

**Regulatory Procedure Requirements**

*Environmental Compliance*

In compliance with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321, *et seq.*); the Council on Environmental Quality Regulations for implementing NEPA (40 CFR parts 1500–1508); and DOE NEPA implementing regulations (10 CFR part 1021), Western completed an environmental impact statement (EIS) on its Energy Planning and Management Program. The Record of Decision was published in the **Federal Register** (60 FR 53181, October 12, 1995). Western also completed the 2004 Power Marketing Program EIS (2004 EIS), and the Record of Decision was published in the **Federal Register** (62 FR 22934, April 28, 1997). The Marketing Plan falls within the range of alternatives considered in the 2004 EIS. This NEPA review identified and analyzed environmental effects related to the Marketing Plan. This action falls within the Marketing Plan and, thus, is covered by the 2004 EIS.

**Determination Under Executive Order 12866**

Western has an exemption from centralized regulatory review under Executive Order 12866; accordingly, no

clearance of this notice by the Office of Management and Budget is required.

Dated: April 22, 2008.

**Timothy J. Meeks,**

*Administrator.*

[FR Doc. E8–9816 Filed 5–2–08; 8:45 am]

**BILLING CODE 6450–01–P**

**ENVIRONMENTAL PROTECTION AGENCY**

[EPA–R09–OAR–2008–0324; FRL–8561–8]

**Adequacy Status of Motor Vehicle Emissions Budgets in Submitted Early Progress Plan Imperial County 8-Hour Ozone for Transportation Conformity Purposes; California**

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

**ACTION:** Notice of Adequacy.

**SUMMARY:** In this notice, EPA is notifying the public that the Agency has found that the motor vehicle emissions budgets for 8-hour ozone in the Imperial County 8-hour Ozone Early Progress Plan are adequate for transportation conformity purposes. The Imperial County 8-hour Ozone Early Progress Plan was submitted to EPA on March 24, 2008 by the California Air Resources Board as a revision to the California

State Implementation Plan (SIP). As a result of our adequacy findings, the Southern California Association of Governments and the U.S. Department of Transportation must use these budgets in future conformity analyses once the finding becomes effective.

**DATES:** This finding is effective May 20, 2008.

**FOR FURTHER INFORMATION CONTACT:**

Adrienne Priselac, U.S. EPA, Region IX, Air Division AIR–2, 75 Hawthorne Street, San Francisco, CA 94105–3901; (415) 972–3285 or [priselac.adrienne@epa.gov](mailto:priselac.adrienne@epa.gov).

**SUPPLEMENTARY INFORMATION:**

Throughout this document, whenever “we,” “us,” or “our” is used, we mean EPA.

Today’s notice is simply an announcement of a finding that we have already made. EPA Region IX sent a letter to the California Air Resources Board on April 16, 2008 stating that the motor vehicle emissions budgets in the submitted Imperial County 8-hour Ozone Early Progress Plan for 2009 are adequate. The finding is available at EPA’s conformity Web site: <http://www.epa.gov/otaq/stateresources/transconf/adequacy.htm>. The adequate motor vehicle emissions budgets are provided in the following table:

**MOTOR VEHICLE EMISSIONS BUDGETS**

Budget year	Volatile organic compounds <sup>1</sup> (tons per day)	Nitrogen oxides (tons per day)
2009 .....	7	17

<sup>1</sup> The plan uses a comparable State term, reactive organic gases (ROG).

Transportation conformity is required by Clean Air Act section 176(c). EPA’s conformity rule requires that transportation plans, transportation improvement programs, and projects conform to state air quality implementation plans (SIPs) and establishes the criteria and procedures for determining whether or not they do. Conformity to a SIP means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the national ambient air quality standards.

The criteria by which we determine whether a SIP’s motor vehicle emission budgets are adequate for conformity purposes are outlined in 40 CFR 93.118(e)(4). We have described our process for determining the adequacy of submitted SIP budgets in our July 1, 2004 preamble starting at 69 FR 40038 and we used the information in these

resources in making our adequacy determination. Please note that an adequacy review is separate from EPA’s completeness review, and should not be used to prejudge EPA’s ultimate approval action for the SIP. Even if we find a budget adequate, the SIP could later be disapproved.

**Authority:** 42 U.S.C. 7401 *et seq.*

Dated: April 16, 2008.

**Laura Yoshii,**

*Deputy Regional Administrator, Region IX.*

[FR Doc. E8–9821 Filed 5–2–08; 8:45 am]

**BILLING CODE 6560–50–P**

**ENVIRONMENTAL PROTECTION AGENCY**

[EPA–R09–OAR–2008–0326; FRL–8561–7]

**Adequacy Status of Motor Vehicle Emissions Budgets in Submitted Early Progress Plan Western Mojave Desert 8-Hour Ozone for Transportation Conformity Purposes; California**

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

**ACTION:** Notice of Adequacy.

**SUMMARY:** In this notice, EPA is notifying the public that the Agency has found that the motor vehicle emissions budgets for 8-hour ozone in the Western Mojave Desert 8-hour Ozone Early Progress Plan are adequate for transportation conformity purposes. The Western Mojave Desert 8-hour Ozone Early Progress Plan was submitted to EPA on March 24, 2008 by the