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**Instructions:** Direct your comments to Docket ID No. EPA-HQ-ORD-2013-0232. Please ensure that your comments are submitted within the specified comment period. Comments received after the closing date will be marked "late," and may only be considered if time permits. It is EPA's policy to include all comments it receives in the public docket without change and to make the comments available online at [www.regulations.gov](http://www.regulations.gov), including any personal information provided, unless a comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information through [www.regulations.gov](http://www.regulations.gov) or email that you consider to be CBI or otherwise protected. The [www.regulations.gov](http://www.regulations.gov) Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through [www.regulations.gov](http://www.regulations.gov), your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket visit the EPA Docket Center homepage at [www.epa.gov/epahome/dockets.htm](http://www.epa.gov/epahome/dockets.htm).

**Docket:** Documents in the docket are listed in the [www.regulations.gov](http://www.regulations.gov) index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other materials, such as copyrighted material, are publicly available only in hard copy. Publicly

available docket materials are available either electronically in [www.regulations.gov](http://www.regulations.gov) or in hard copy at the OEI Docket in the EPA Headquarters Docket Center.

Dated: April 18, 2013.

**Debra B. Walsh,**

*Acting Director, National Center for Environmental Assessment.*

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**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-9008-9]

### 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 04/22/2013 Through 04/26/2013, 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:** Due to EPA's agency-wide furlough day on Friday, May 24th and the Federal holiday on Monday, May 27th, all EISs must be filed with EPA by Thursday, May 23rd by 5:00 pm eastern time for publication under a Notice of Availability in the **Federal Register** for Friday, May 31st.

**EIS No. 20130109, Draft EIS, USFS, MT,** Stonewall Vegetation Project, Comment Period Ends: 06/17/2013, Contact: Amber Kamps 406-362-7000.

**EIS No. 20130110, Final EIS, USA, CA,** Presidio of Monterey Real Property Master Plan, Review Period Ends: 06/02/2013, Contact: Lawrence Hirai 210-466-1594.

**EIS No. 20130111, Final EIS, NPS, OH,** Cuyahoga Valley National Park Trail Management Plan, Review Period Ends: 06/02/2013, Contact: Stan Austin 330-657-2752.

**EIS No. 20130112, Draft EIS, FHWA, MO,** South County Connector, Comment Period Ends: 07/19/2013, Contact: Raegan Ball 573-638-2752.

**EIS No. 20130113, Final EIS, FHWA, OR,** OR 62: I-5 to Dutton Road,

Contact: Michelle Eraut 503-316-2559.

Under MAP-21 section 1319, FHWA has issued a single FEIS and ROD. Therefore, the 30-day wait/review period under NEPA does not apply to this action.

**EIS No. 20130114, Draft EIS, FEMA, CA,** East Bay Hills Hazardous Fire Risk Reduction, Comment Period Ends: 06/17/2013, Contact: Alessandro Amaglio 510-627-7027.

**EIS No. 20130115, Draft EIS, DOE, IL,** FutureGen 2.0 Project, Comment Period Ends: 06/17/2013, Contact: Cliff Whyte 304-285-2098.

**EIS No. 20130116, Draft EIS, NPS, TX,** Big Thicket National Preserve General Management Plan, Comment Period Ends: 07/01/2013, Contact: Erin Flanagan 303-969-2327.

**EIS No. 20130117, Final EIS, USACE, FL,** Central Florida Phosphate District Phosphate Mining, Review Period Ends: 06/03/2013, Contact: John Fellows 813-769-7070.

**EIS No. 20130118, Draft EIS, BLM, ID,** Jump Creek, Succor Creek, and Cow Creek Watersheds Grazing Permit Renewal, Comment Period Ends: 06/17/2013, Contact: Jake Vialpando 208-373-3814.

**EIS No. 20130119, Draft EIS, USFS, OR,** Mt. Hood Meadows Parking Improvements (Twilight Parking Lot and Sunrise Maintenance Shop), Comment Period Ends: 06/17/2013, Contact: Jennie O'Connor Card 541-352-1255.

**EIS No. 20130120, Final EIS, USFS, AZ,** Rim Lakes Forest Restoration Project, Amendment to the Apache-Sitgreaves National Forests Land and Resource Management Plan, Review Period Ends: 06/03/2013, Contact: Christopher James 928-535-7301.

**EIS No. 20130121, Second Draft Supplement, NRC, NH,** NUREG-1437, License Renewal of Nuclear Plants, Supplement 46, Regarding Seabrook Station, Comment Period Ends: 06/30/2013, Contact: Lois M. James 301-415-3306.

**EIS No. 20130122, Final EIS, MARAD, AL,** ADOPTION—Garrows Bend Intermodal Rail, portion of the Choctaw Point Terminal Project, Review Period Ends: 06/03/2013, Contact: Kris Gilson 202-492-0479.

The U.S. Department of Transportation's Maritime Administration (MARAD) has adopted the U.S. Army Corps of Engineers FEIS #20040381, filed 08/10/2004. The MARAD was not a cooperating agency. Therefore, recirculation is necessary under Section 1506.3(b) of the CEQ Regulations.

