

making comments wants EPA to base its decision on a submission labeled as CBI, then a non-confidential version of the document that summarizes the key data or information should be submitted to the public docket. To ensure that proprietary information is not inadvertently placed in the public docket, submissions containing such information should be sent directly to the contact person listed above and not to the public docket. Information covered by a claim of confidentiality will be disclosed by EPA only to the extent allowed, and according to the procedures set forth in 40 CFR part 2. If no claim of confidentiality accompanies the submission when EPA receives it, EPA will make it available to the public without further notice to the person making comments.

Dated: December 26, 2012.

**Christopher Grundler,**

*Director, Office of Transportation and Air Quality, Office of Air and Radiation.*

[FR Doc. 2012-31719 Filed 1-3-13; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-9006-9]

### Environmental Impacts Statements; Notice of Availability

*Responsible Agency:* Office of Federal Activities, General Information (202) 564-7146 or <http://www.epa.gov/compliance/nepa/>.

Weekly receipt of Environmental Impact Statements.

Filed 12/24/2012 through 12/28/2012. Pursuant to 40 CFR 1506.9.

### Notice

Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: <http://www.epa.gov/compliance/nepa/eisdata.html>.

**SUPPLEMENTARY INFORMATION:** As of October 1, 2012, EPA will not accept paper copies or CDs of EISs for filing purposes; all submissions on or after October 1, 2012 must be made through e-NEPA.

While this system eliminates the need to submit paper or CD copies to EPA to meet filing requirements, electronic submission does not change requirements for distribution of EISs for public review and comment. To begin using e-NEPA, you must first register with EPA's electronic reporting site—[https://cdx.epa.gov/epa\\_home.asp](https://cdx.epa.gov/epa_home.asp)

*EIS No. 20120402, Draft EIS, FHWA, CA, State Route 58 (SR-58) Hinkley Expressway Project, Grade Separate, Widen, and Realign, San Bernardino County, CA, Comment Period Ends: 02/19/2013, Contact: James Shankel 909-383-6379.*

*EIS No. 20120403, Draft EIS, FHWA, ID, US-95 Thorncreek Road to Moscow, from Milepost 337.67 to Milepost 344.00, Latah County, ID, Comment Period Ends: 02/22/2013, Contact: John A. Perry 208-334-9180 extension 116.*

*EIS No. 20120404, Draft EIS, BLM, WA, Vantage to Pomona Heights 230 kV Transmission Line Project, Grant, Brenton, Kittitas, and Yakima Counties, WA, Comment Period Ends: 02/19/2013, Contact: William Schuriger 509-665-2100.*

*EIS No. 20120405, Revised Draft EIS, USACE, LA, Morganza to the Gulf of Mexico, Hurricane and Storm Damage Risk Reduction System Project, Improvements and Changes, Terrebonne Parish and Lafourche Parish, LA, Comment Period Ends: 02/19/2013, Contact: Nathan Dayan 504-862-2530.*

*EIS No. 20120406, Final EIS, USFWS, DE, Prime Hook National Wildlife Refuge, Development of a Comprehensive Conservation Plan, Milton, DE, Review Period Ends: 02/04/2013, Contact: Thomas Bonetti 413-253-8307.*

### Amended Notices

*EIS No. 20120395, Draft EIS, USFS, SC, AP Loblolly Pine Removal and Restoration Project, Andrew Pickens Ranger District, Sumter National Forest, Oconee County, SC, Comment Period Ends: 02/13/2013, Contact: Victor Wyant 864-638-9568 Revision to FR Notice Published 12/31/2012; Correcting Project State Location from CA to SC.*

Dated: December 31, 2012.

**Dawn Roberts,**

*Management Analyst, NEPA Compliance Division, Office of Federal Activities.*

[FR Doc. 2012-31744 Filed 1-3-13; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9765-7]

### Public Notice of Proposed Reissuance of the NPDES General Permits for Facilities/Operations That Generate, Treat, and/or Use/Dispose of Sewage Sludge by Means of Land Application, Landfill, and Surface Disposal in the EPA Region 8

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of intent to reissue NPDES general permits and request for comments.

