

Chattanooga-Hamilton County Air Pollution Control Bureau, TN). EPA has prepared reports for these evaluations and these reports are now available for public inspection.

**ADDRESSES:** The reports may be examined at the EPA's Region 4 office, 61 Forsyth Street, SW., Atlanta, Georgia 30303, in the Air, Pesticides and Toxics Management Division. The Regional Office's official hours of business are Monday through Friday, 8:30 to 4:30, excluding Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Marie Persinger (404) 562-9048 for information concerning the state and local agencies of Alabama; Miya Smith (404) 562-9091 for the state and local agencies of Florida; Russandra Brown (404) 562-9064 for the state agency of Mississippi and the state and local agencies of Kentucky; Mary Echols (404) 562-9053 for the state agency of Georgia, and for the state and local agencies of North Carolina; and Marilyn Sabadaszka (404) 562-9001 for the state agency of South Carolina and for the state and local agencies of Tennessee. They may be contacted at the above Region 4 address.

Dated: May 25, 2007.

**J.I. Palmer, Jr.,**

*Regional Administrator, Region 4.*

[FR Doc. E7-11103 Filed 6-7-07; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8323-8]

### Science Advisory Board Staff Office EPA Clean Air Scientific Advisory Committee (CASAC) Notification of Public Advisory Committee Meeting of the CASAC Panel for Review of EPA's Lead Renovation, Repair and Painting (LRRP) Activities

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

**ACTION:** Notice.

**SUMMARY:** The U.S. Environmental Protection Agency (EPA or Agency) Science Advisory Board (SAB) Staff Office announces a public meeting of the Clean Air Scientific Advisory Committee (CASAC) Panel for Review of EPA's Lead Renovation, Repair, and Painting (LRRP) Activities (CASAC Panel) to conduct a peer review of EPA's *Draft Approach for Estimating Changes in Children's IQ from Lead Dust Generated During Renovation, Repair, and Painting in Residences and Child-Occupied Facilities* (Draft LRRP Activity IQ-Change Methodology, June 2007) and

the *Draft Final Report on Characterization of Dust Lead Levels After Renovation, Repair, and Painting Activities* (OPPT Dust Study, January 2007).

**DATES:** The meeting dates are Monday and Tuesday, July 9 and 10, 2007 from 1 p.m. to 4 p.m. (Eastern Standard).

**Location:** The meeting will take place at the Marriott at Research Triangle Park, 4700 Guardian Drive, Durham, NC 27703, telephone: 919-941-6200.

**FOR FURTHER INFORMATION CONTACT:** Any member of the public who wishes to submit a written or brief oral statement (five minutes or less) or wants further information concerning this meeting must contact Mr. Fred Butterfield, Designated Federal Officer (DFO). Mr. Butterfield may be contacted at the EPA Science Advisory Board (1400F), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; or via telephone/voice mail: 202-343-9994; fax: 202-233-0643; or e-mail at: [butterfield.fred@epa.gov](mailto:butterfield.fred@epa.gov). General information concerning the CASAC can be found on the EPA Web site at <http://www.epa.gov/sab>. Information concerning EPA technical contacts appears below in this **Federal Register** notice.

#### SUPPLEMENTARY INFORMATION:

**Background:** The CASAC, which is comprised of seven members appointed by the EPA Administrator, was established under section 109(d)(2) of the Clean Air Act (CAA or Act) (42 U.S.C. 7409) as an independent scientific advisory committee. The CASAC is chartered under the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C., App. The CASAC Panel consists of the seven CASAC members supplemented by subject-matter-experts. The CASAC Panel provides advice and recommendations to EPA concerning the Agency's proposed rule for LRRP activities. The Panel complies with the provisions of FACA and all appropriate SAB Staff Office procedural policies.

