

that offers of products of Italy would continue to be exempt from the U.S. Buy American Act and Balance of Payments Program policy that would otherwise require DoD to add 50 percent to the price of the foreign products when evaluating offers. This also means that U.S. products should be exempt from any analogous "Buy Italian" law or policy applicable to procurements by the Italian Ministry of Defense or Armed Forces. DoD is interested in comments relating to the transparency, integrity, and general fairness of Italy's public (defense) procurement processes. DoD is also interested in comments relating to the degree of reciprocity that exists between the United States and Italy when it comes to the openness of defense procurements to offers of products of the other country.

**DATES:** Comments must be received by November 16, 2007.

**ADDRESSES:** You may submit comments to: Office of the Director, Defense Procurement and Acquisition Policy, ATTN: OUSD (AT&L) DPAP (CPIC), 3060 Defense Pentagon, Washington, DC 20301-3060; or by e-mail to [nancy.dowling@osd.mil](mailto:nancy.dowling@osd.mil).

**FOR FURTHER INFORMATION CONTACT:** Ms. Nancy Dowling, telephone 703-697-9352.

**SUPPLEMENTARY INFORMATION:** The Reciprocal Defense Procurement MOUs DoD has with 21 countries are signed at the level of the Secretary of Defense and his counterpart. The purpose of RDP MOUs is to promote rationalization, standardization, and interoperability of defense equipment with allies and friendly governments. It provides a framework for ongoing communication regarding market access and procurement matters that affect effective defense cooperation. Based on the MOU, each country affords the other certain benefits on a reciprocal basis consistent with national laws and regulations. For 19 of the 21 RDP MOU countries, including Italy, these benefits include evaluation of offers without applying price differentials otherwise required by the Buy American Act and the Balance of Payments Program. For all RDP MOU countries, two additional benefits are that (1) the specialty metals restriction in 10 U.S.C. 2533b does not apply to products manufactured in the RDP MOU partner country, and (2) the United States does not include customs, taxes, and duties in the evaluation of offers and waives charges for customs and duties for procurements to which the RDP MOU applies.

The United States and Italy originally entered into a RDP MOU on September

11, 1978. All of the countries with which DoD has RDP MOUs are identified in DFARS 225.872-1. If DoD determines that it would continue to be inconsistent with the public interest to apply the restrictions of the Buy American Act to the acquisition of Italian defense equipment and supplies, Italy would remain on the list in DFARS 225.872-1(a).

RDP MOUs generally include language by which the parties agree that their defense procurements will be conducted in accordance with certain implementing procedures. These procedures relate to publication of notices of proposed purchases; the content and availability of solicitations for proposed purchases; notification to each unsuccessful offeror; feedback, upon request, to unsuccessful offerors concerning the reasons they were not allowed to participate in a procurement or were not awarded a contract; and providing for the hearing and review of complaints arising in connection with any phase of the procurement process to ensure that, to the extent possible, complaints are equitably and expeditiously resolved.

While DoD is evaluating Italy's laws and regulations in this area, DoD would benefit from U.S. industry's experience in participating in Italy's public defense procurements. Therefore, DoD is asking U.S. firms that have participated or attempted to participate in procurements by or on behalf of Italy's Ministry of Defense or Armed Forces to provide input as to whether the procurements were conducted in accordance with published procedures with transparency, integrity, fairness, and due process, and if not, the nature of the problems encountered.

**Michele P. Peterson,**

*Editor, Defense Acquisition Regulations System.*

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## DEPARTMENT OF DEFENSE

### Department of the Army; Corps of Engineers

#### Guidance Memoranda for the Comprehensive Everglades Restoration Plan

**AGENCY:** Department of the Army, U.S. Army Corps of Engineers, DoD.

**ACTION:** Notice of availability.

**SUMMARY:** The Army Corps of Engineers and the South Florida Water Management District have developed the six guidance memoranda required

by the programmatic regulations for the Comprehensive Everglades Restoration Plan for approval by the Secretary of the Army. The public is invited to review and comment on the revised final draft of the guidance memoranda prepared by the Army Corps of Engineers and the South Florida Water Management District.