**SUMMARY:** Region 8 of the EPA is hereby giving notice of its tentative determination to reissue National Pollutant Discharge Elimination System (NPDES) general permits for facilities or operations that generate, treat, and/or use/dispose of sewage sludge by means of land application, landfill, and surface disposal in the States of CO, MT, ND, and WY and in Indian country in the States of CO, MT, ND, SD, WY and UT (except for the Goshute Indian Reservation and the Navajo Indian Reservation).

**DATES:** Public comments on this proposal must be received, in writing, on or before February 19, 2013.

**ADDRESSES:** Public comments should be sent to: WASTEWATER UNIT (8P-W-WW); ATTENTION: BIOSOLIDS PROGRAM; U.S. EPA, REGION 8; 1595 WYNKOOP STREET; DENVER, CO 80202-1129.

### FOR FURTHER INFORMATION CONTACT:

Copies of the draft permit and Fact Sheet may be downloaded from the EPA Region 8 web page at <http://www.epa.gov/region8/water/biosolids/documents.html>. For a printed copy of the draft permit and Fact Sheet, please write Bob Brobst at the above address or telephone (303) 312-6129. Questions regarding the specific permit requirements may be directed to Bob Brobst, telephone (303) 312-6129.

*Public Comment Period:* Public comments are invited. Comments must be written and must be received by no later than February 19, 2013. Comments should be sent to: WASTEWATER UNIT (8P-W-WW); ATTENTION: BIOSOLIDS PROGRAM; U.S. EPA, REGION 8; 1595 WYNKOOP STREET; DENVER, CO 80202-1129. Each comment should cite the page number and, where possible, the section(s) and/or paragraph(s) in the draft permit or Fact Sheet to which each comment refers. Commenters should use a separate paragraph for each issue discussed.

**SUPPLEMENTARY INFORMATION:** On June 21, 2000 and September 21, 2000, U.S. District Judge Donald W. Molloy issued orders stating that until all necessary total maximum daily loads under Section 303(d) of the Clean Water Act are established for a particular water quality limited segment, the EPA is not to issue any new permits or increase permitted discharges under the NPDES program. (The orders were issued in the lawsuit *Friends of the Wild Swan, Inc., et al., v. U.S. E.P.A., et al.*, CV 97-35-M-DWM, District of Montana, Missoula Division.) The EPA finds that the reissuance of this proposed general permit does not conflict with this order, because (1) the proposed permit would not authorize any point source discharges and (2) as discussed under the "Protection of Public Health and The Environment" section of the Fact Sheet for the general permits, the use and/or disposal of sewage sludge in compliance with the conditions of this permit is not likely to have any adverse effect on any waterbody in Montana that has been listed under Section 303(d) of the Clean Water Act. If any member of the public believes that the EPA should interpret the District Court's decision otherwise, the EPA requests that this issue be brought to its attention during the public comment period on this proposed permit.

Since these permits do not involve discharges to waters of the United States, certification under § 401(a)(1) of the Clean Water Act is not necessary for the issuance of these permits and certification will not be requested.

Region 8 is proposing to continue to use general permits instead of

individual permits for permitting such sewage sludge related activities in order to reduce the Region's administrative burden of issuing separate individual permits. The renewal permits and fact sheets are very similar to the previous permits and fact sheets. Minor editing was done throughout the permits and fact sheets to correct typographic errors, update the list of the tribal environmental contacts, and some wording changes were made to provide clarification. The only significant changes made to the permits and fact sheets were: (1) References to Biosolids Data Management System (BDMS) was removed as it is no longer compatible with current computer systems; (2) In Table 12 several antiquated analytical methods were removed from the list of acceptable analytical methods to be used in the analysis of sewage sludge. These methods may still be used with permission of the permitting authority; and (3) In Part 5.1.1.2.8 of the landfilling part of the permit, the requirement to do Part 4.1.4 of the permit was added for when sewage sludge is used in the final cover of the landfill. The purpose is to require agronomic soil sampling for calculating the proper amount of sewage sludge to be utilized in the establishment/maintenance of vegetation on the final cover of the landfill. The administrative burden for most of the regulated sources is expected to be less under the general permits than with individual permits, and it will be much quicker to obtain permit coverage with general permits than with individual permits. The substantive permit requirements would

be essentially the same with an individual permit or under the general permit. Facilities or operations that incinerate sewage sludge are not eligible for coverage under these general permits and must apply for an individual permit. Wastewater lagoon systems that are not using/disposing of sewage sludge do not need to apply for permit coverage unless notified by the permit issuing authority. The deadlines for applying for coverage under the general permits are given in the permits and the Fact Sheet. Facilities/operations that had coverage under the previous general permit and have submitted a timely request for coverage under this renewal permit are covered automatically under this permit unless the permit issuing authority requires the submittal of a new notice of intent (NOI).

