

## Draft EISs

ERP No. D-COE-D35057-MD Rating EC2, Poplar Island Restoration Project, Dredging, Construction and Placement of Dredged Materials, Implementation, Chesapeake Bay, Talbot County, MD.

*Summary:* EPA expressed environmental concerns regarding the monitoring, maintenance, and remedial action components of the project, as well as the lack of information regarding these issues.

ERP No. D-COE-K01074-CA Rating EO2, Morrison Creek Mining Reach Upstream North of Jackson Highway, Implementation, Community Plan Amendment, Rezoning, Use Permit Amendment to Existing Use Permit and COE Section 404 Permit, Sacramento County, CA.

*Summary:* EPA expressed environmental concerns over potential impacts to wetlands resources, including vernal pools, as well as potential adverse impacts to air quality.

ERP No. D-COE-K39040-CA Rating EC2, San Diego County Water Authority Emergency Water Storage Project, Construction and Operation, COE Section 404 Permit and Permit Application, San Diego County, CA.

*Summary:* EPA expressed environmental concerns over potential cumulative impacts to fish and wildlife and riparian corridors due to construction of new reservoirs proposed under certain alternatives, and strongly recommended that the Corps not select an alternative that provides for construction of new dams or reservoirs. EPA also requested additional information regarding pollution measures and cumulative impacts.

ERP No. D-COE-K90029-CA Rating EC2, Delta Wetlands Project, Construction and Operation Water Storage Project on Four Islands in the Sacramento-San Joaquin Delta, Approval of Permits, San Joaquin and Contra Costa Counties, CA.

*Summary:* EPA expressed environmental concerns because of the potential for movement of optimum salinity conditions upstream, which represents a possible significant adverse impact to key components of the Bay Delta ecosystem. EPA is also concerned that diversions onto the islands may significantly attenuate pulse flows associated with spring storms and that Delta Wetlands operations are not integrated with operation of the State Water Project and Central Valley Project.

ERP No. D-COE-L23001-WA Rating EO2, Resource Investments Landfill Facility Construction, COE Section 404 Permit Issuance, Pierce County, WA.

*Summary:* EPA expressed environmental concerns regarding potential adverse impacts to surface water, air quality, groundwater and wetlands. Additional information is needed regarding the definition of the project's purpose and need, as well as the alternatives analysis.

ERP No. D-FRC-L05214-WA Rating LO, Priest Rapids Project (FERC No. 2114-024), Evaluation of Downstream Fish Passage Facilities, New License Issuance with Conditions to Protect the Migratory Juvenile Salmon (Smolts), Columbia River Basin, Grant County, WA.

*Summary:* EPA had no environmental concerns regarding the proposed project.

ERP No. DA-COE-L39045-AK Rating LO, Chignik Small Boat Harbor Development and Construction, Updated Information concerning Alternatives, Anchorage Bay, Alaska Peninsula, AK.

*Summary:* EPA's review has revealed no potential environmental concerns that would require substantive changes to the proposal.

ERP No. DS-COE-K32028-CA Rating EC2, Richmond Harbor Deep Draft Navigation Improvements, Updated and Additional Information to Improve Navigation Efficiency into the Potrero Reach Channel, San Francisco Bay, Contra Costa County, CA.

*Summary:* EPA expressed environmental concerns over: (1) the lack of an adequate economic analysis on which to evaluate the practicability of different disposal alternatives presented in the DEIS, and (2) the need to address potential mitigation for the losses of shallow water habitat that would be associated with widening of the navigation channels and creating the new turning circle.

## Final EISs

ERP No. F-AFS-L65246-WA First Creek Basin Restoration Project, Implementation, Wenatchee National Forest, Chelan Ranger District, Chelan County, WA.

*Summary:* Review of the Final EIS was not deemed necessary. No formal comment letter was sent to the preparing agency.

ERP No. F-DOE-L09807-WA Hanford Site K Basins Management of Spent Nuclear Fuel, Storage and Disposal, Application for Approval of Construction and NPDES Permit Issuance, Columbia River, Richland, Benton County, WA.

*Summary:* Review of the Final EIS was not deemed necessary. No formal comment letter was sent to the preparing agency.

ERP No. F-GSA-L40195-WA Pacific Highway Port of Entry (POE) Facility Expansion, Construction of WA-543 in Blaine, near the United States/Canada Border in Blaine, Whatcom County, WA.