**Amended Notices**

*EIS No. 20130045, Draft EIS, USACE, 00, Update of the Water Control Manual for the Alabama-Coosa-Tallapoosa River Basin in Georgia and Alabama, Comment Period Ends: 05/31/2013, Contact: Lewis Sumner 251-694-3857. Revision to FR Notice Published 03/01/2013; Extending Comment Period from 05/01/2013 to 5/31/2013.*

*EIS No. 20130072, Final EIS, FHWA, AR, River Valley Intermodal Facilities, Review Period Ends: 05/13/2013, Contact: Randal Looney 501-324-6430.*

The U.S. Department of the Army's Corps of Engineers has adopted the U.S. Department of Transportation's Federal Highway Administration's FEIS #20130072, filed 03/21/2013. The U.S. Army Corps of Engineers was a cooperating agency to the project. Recirculation of the document is not necessary under 1506.3(c) of the CEQ Regulations.

Dated: April 30, 2013.

**Cliff Rader,**

*Director, NEPA Compliance Division, Office of Federal Activities.*

[FR Doc. 2013-10537 Filed 5-2-13; 8:45 am]

**BILLING CODE 6560-50-P**

## **ENVIRONMENTAL PROTECTION AGENCY**

[FRL-9808-8]

### **Proposed Consent Decree, Clean Air Act Citizen Suit**

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

**ACTION:** Notice of proposed consent decree; request for public comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("CAA"), notice is hereby given of a proposed consent decree, to address a lawsuit filed by Sierra Club in the United States District Court for the District of Columbia: *Sierra Club v. Jackson*, No. 12-cv-00347 (D.D.C.). On May 24, 2012, Plaintiff filed a second amended complaint alleging that EPA failed to take final action on specific state implementation plan ("SIP") submissions or portions of submissions intended to meet applicable infrastructure SIP requirements of CAA section 110(a)(2) for Colorado, Kansas, Missouri, Montana, New Jersey, New York, North Dakota, and Utah with regard to the 2006 PM<sub>2.5</sub> National Ambient Air Quality Standard ("NAAQS"). The proposed consent decree establishes new deadlines for

EPA to take action on the SIP submissions at issue in the lawsuit.

**DATES:** Written comments on the proposed consent decree must be received by June 3, 2013.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2013-0359, online at [www.regulations.gov](http://www.regulations.gov) (EPA's preferred method); by email to [oei.docket@epa.gov](mailto:oei.docket@epa.gov); mailed to EPA Docket Center, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001; or by hand delivery or courier to EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave. NW., Washington, DC, between 8:30 a.m. and 4:30 P.M. Monday through Friday, excluding legal holidays. Comments on a disk or CD-ROM should be formatted in Word or ASCII file, avoiding the use of special characters and any form of encryption, and may be mailed to the mailing address above.

#### **FOR FURTHER INFORMATION CONTACT:**

Geoffrey L. Wilcox, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone: (202) 564-5601; fax number (202) 564-5603; email address: [wilcox.geoffrey@epa.gov](mailto:wilcox.geoffrey@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

#### **I. Additional Information About the Proposed Consent Decree**

The proposed consent decree would resolve a lawsuit filed by the Sierra Club seeking to compel the Administrator to take final action under sections 110(k)(2), (3) and/or (4) of the CAA, 42 U.S.C. 7410(k)(2), (3) and/or (4), to approve or disapprove, in whole or in part, specific "infrastructure" SIP submissions for the 2006 PM<sub>2.5</sub> NAAQS submitted by Colorado, Kansas, Missouri, Montana, New Jersey, New York, North Dakota, and Utah which are identified in Attachment A to the proposed consent decree. By statute, EPA must take action on such a SIP submission within 12 months after EPA determines the submission to be complete, or within 12 months after the submission is deemed complete by operation of law. Because EPA had not taken action on the SIP submissions at issue in this litigation by the statutorily required dates, EPA determined that it was preferable to enter into a consent decree to specify the new date by which EPA would take these actions, rather than have a date imposed by a court.

The proposed consent decree provides that no later than June 13, 2013, EPA shall sign one or more final

rules to approve or disapprove, in whole or in part, pursuant to CAA section 110(k)(2), (3) and/or (4), the specific infrastructure SIP submissions for the 2006 PM<sub>2.5</sub> NAAQS submitted by Colorado, Kansas, Missouri, Montana, New Jersey, New York, North Dakota, and Utah identified in Attachment A to the proposed consent decree. The proposed consent decree also identifies the specific section 110(a)(2) infrastructure SIP elements that EPA must address in the required action for each state.

Within 15 business days following signature of each final rule described in the proposed consent decree, EPA is also required to send the signed notice to the Office of the Federal Register for review and publication in the **Federal Register**. After EPA fulfills all of its obligations under the consent decree, the proposed consent decree provides that this case shall be dismissed with prejudice.

The proposed consent decree also states that the consent decree can be modified by the parties, or by the court following a motion by a party and a response thereto. In addition, the parties agree to seek to resolve informally Sierra Club's claim for litigation costs pursuant to 42 U.S.C. 7604(d), but the court would retain jurisdiction to resolve that claim.

For a period of thirty (30) days following the date of publication of this notice, the Agency will accept written comments relating to the proposed consent decree from persons who were not named as parties or intervenors to the litigation in question. EPA or the Department of Justice may withdraw or withhold consent to the proposed consent decree if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless EPA or the Department of Justice determines that consent to this consent decree should be withdrawn, the terms of the decree will be affirmed.

#### **II. Additional Information About Commenting on the Proposed Consent Decree**

##### *A. How can I get a copy of the consent decree?*

The official public docket for this action (identified by Docket ID No. EPA-HQ-OGC-2013-0359) contains a copy of the proposed consent decree (including Attachment A). The official public docket is available for public viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center, EPA West, Room 3334,