On February 19, 1993, (58 FR 9248,) the EPA promulgated "Standards for the Use or Disposal of Sewage Sludge" (40 CFR part 503) and made revisions to the NPDES regulations to include the permitting of facilities/operations that generate, treat, and/or use/dispose of sewage sludge. The 503 regulations were amended on August 4, 1999 (64 FR 42551).

The States of South Dakota and Utah currently are the only States in Region 8 that have been authorized to administer the biosolids (sludge) program. It is proposed that the EPA general permits be reissued for facilities or operations that generate, treat, and/or use/dispose of sewage sludge by means of land application, landfill, and surface disposal within the following areas:

State	Permit No.	Area covered by the general permit
Colorado .....	COG650000	State of Colorado except for Federal Facilities and Indian country.
	COG651000	Indian country within the State of Colorado and the portions of the Ute Mountain Indian Reservation located in New Mexico and in Utah.
	COG652000	Federal Facilities in the State of Colorado, except those located in Indian country, which are covered under permit COG51000.
Montana .....	MTG650000	State of Montana except for Indian country.
	MTG651000	Indian country in the State of Montana.
North Dakota .....	NDG650000	State of North Dakota except for Indian country.
	NDG651000	Indian country within the State of North Dakota (except for Indian country located within the former boundaries of the Lake Traverse Indian Reservation, which are covered under permit SDG651000) and that portion of the Standing Rock Indian Reservation located in South Dakota.
South Dakota .....	SDG651000	Indian country within the State of South Dakota (except for the Standing Rock Indian Reservation, which is covered under permit NDG651000), that portion of the Pine Ridge Indian Reservation located in Nebraska, and Indian country located in North Dakota within the former boundaries of the Lake Traverse Indian Reservation.
Utah .....	UTG651000	Indian country within the State of Utah except for the Goshute Indian Reservation, Navajo Nation, and Ute Mountain Indian Reservation (which is covered under permit COG651000).
Wyoming .....	WYG650000	State of Wyoming except for Indian country.
	WYG651000	Indian country within the State of Wyoming.

The States of South Dakota and Utah have been authorized permitting authority for sewage sludge, therefore the EPA's general permits will be reissued only for Indian country in those States. The general permit for Indian country in Utah does not include the portions of the Goshute Indian Reservation and the Navajo Nation in Utah because the permitting activities for these reservations are done by Region 9 of the EPA. The State of Colorado has not been authorized permitting authority for Federal facilities, so a general permit is proposed for Federal facilities not located in Indian country.

Authorization for use/disposal of sewage sludge under the general permits may be for one of the following three categories: Category 1—Facilities/operations that generate and/or partially treat sewage sludge, but do not use/dispose of sewage sludge; Category 2—Facilities/operations that use/dispose of sewage sludge and may also generate and/or treat sewage sludge; and Category 3—Wastewater lagoon systems that need to land apply sewage sludge on an occasional, restricted basis. Authorization for use/disposal of sewage sludge under the general permit will be limited to one of the three categories, but authorization may be granted to one or more subcategories under Category 2. In applying for authorization for use/disposal of sewage sludge under the general permit, the applicant will be required to specify under which category or subcategory(s) authorization is being requested. However, the permit issuing authority will have the final determination as to which category or subcategory(s) the authorization will be granted. The requirements in the permit for the use/disposal of sewage sludge are based primarily on 40 CFR Part 503.

#### Other Legal Requirements

Economic Impact (Executive Order 12866): The EPA has determined that the issuance of this general permit is not a "significant regulatory action" under the terms of Executive Order 12866 (58 FR 51735 (October 4, 1993)) and is therefore not subject to formal OMB review prior to proposal.