On February 5, 2007, the CASAC Panel conducted a consultation on EPA's *Draft Assessment to Support the Lead Renovation, Repair, and Painting (LRRP) Rule* (1st Draft LRRP Assessment, January 2007). Detailed summary information on this CASAC consultation is contained in a previous EPA **Federal Register** notice (72 FR 1988, January 17, 2007). The CASAC's final letter from this consultation on the 1st Draft LRRP Assessment (EPA-CASAC-07-004, dated April 3, 2007) is posted on the SAB Web site at <http://www.epa.gov/sab/pdf/casac-07-004.pdf>.

In support of this rule-making activity, EPA's Office of Pollution Prevention and Toxics (OPPT), within the Agency's Office of Prevention, Pesticides and Toxic Substances (OPPTS), has requested that the CASAC conduct a peer review on EPA's Draft LRRP Activity IQ-Change Methodology and the OPPT Dust Study.

**Technical Contacts:** Any questions concerning the Agency's Draft LRRP Activity IQ-Change Methodology should be directed to Dr. Jennifer Seed, OPPT, at telephone: 202-564-7634, or e-mail: [seed.jennifer@epa.gov](mailto:seed.jennifer@epa.gov); or to Ms. Cathy Fehrenbacher, OPPT, at telephone: 202-564-8551, or e-mail:

[fehrebacher.cathy@epa.gov](mailto:fehrebacher.cathy@epa.gov). Any questions concerning the Agency's OPPT Dust Study should be directed to Ms. Jackie Mosby, OPPT, at telephone: 202-566-2228, or e-mail: [mosby.jackie@epa.gov](mailto:mosby.jackie@epa.gov).

**Availability of Meeting Materials:** On or about June 11, 2007, the Draft LRRP Activity IQ-Change Methodology will be posted on EPA's "Lead in Paint, Dust, and Soil: Renovation, Repair, and Painting Program" Web site at <http://www.epa.gov/lead/pubs/casac.htm>. The OPPT Dust Study is available both on the aforementioned Web site and the Agency's "Lead Safe Work Requirements to Protect Children During Renovation, Repair and Painting Activities" Web site at <http://www.epa.gov/lead/pubs/renovation.htm#info>. In addition, a copy of the draft agenda and other materials for this CASAC Panel meeting will be posted on the SAB Web site at [http://www.epa.gov/sab/panels/casac\\_adv\\_tech\\_assessment\\_lrrp.htm](http://www.epa.gov/sab/panels/casac_adv_tech_assessment_lrrp.htm) prior to the meeting.

**Procedures for Providing Public Input:** Interested members of the public may submit relevant written or oral information for this CASAC Panel to consider during the advisory process.

**Oral Statements:** In general, individuals or groups requesting an oral presentation at a public meeting will be limited to five minutes per speaker, with no more than a total of one hour for all speakers. Interested parties should contact Mr. Butterfield, DFO, in writing (preferably via e-mail), by Monday, July 2, 2007, at the contact information noted above, to be placed on the list of public speakers for this meeting. **Written Statements:** Written statements should be received in the SAB Staff Office by Thursday, July 5, 2007, so that the information may be made available to the CASAC Panel for their consideration prior to this meeting. Written statements should be supplied to the DFO in the following formats: one hard copy with original signature

(optional), and one electronic copy via e-mail (acceptable file format: Adobe Acrobat PDF, WordPerfect, MS Word, MS PowerPoint, or Rich Text files in IBM-PC/Windows 98/2000/XP format).

**Accessibility:** For information on access or services for individuals with disabilities, please contact Mr. Butterfield at the phone number or e-mail address noted above, preferably at least ten days prior to the meeting, to give EPA as much time as possible to process your request.

Dated: June 1, 2007.

