electronic copies may also be obtained from the USBWC Home Page at: <http://www.ibwc.gov>.

Dated: July 10, 2008.

**Susan Daniel,**  
General Counsel.

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Proposed Order To Amend the Consent Decree Under the Clean Air Act

Notice is hereby given that on July 10, 2008, a proposed Order to amend the Consent Decree in *United States v. Premier Industries, Inc.*, Civil Action No. ED CV 07-01092 (SGL) (OPx), was lodged with the United States District Court for the Central District of California.

The proposed Order modifies the Consent Decree entered by the Court in

this matter in January 2008. The Consent Decree resolved the United States' claims against Premier under Section 113(b) of the Clean Air Act ("CAA"), 42 U.S.C. 7413(b), for alleged violations of the CAA and the federally approved California State Implementation Plan, including South Coast Air Quality Management District Rule 1175, at an expandable polystyrene foam block manufacturing facility it owned in Chino, CA ("Facility"). The proposed Order allows the Defendant to utilize, under prescribed operating parameters, two Newly-Identified EPS Beads ("NIEPS Bead") which EPA has approved for use at the Facility. The proposed Order also establishes a process whereby Defendant can request approval, from EPA and without further action by the Court, to use additional NIEPS Bead.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication, comments relating to the proposed Order. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Premier Industries, Inc.*, D.J. Ref. 90-5-2-1-08413.

The proposed Order may be examined at the Office of the United States Attorney, 300 North Los Angeles Street, Los Angeles, CA 90012, and at U.S. EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105. During the public comment period, the proposed Order may also be examined on the following Department of Justice Web site: [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). A copy of the proposed Order may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax number (202) 514-0097, phone confirmation number (202) 514-1547. When requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$2.25 for the proposed Order (25 cents per page reproduction cost), payable to the U.S. Treasury or, if by e-mail or fax, forward

a check in that amount to the Consent Decree Library at the stated address.

**Henry S. Friedman,**  
Assistant Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Settlement Agreement Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)

Notice is hereby given that on July 9, 2008, a proposed Settlement Agreement Regarding the Coeur d'Alene "Box" Site was filed with the United States Bankruptcy Court for the Southern District of Texas in *In re ASARCO LLC, et al.*, Case No. 05-21207 (Bankr. S.D. Tex.). The Coeur d'Alene "Box" Site consists of Operable Units 1 and 2 of the Bunker Hill Mining and Metallurgical Complex Superfund Site in Idaho. The proposed settlement provides the United States and the State of Idaho a joint allowed general unsecured claim of \$10 million and provides the United States an additional separate allowed general unsecured claim of \$6.8 million. In addition, the proposed settlement provides for the transfer to the United States of certain properties (the "Page Properties," as defined in the settlement) and for their contemporaneous transfer to the State of Idaho pursuant to 42 U.S.C. 9604(j) for the purpose of performing remedial action within the Site.

For thirty (30) days after the date of this publication, the Department of Justice will receive comments relating to the Settlement Agreement. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611. In either case, comments should refer to *In re Asarco LLC*, Case No. 05-21207 (Bankr. S.D. Tex.), D.J. Ref. No. 90-11-3-08633. Commenters may request an opportunity for a public meeting in the affected area, in accordance with Section 7003(d) of RCRA, 42 U.S.C. 6973(d).

The proposed Settlement Agreement may be examined at: the Office of the United States Attorney for the Southern District of Texas, 800 North Shoreline Blvd., #500, Corpus Christi, TX 78476-2001; and the Region 10 Office of the