

uses RLF supplemental funds for remediation activities at a public building or to carry out a public work, the Buy American provisions of the Recovery Act apply. For example, if a private sector developer were to use an RLF loan to install a cap at a public building, the Buy American provisions of the Recovery Act would apply. Similarly, if a non-profit RLF subgrantee were to construct an alternate drinking water system connected to a public system as part of a remedial action at a brownfield site, the Buy American provisions of the Recovery Act would apply to the loan or subgrant. There may be other situations in which the Buy American provisions apply to the use of RLF supplemental funds by non-governmental borrowers and subgrantees for remediation activities at public buildings or public works as well.

Statutory and Executive Order Reviews: Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a “significant regulatory action” and is therefore not subject to OMB review. Because this grant action is not subject to notice and comment requirements under the Administrative Procedures Act or any other statute, it is not subject to the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) or sections 202 and 205 of the Unfunded Mandates Reform Act of 1999 (UMRA) (Pub. L. 104-4). In addition, this action does not significantly or uniquely affect small governments. Although this action does not generally create new binding legal requirements, where it does, such requirements do not substantially and directly affect Tribes under Executive Order 13175 (63 FR 67249, November 9, 2000). Although this grant action does not have significant Federalism implications under Executive Order 13132 (64 FR 43255, August 10, 1999), EPA consulted with states in the development of these grant guidelines. This action is not subject to Executive Order 13211, “Actions Concerning Regulations that Significantly Affect Energy Supply, Distribution, or Use” (66 FR 28355, May 22, 2001), because it is not a significant regulatory action under Executive Order 12866. This action does not involve technical standards; thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. This action does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). The Congressional Review Act (5 U.S.C. 801 *et seq.*) generally provides that before certain

actions may take effect, the agency promulgating the action must submit a report, which includes a copy of the action, to each House of the Congress and to the Comptroller General of the United States. Since this grant action, when finalized, will contain legally binding requirements, it is subject to the Congressional Review Act, and EPA will submit its final action in its report to Congress under the Act.

Dated: June 23, 2009.

**David R. Lloyd,**

*Director, Office of Brownfields and Land Revitalization, Office of Solid Waste and Emergency Response.*

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## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-8594-9]

### Environmental Impact Statements; Notice of Availability

*Responsible Agency:* Office of Federal Activities, General Information (202) 564-1399 or <http://www.epa.gov/compliance/nepa/>.

Weekly receipt of Environmental Impact Statements

Filed June 22, 2009 through June 26, 2009

Pursuant to 40 CFR 1506.9.

*EIS No. 20090215, Final EIS, AFS, MT,* Miller West Fisher Project, Proposes Land Management Activities, including Timber Harvest, Access Management, Road Storage and Decommissioning, Prescribed Burning and Precommercial Thinning, Miller Creek, West Fisher Creek and the Silver Butte Fisher River, Libby Ranger District, Kootenai National Forest, Lincoln County, MT, Wait Period Ends: 08/03/2009 Contact: Leslie McDougall 406-293-7773.

*EIS No. 20090216, Final EIS, COE, MS,* PROGRAMMATIC EIS—Mississippi Coastal Improvements Program (MsCIP), Comprehensive Plan, Implementation, Hancock, Harrison and Jackson Counties, MS, Wait Period Ends: 08/03/2009, Contact: Dr. Susan Ivester Rees 251-694-4141.

*EIS No. 20090217, Final EIS, AFS, AK,* Logjam Timber Sale Project, Proposes Timber Harvesting from 4 Land Use Designations, Tongass Land and Resource Management Plan, Thorne Bay Ranger District, Tongass National Forest, Prince of Wales Island, AK, Wait Period Ends: 08/03/2009, Contact: Frank Roberts 907-828-3250.

*EIS No. 20090218, Final EIS, NRC, PA,* GENERIC—License Renewal of

Nuclear Plants, Supplement 37 NUREG-1437, Regarding Three Mile Island Nuclear Station, Unit 1, Dauphin County, PA, Wait Period Ends: 08/03/2009, Contact: Sarah Lopas 301-415-1147.

*EIS No. 20090219, Final EIS, USA, GA,* Maneuver Center of Excellence at Fort Benning Project, Proposed Community Services, Personnel Support, Classroom Barracks, and Dining Facilities would be Constructed in three of the four Cantonment Areas, Fort Benning, GA, Wait Period Ends: 08/03/2009, Contact: Jennifer Shore 703-602-4238.

*EIS No. 20090220, Second Final Supplement, NOA, Amendment 10* Atlantic Mackerel, Squid, Butterfish Fishery Management Plan, Development of a Rebuilding Program that Allows Butterfish Stock to Rebuild in the Shortest Time Possible, Exclusive Economic Zone (EEZ), off the U.S. Atlantic Coast, Wait Period Ends: 08/05/2009, Contact: Patricia Kurkul 978-281-9250.

*EIS No. 20090221, Draft EIS, AFS, WI,* Northwest Sands Restoration Project, Restoring the Pine Barren Ecosystem, Implementation, Washburn District Ranger, Chequamegon-Nicolet National Forest, Bayfield County, WI, Comment Period Ends: 08/17/2009, Contact: Jennifer Maziasz 715-373-2667 ext. 235.

### Amended Notices

*EIS No. 20090190, Draft EIS, AFS, OR,* Wallowa-Whitman National Forest Travel Management Plan, Designate Roads Trails and Areas for Motor Vehicle User, Baker, Grant, Umatilla, Union and Wallowa Counties, OR, Comment Period Ends: 08/18/2009, Contact: Cindy Whitlock 541-962-8501 Revision to FR Notice Published 06/19/2009: Extending Comment Period from 08/17/2009 to 08/18/2009.

Dated: June 29, 2009.

**Robert W. Hargrove,**

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

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## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-8595-1]

### Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared pursuant to the Environmental