**DATES:** We will accept comments until December 17, 2007.

**ADDRESSES:** If you wish to comment on the guidance memoranda, you may submit your comments by either of these methods:

1. *You may submit written comments to:* U.S. Army Corps of Engineers, ATTN: Stu Appelbaum, P.O. Box 4970, Jacksonville, FL 32232-0019.

2. *You may send comments by electronic mail (e-mail) to:* [GMComments@usace.army.mil](mailto:GMComments@usace.army.mil).

If submitting comments by electronic format, please submit them in ASCII file format or Word file format and avoid the use of special characters and any form of encryption. Please include your name and return e-mail address in your e-mail message. Please note that your e-mail address will not be retained at the termination of the public comment period.

**FOR FURTHER INFORMATION CONTACT:** Stu Appelbaum, Corps of Engineers, Jacksonville District, P.O. Box 4970, Jacksonville, Florida 32232-0019, phone (904) 232-2584; fax (904) 232-1251.

**SUPPLEMENTARY INFORMATION:** On November 12, 2003 the Department of the Army published the final rule in the **Federal Register** that established the programmatic regulations required by the Water Resources Development Act of 2000 as 33 CFR Part 385. Section 385.5 of the programmatic regulations requires that the Army Corps of Engineers and the South Florida Water Management District develop, in consultation with the Department of the Interior, the Environmental Protection Agency, the Department of Commerce, the Miccosukee Tribe of Indians of Florida, the Seminole Tribe of Florida, the Florida Department of Environmental Protection, and other Federal, State, and local agencies, six guidance memoranda for approval by the Secretary of the Army. Guidance memoranda are program-wide procedures and processes needed to guide implementation of the Comprehensive Everglades Restoration Plan and to ensure that the goals and purposes of the Plan are achieved. The programmatic regulations require that the Secretary of the Army afford the

public an opportunity to comment on the Guidance Memoranda prior to their approval. On May 6, 2005, a Notice of Availability was placed in the **Federal Register** (70 FR 24008) inviting the public to comment on the final draft of the Guidance Memoranda. As a result of public comment we received on the final draft, we have revised the Guidance Memoranda and invite the public to comment on the revised final draft. The programmatic regulations also require the concurrence of the Secretary of the Interior and the Governor of Florida on the Guidance Memoranda prior to their approval. An electronic copy of the guidance memoranda document is available at: [http://www.evergladesplan.org/pm/progr\\_regs\\_guidance\\_memoranda.aspx](http://www.evergladesplan.org/pm/progr_regs_guidance_memoranda.aspx).

**Brenda S. Bowen,**

*Army Federal Register Liaison Officer.*

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## DEPARTMENT OF ENERGY

### Office of Environmental Management; Advance Notice of Intent To Prepare an Environmental Impact Statement for Area IV of the Santa Susana Field Laboratory and Public Involvement Activities

**AGENCY:** Department of Energy.

**ACTION:** Advance Notice of Intent.

**SUMMARY:** The U.S. Department of Energy (DOE) is providing an Advance Notice of its Intent (ANOI) to prepare an Environmental Impact Statement (EIS) for remediation of Area IV of the Santa Susana Field Laboratory (SSFL). DOE is preparing the EIS in response to a May 2, 2007, decision by the U.S. District Court of Northern California that a 2003 DOE decision to prepare a Finding of No Significant Impact (FONSI) and conduct remediation of Area IV on the basis of an environmental assessment, rather than prepare an EIS, violated the National Environmental Policy Act (NEPA). DOE is also requesting early comments from the public and other stakeholders on the scope of the EIS and issues to be considered in EIS analysis. To facilitate collaboration on these EIS issues, DOE also is announcing plans for public involvement activities to be held this fall, to provide information to its stakeholders and to receive comments from them.

DOE is issuing this ANOI, pursuant to 10 CFR 1021.311(b), in order to inform and request early comments and assistance from Federal and State agencies, State and local governments,

natural resource trustees, the general public, and other interested parties on the appropriate scope of the EIS, possible environmental issues, and the potential environmental impacts related to DOE's proposed activities for Area IV. Following the issuance of this ANOI, DOE intends to collect updated information that it will incorporate into the EIS analysis.

