

Washington Department of Ecology pursuant to the terms and conditions of this delegation agreement and the requirements of the Clean Air Act. Date: March 28, 2003. Betty A. Wiese, Director, Office of Air Quality, Environmental Protection Agency, Region 10.

On behalf of the State of Washington and the Department of Ecology, I accept partial delegation of the federal Prevention of Significant Deterioration program, 40 CFR 52.21, pursuant to the terms and conditions of this delegation agreement and the requirements of the Clean Air Act. Date: March 28, 2003. Mary E. Burg, Manager, Air Quality Program, State of Washington, Department of Ecology.

### III. Conclusion

Subject to the conditions of the Partial Delegation Agreement, Ecology is delegated authority to implement and enforce the federal PSD regulations, as published on December 31, 2002, except for applications for PAL increases under 40 CFR 52.21(aa)(11) and except as otherwise provided in the Delegation Agreement. Except for applications for PAL increases under 40 CFR 52.21(aa)(11), all applications and other information required pursuant to the federal PSD regulations at 40 CFR 52.21 from sources located or locating in the State of Washington,<sup>19</sup> shall continue to be submitted to the Ecology at the following address: Department of Ecology, Air Quality Program, PO Box 47600, Olympia, WA 98504-7600. Applications for PAL increases under 40 CFR 52.21(aa)(11) shall be submitted to EPA Region 10 at the following address: Office of Air Quality, Environmental Protection Agency, Region 10, OAQ-107, 1200 Sixth Avenue, Seattle, WA 98101.

### IV. Statutory and Executive Order Reviews

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this information notice is not a "significant regulatory action" and therefore is not subject to review by the Office of Management and Budget. For this reason, this information notice is also not subject to Executive Order 13211, "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355, May 22, 2001). This information notice imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this information notice will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this

information notice delegates pre-existing requirements under Federal law and does not impose any additional enforceable duty beyond that required by Federal law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4). This information notice also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal government and Indian tribes, or on the distribution of power and responsibilities between the Federal government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This information notice also does not have federalism implications because it does not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This information notice merely delegates the implementation of a Federal program, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. This information notice also is not subject to Executive Order 13045 "Protection of Children from Environmental Health Risks and Safety Risks" (62 FR 19885, April 23, 1997), because it is not economically significant.

In reviewing delegation requests, EPA's role is to approve state capabilities, provided that they meet the criteria of the Clean Air Act. In this context, in the absence of a prior existing requirement for the State to use voluntary consensus standards (VCS), EPA has no authority to disapprove a delegation request for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a delegation request, to use VCS in place of a delegation request that otherwise satisfies the provisions of the Clean Air Act. 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 rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). This information notice granting partial delegation of the Federal PSD program to Ecology is issued under the authority of sections 101, 110, and 301 of the

Clean Air Act, as amended (42 U.S.C. 7401, 7410, 7601).

Dated: May 1, 2003.

Ronald Kreizenbeck,

*Acting Regional Administrator, Region 10.*

[FR Doc. 03-12029 Filed 5-13-03; 8:45 am]

BILLING CODE 6560-50-P

### ENVIRONMENTAL PROTECTION AGENCY

[OPPT-2003-0004; FRL-7305-6]

### Access to Confidential Business Information by Solutions by Design II

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

**ACTION:** Notice.

**SUMMARY:** EPA has authorized its contractor Solutions by Design II (SBD) of McLean, VA access to information which has been submitted to EPA under sections 5 and 8 of the Toxic Substances Control Act (TSCA). Some of the information may be claimed or determined to be Confidential Business Information (CBI).

#### FOR FURTHER INFORMATION CONTACT:

Barbara A. Cunningham, Director, Environmental Assistance Division (7408M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 554-1404; e-mail address: TSCA-Hotline@epa.gov.