*Summary:* Review of the Final EIS was not deemed necessary. No formal comment letter was sent to the preparing agency.

ERP No. F-IBR-K39037-CA Cachuma Water Supply Project, Implementation, Long-Term Contract Renewal, Santa Ynez Valley, Bradbury Dam, Santa Barbara County, CA.

*Summary:* Review of the Final EIS was not deemed necessary. No formal comment letter was sent to the preparing agency.

Dated: April 22, 1996.

B. Katherine Biggs,

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

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## [ER-FRL-5415-8]

**Environmental Impact Statements; Notice of Availability**

*Responsible Agency:* Office of Federal Activities, General Information (202) 564-7167 OR (202) 564-7153.

Weekly receipt of Environmental Impact Statements Filed April 15, 1996 Through April 19, 1996 Pursuant to 40 CFR 1506.9.

EIS No. 960177, Draft EIS, AFS, AK, King George Timber Sale Project, Timber Harvesting and Road Construction, Implementation, Tongass National Forest, Stikine Area, Etolin Island, AK, Due: June 10, 1996, Contact: Meg Mitchell (907) 874-2323.

EIS No. 960178, Final EIS, COE, CA, Morrison Creek Mining Reach Upstream North of Jackson Highway, Implementation, Community Plan Amendment, Rezoning, Use Permit Amendment to Existing Use Permit and COE Section 404 Permit, Sacramento County, CA, Due: May 28, 1996, Contact: Larry Vinzant (916) 557-5263.

EIS No. 960179, Draft EIS, FHW, TN, TN-385 (Collierville-Arlington Parkway) Improvement Project, Construction from Mt. Pleasant Road to South of Interstate 40, Funding, Shelby and Fayette Counties, TN, Due: June 10, 1996, Contact: Dennis C. Cook (615) 736-5394.

EIS No. 960180, Final EIS, FHW, WV, VA, Appalachian Corridor H Construction, Funding, Eklins, WV to

- I-81, VA, Due: May 28, 1996, Contact: Ben Hark (304) 558-2885.
- EIS No. 960181, Draft EIS, AFS, WA, North Sherman and Fritz Timber Sales, Implementation, Colville National Forest, Kettle Falls Ranger District, Ferry County, WA, Due: June 10, 1996, Contact: Meredith Webster (509) 738-6111.
- EIS No. 960182, Draft EIS, NPS, WA, Elwha River Ecosystem Restoration Project, Implementation, Olympic National Park, Clallam County, WA, Due: June 25, 1996, Contact: Brian Winter (360) 452-0302.
- EIS No. 960183, Final EIS, GSA, GA, Savannah Federal Building—United States Courthouse, Site Selection and Construction of Annex within the existing Federal Building Courthouse, Savannah, GA, Due: May 28, 1996, Contact: Phil Youngberg (404) 331-1831.
- EIS No. 960184, Final EIS, FHWA, WI, WI-100 and US 45 Interchange Roadway Improvements and Construction, Funding and COE Section 404 Permit, Milwaukee and Waukesha Counties, WI, Due: May 28, 1996, Contact: Richard C. Madrzak (608) 829-7510.
- EIS No. 960185, Draft EIS, AFS, CA, Rock Creek Recreational Trails Management Plan, Implementation, Eldorado National Forest, Georgetown Ranger District, Eldorado County, CA, Due: June 10, 1996, Contact: Linda Earley (916) 333-4312.
- EIS No. 960186, Draft Supplement, AFS, AK, Tongass Land Management Plan Revision (1996 DSEIS) New Information concerning Changes to the Management Plan, Implementation, Tongass National Forest, AK, Due: July 26, 1996, Contact: Beth Pendleton (907) 586-8700.
- EIS No. 960187, Draft EIS, NOA, NJ, Mullica River—Great Bay National Estuarine Research Reserve Establishment, Site Designation and Plan Implementation, Ocean, Atlantic and Burlington Counties, NJ, Due: June 10, 1996, Contact: Dolores Washington (301) 713-3132 Ext. 113.
- EIS No. 960188, Draft EIS, FRC, CA, New Don Pedro Reservoir Project (NDPP) (FERC. No. 2299-024), Reservoir Release Requirements for Fish, Continuation and Maintenance, Issuance of Licenses, Tuolumne River and San Joaquin River Turlock and Malesto Irrigation Districts, Stanislaus County, CA, Due: June 10, 1996, Contact: Monica A. Maynard (202) 219-2652.
- EIS No. 960189, Final EIS, FRC, PR, Eco Ele'ctrica Liquefied Natural Gas (LNG) Import Terminal and Electric

Cogeneration Project, Construction and Operation, Permits and Approvals, Guayanilla Bay, PR, Due: May 28, 1996, Contact: Chris Zerby (202) 208-0111.