DOE will conduct community and regulator interviews through November 2007. These public involvement opportunities will focus on consultation with the public about the process for EIS scoping, the development of the range of reasonable alternatives to be analyzed in the EIS, and related public concerns about the remediation. If, based on community input, DOE decides to hold a public meeting, DOE will notify the community through local media. Early comments on the scope of the EIS and issues to be considered are due by December 14, 2007. Though DOE will attempt to consider comments received after this date, it will only be able to do so to the extent practicable. DOE plans to issue a Notice of Intent (NOI) for this EIS in the spring of calendar year 2008.

**ADDRESSES:** Please direct requests to be notified of interviews or a public meeting, comments on the scope of the EIS, and questions concerning the proposed project to: Stephanie Jennings, NEPA Document Manager, Office of Site Support and Small Projects (EM-3.2), U.S. Department of Energy, Energy Technology Engineering Center, P.O. Box 10300, Canoga Park, CA 91309, telephone: 818-466-8162, fax: 818-466-8730, or e-mail to: [Stephanie.Jennings@em.doe.gov](mailto:Stephanie.Jennings@em.doe.gov) (use "ANOI comments" for the subject).

**FOR FURTHER INFORMATION CONTACT:** To request further information about this EIS or about the public involvement activities, or to be placed on the EIS distribution list, use any of the methods listed under **ADDRESSES** above. For general information concerning the DOE NEPA process, contact Carol Borgstrom, Director, Office of NEPA Policy and Compliance (GC-20), U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585-0119, e-mail to: [AskNEPA@hq.doe.gov](mailto:AskNEPA@hq.doe.gov), telephone: 202-586-4600, leave a message at 1-800-472-2756, or fax: 202-586-7031.

This Advance Notice of Intent (ANOI) will be available on the Internet at: <http://www.eh.doe.gov/NEPA>. Further information about Area IV and the Energy Technology Engineering Center (ETEC) can be found at <http://apps.em.doe.gov/etec/>.

## SUPPLEMENTARY INFORMATION:

### Background

Santa Susana Field Laboratory (SSFL), located on approximately 2,850 acres in the hills between Chatsworth and Simi Valley, CA, was developed as a remote site to test rocket engines and conduct nuclear research. The Atomics International Unit of Rockwell International's Canoga Park-based Rocketdyne Division began testing in 1947, and conducted an estimated 17,000 open-air rocket tests in support of the space program. In 1996, Rockwell International sold its aerospace and defense business, including the SSFL to The Boeing Company (Boeing).

SSFL is divided in four administrative areas—Area I, Area II, Area III, and Area IV—along with two buffer zones. Area I is about 713 acres, of which 671 acres is owned and operated by Boeing and 42 acres is owned by the National Aeronautics and Space Administration (NASA) and operated for it by Boeing. Area II, about 410 acres, is owned by NASA and operated for it by Boeing. Area III, about 114 acres, is owned and operated by Boeing. Area IV, about 290 acres, is owned by Boeing, which operates it for DOE. Boeing also owns a contiguous buffer zone of 1143 acres to the south and a contiguous buffer zone of 182 acres to the north.

Starting in the mid-1950s, the Atomic Energy Commission (AEC), a predecessor agency of DOE, funded nuclear energy research on a 90-acre parcel of Area IV leased from Rocketdyne. The Energy Technology and Engineering Center (ETEC) was established by the AEC on this parcel in the early 1960s as a "center of excellence" for liquid metals technology.

The AEC built a small nuclear power plant to deliver energy to the commercial grid at the ETEC. Research also included testing of nuclear powered systems, for example, using liquid metals for space vehicles and a sodium coolant medium in 10 small reactors. All reactor operations ended in 1980 and nuclear research work was completed in 1988. Cleanup of ETEC began in the 1960s and was performed in an ongoing manner as unnecessary facilities were decommissioned when there was no longer a use for them. DOE continues to lease the 90 acre parcel in Area IV from Boeing.

In March 2003, DOE issued an Environmental Assessment (EA), *Environmental Assessment for Cleanup and Closure of the Energy Technology Engineering Center*, DOE/EA-1345. Based on the results of the EA, DOE