**Anthony F. Maciorowski,**

*Deputy Director, EPA Science Advisory Board Staff Office.*

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OW-2007-0282; FRL-8324-4]

### EPA and Army Corps of Engineers Guidance Regarding Clean Water Act Jurisdiction after Rapanos

**AGENCY:** U.S. Army Corps of Engineers, DoD; Environmental Protection Agency (EPA).

**ACTION:** Notice of availability.

**SUMMARY:** The U.S. Environmental Protection Agency and U.S. Army Corps of Engineers are today issuing agency guidance, effective immediately, regarding Clean Water Act (CWA) jurisdiction following the U.S. Supreme Court's decision in the consolidated cases *Rapanos v. United States* and *Carabell v. United States* ("Rapanos"). The agencies are issuing this guidance to ensure that jurisdictional determinations, administrative enforcement actions, and other relevant agency actions being conducted under the CWA are consistent with the *Rapanos* decision and provide effective protection for public health and the environment. The agencies are concurrently providing a six-month public comment period to solicit input on early experience with implementing the guidance. The agencies, within nine months from the date of issuance, will either reissue, revise, or suspend the guidance after carefully considering the public comments received and field experience with implementing the guidance.

**DATES:** Comments must be received on or before December 5, 2007.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-OW-2007-0282, by one of the following methods:

- *www.regulations.gov:* Follow the on-line instructions for submitting comments.

- *E-mail:* OW-Docket@epa.gov. Include the docket number, EPA-HQ-OW-2007-0282 in the subject line of the message.

- *Mail:* Water Docket, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

- *Hand Delivery:* 1301 Constitution Ave., NW., Room 3334, Washington, DC 20460. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

**Instructions:** Direct your comments to Docket ID No. EPA-HQ-OW-2007-0282. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at [www.regulations.gov](http://www.regulations.gov), including any personal information provided, unless the comment includes information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through [www.regulations.gov](http://www.regulations.gov) or e-mail. 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 e-mail comment directly to EPA without going through [www.regulations.gov](http://www.regulations.gov) your e-mail 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.

**Docket:** All 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 material, such as copyrighted material, will be 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 Water Docket, EPA/DC, EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the Water Docket is (202) 566-2426.

#### FOR FURTHER INFORMATION CONTACT:

Russell L. Kaiser, Regulatory Community of Practice (CECW-CO), U.S. Army Corps of Engineers, Headquarters, 441 G Street, NW., Washington, DC 20314; telephone number: (202) 761-7763; fax number: (202) 761-5096; e-mail address: [Rapanos.Comments@usace.army.mil](mailto:Rapanos.Comments@usace.army.mil). Donna M. Downing, Office of Water (4502T), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 566-1783; e-mail address: [CWAwaters@epa.gov](mailto:CWAwaters@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

The U.S. Environmental Protection Agency and U.S. Army Corps of Engineers are issuing agency guidance, effective immediately, regarding Clean Water Act (CWA) jurisdiction following the U.S. Supreme Court's decision in the consolidated cases *Rapanos v. United States* and *Carabell v. United States* (126 S. Ct. 2208 (2006)) ("*Rapanos*"). Congress enacted the Clean Water Act ("CWA") (33 U.S.C. 1251(a)) "to restore and maintain the chemical, physical, and biological integrity of the Nation's waters." One of the mechanisms adopted by Congress to achieve that purpose is a prohibition on the discharge of any pollutants, including dredged or fill material, into "navigable waters" except in compliance with other specified sections of the CWA (33 U.S.C. 1311(a) and 1362(12)(A)). In most cases, this means compliance with a permit issued pursuant to CWA section 402 or section 404. The CWA defines the term "discharge of a pollutant" as "any addition of any pollutant to navigable waters from any point source[.]" (33 U.S.C. 1362(12)(A)) and provides that "[t]he term 'navigable waters' means the waters of the United States, including the territorial seas[.]" (33 U.S.C. 1362(7); 33 CFR 328.3(a) and 40 C.F.R. 230.3(s)). In *Rapanos*, the Court addressed where the Federal government can apply the CWA, specifically by determining whether a wetland or tributary is a "water of the United States." The justices issued five separate opinions in *Rapanos* (one