*Paperwork Reduction Act:* The EPA has reviewed the requirements imposed on regulated facilities in these proposed general permits under the Paperwork Reduction Act of 1980, 44 U.S.C. § 501 et seq. The information collection requirements of these permits have already been approved by the Office of Management and Budget in submissions made for the NPDES permit program

under the provisions of the Clean Water Act.

*Regulatory Flexibility Act (RFA),* 5 U.S.C. 601 et seq., as amended by the Small Business regulatory Enforcement Fairness Act (SBREFA): The RFA requires that the EPA prepare a regulatory flexibility analysis for rules subject to the requirements of 5 U.S.C. 553(b) that have a significant impact on a substantial number of small entities. The permit proposed today, however, is not a "rule" subject to the requirements of 5 U.S.C. 553(b) and is therefore not subject to the RFA.

*Unfunded Mandates Reform Act:* Section 201 of the Unfunded Mandates Reform Act (UMRA), Public Law 104-4, generally requires Federal agencies to assess the effects of their "regulatory actions" defined to be the same as "rules" subject to the RFA) on tribal, state, local governments and the private sector. The permit proposed today, however, is not a "rule" subject to the RFA and is therefore not subject to the requirements of the UMRA.

**Authority:** Clean Water Act, 33 U.S.C. 1251 et seq.

Dated: December 17, 2012.

**Derrith R. Watchman-Moore,**  
*Assistant Regional Administrator, Office of Partnerships and Regulatory Assistance.*  
[FR Doc. 2012-31716 Filed 1-3-13; 8:45 am]  
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#### ENVIRONMENTAL PROTECTION AGENCY

[FRL-9767-6; CERCLA-04-2012-3780]

##### Ellman Battery Superfund Site; Orlando, Orange County, FL; Notice of Settlement

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

**ACTION:** Notice of settlement.

**SUMMARY:** Under 122(h)(1) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the United States Environmental Protection Agency has entered into an Ability To Pay settlement to recover outstanding cost from two parties concerning a previous Removal Action at the Ellman Battery Superfund Site located in Orlando, Orange County, Florida.

**DATES:** The Agency will consider public comments on the settlement until February 4, 2013. The Agency will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations which

indicate that the settlement is inappropriate, improper, or inadequate.

**ADDRESSES:** Copies of the settlement are available from Ms. Paula V. Painter. Submit your comments by Site name Ellman Battery Superfund Site by one of the following methods:

- [www.epa.gov/region4/superfund/programs/enforcement/enforcement.html](http://www.epa.gov/region4/superfund/programs/enforcement/enforcement.html).
- Email. [Painter.Paula@epa.gov](mailto:Painter.Paula@epa.gov).
- U.S. Environmental Protection Agency, 61 Forsyth Street SW., Atlanta, Georgia 30303.

**FOR FURTHER INFORMATION CONTACT:**  
Paula V. Painter at 404/562-8887.

Dated: December 10, 2012.

**Anita L. Davis,**  
*Chief, Superfund Enforcement & Information Management Branch, Superfund Division.*  
[FR Doc. 2012-31733 Filed 1-3-13; 8:45 am]  
**BILLING CODE 6560-50-P**

#### ENVIRONMENTAL PROTECTION AGENCY

[FRL-9767-7; CERCLA-04-2013-3752]

##### Leonard Chemical Superfund Site; Catawba, York County, SC; Notice of Settlement

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of settlement.

**SUMMARY:** Under 122(h)(1) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the United States Environmental Protection Agency has entered into a settlement to recover outstanding cost from three parties who did not participate in a previous Consent Decree to perform a Remedial Action at the Leonard Chemical Superfund Site located in Catawba, York County, South Carolina.

**DATES:** The Agency will consider public comments on the settlement until February 4, 2013. The Agency will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations which indicate that the settlement is inappropriate, improper, or inadequate.

**ADDRESSES:** Copies of the settlement are available from Ms. Paula V. Painter. Submit your comments by Site name Leonard Chemical Superfund Site by one of the following methods:

- [www.epa.gov/region4/superfund/programs/enforcement/enforcement.html](http://www.epa.gov/region4/superfund/programs/enforcement/enforcement.html)
- Email. [Painter.Paula@epa.gov](mailto:Painter.Paula@epa.gov)