#### Amended Notices

EIS No. 960135, Draft EIS, APH, Programmatic EIS—Veterinary Services (VS) Programs, Implementation, to Detect, Prevent, Control, and Eradicate Domestic and Foreign Animal Diseases and Pests, All 50 States and the United States Territories, Due: June 25, 1996, Contact: Dr. William E. Ketter (301) 734-8565.

Published FR 04-26-96—Review Period Extended.

Dated: April 22, 1996.

B. Katherine Biggs,

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

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#### [FRL-5463-4]

#### **Extension of the Policy on Enforcement of RCRA Sec. 3004(j) Storage Prohibition at Facilities Generating Mixed Radioactive/Hazardous Waste**

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

**ACTION:** Policy statement.

**SUMMARY:** EPA is announcing a limited extension of its policy (56 FR 42730, August 29, 1991) on the civil enforcement of the storage prohibition in sec. 3004(j) of the Resource Conservation and Recovery Act (RCRA) at facilities which generate "mixed waste" regulated under both the RCRA subtitle C hazardous waste program and the Atomic Energy Act (AEA). The policy affects only mixed wastes that are prohibited from land disposal under the RCRA land disposal restrictions (LDR) and for which there are no available options for treatment or disposal. This action renews the August 1991 policy for an additional two year period for some mixed wastes, based on EPA's determination that treatment technology and disposal capacity<sup>1</sup> for these mixed wastes are still not available.

Pursuant to the terms of this policy, EPA will treat violations of section

<sup>1</sup> For purposes of this policy statement, "available treatment technology and disposal capacity" means that a facility is commercially available to treat or dispose of a particular waste and the facility has either (1) a RCRA permit or interim status; (2) a research, development, and demonstration permit under 40 CFR 270.65; or (3) a land treatment permit under 40 CFR 270.63.

3004(j) involving relatively small volumes of waste as reduced priorities among EPA's potential civil enforcement actions. EPA's primary concern is with (1) mixed waste facilities that are not pursuing environmentally responsible management of their stored mixed wastes, especially those storing large quantities of mixed waste, and (2) those that are storing wastes for which treatment technology is commercially available. Generators must explore all viable treatment and disposal alternatives during the next two years since new technologies may come on line at any time. If treatment technology and disposal capacity are available, it is incumbent upon the generator to use them. EPA anticipates employing RCRA § 3007 authority to ensure that this policy is not abused, with particular focus on ensuring that emerging treatment technologies are fully utilized and on confirming that those wastes for which no treatment exists are stored safely.

**EFFECTIVE DATE:** April 21, 1996.

**FOR FURTHER INFORMATION CONTACT:** Nancy Hunt, Federal, State and Tribal Programs Branch, Office of Solid Waste; Telephone (703) 308-8762.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

##### **A. Mixed Waste and the LDR Storage Prohibition**

"Mixed wastes" are wastes that contain both a hazardous waste component regulated under Subtitle C of RCRA and a radioactive component consisting of source, special nuclear, or byproduct material regulated under the AEA. EPA clarified that RCRA applies to wastes which contain both types of components on July 3, 1986 (51 FR 24504). The definition of mixed waste was added to the RCRA statute by the Federal Facility Compliance Act (FFCA) of 1992, 42 U.S.C. 6912, 6939, and 6961. Mixed wastes are a subset of hazardous wastes, and as such, are subject to the land disposal restrictions in 40 CFR Part 268. Currently, most mixed wastes are subject to the LDRs, except for some newly listed or identified hazardous wastes that are mixed with AEA radioactive materials and do not yet have EPA treatment standards. Certain newly listed wastes that are mixed with radioactive materials, and soil and debris contaminated with certain hazardous wastes (which also may be radioactive) are currently subject to variances from the LDR treatment standards (See 40 CFR 268.38).