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

###### A. Does This Notice Apply to Me?

This action is directed to the public in general. This action may, however, be of interest to those persons who are or may be required to conduct testing of chemical substances under TSCA. Since other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

###### B. How Can I Get Copies of This Document and Other Related Documents?

1. **Docket.** EPA has established an official public docket for this action under docket identification (ID) number OPPT-2003-0004. The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although a part of the official docket,

<sup>19</sup>Except in Indian Country, as provided in paragraph III.B. of the Delegation Agreement, and sources subject to EFSEC's jurisdiction.

the public docket does not include CBI or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing at the EPA Docket Center, Rm. B102-Reading Room, EPA West, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The EPA Docket Center Reading Room telephone number is (202) 566-1744 and the telephone number for the OPPT Docket, which is located in EPA Docket Center, is (202) 566-0280.

2. *Electronic access.* You may access this **Federal Register** document electronically through the EPA Internet under the “**Federal Register**” listings at <http://www.epa.gov/fedrgstr/>.

An electronic version of the public docket is available through EPA’s electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket facility identified in Unit I.B.1. Once in the system, select “search,” then key in the appropriate docket ID number.

## II. What Action Is the Agency Taking?

Under contract number GS35F-4717G, Solutions by Design II, of 1420 Spring Hill Road, Suite 325, McLean, Virginia, will assist EPA in designing and developing Lotus Notes PMN Development and Storage Applications. SBD will also assist in developing the TSCA Data Transmittal System to transmit PMNs and other TSCA data.

In accordance with 40 CFR 2.306(j), EPA has determined that under contract number GS35F-4717G, SBD will require access to CBI submitted to EPA under sections 5 and 8 of TSCA, to perform successfully the duties specified under the contract.

SBD personnel will be given access to information submitted to EPA under sections 5 and 8 of TSCA. Some of the information may be claimed or determined to be CBI.

EPA is issuing this notice to inform all submitters of information under sections 5 and 8 of TSCA, that the Agency may provide SBD access to these CBI materials on a need-to-know basis only. All access to TSCA CBI under this contract will take place at EPA Headquarters and Chemical

Abstracts Service’s site located at 2540 Olentangy River Road, Columbus, Ohio.

SBD personnel will be required to adhere to all provisions of EPA’s *TSCA Confidential Business Information Security Manual*. SBD’s personnel will be required to sign nondisclosure agreements and will be briefed on appropriate security procedures before they are permitted access to TSCA CBI.

Clearance for access to TSCA CBI under Contract number GS35F-4717G may continue until July 30, 2007.

### List of Subjects

Environmental protection,  
Confidential business information.

Dated: April 30, 2003.

**Robin L. Gonzalez,**

*Director, Information Management Division,  
Office of Pollution Prevention and Toxics.*

[FR Doc. 03-11906 Filed 5-13-03; 8:45 am]

**BILLING CODE 6560-50-S**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7498-3]

### Science Advisory Board; Advisory Council on Clean Air Compliance Analysis; Notification of an Upcoming Public Meeting and Three Planning Teleconferences

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

**ACTION:** Notice.

**SUMMARY:** The EPA Advisory Council on Clean Air Compliance Analysis (Council) is announcing a public meeting and a public planning teleconference. It is also announcing planning teleconferences for its two subcommittees, the Air Quality Modeling Subcommittee (AQMS) and the Health Effects Subcommittee (HES).

#### DATES:

*May 28, 2003:* The planning teleconference call meeting for the Council will be held from 12 to 2 p.m. (eastern time).

*May 29, 2003:* The planning teleconference call meeting for the HES will be held from 12 to 1:30 p.m. (eastern time).

*May 30, 2003:* The planning teleconference call meeting for the AQMS will be held from 2 to 3:30 p.m. (eastern time).

*June 11-13, 2003:* The public meeting for the Council will begin June 11, at 9 a.m. and adjourn on June 13, 2003, no later than 2 p.m. (eastern time) on that day. The meeting agenda will be posted on the SAB Web site, <http://www.epa.gov/sab/agendas.htm>, one week before the meeting.

**ADDRESSES:** The public meeting of the Council will be held in Washington, DC. The meeting location will be announced on the SAB Web site, <http://www.epa.gov/sab>. For further information concerning the public meeting, please contact Dr. Angela Nugent, DFO (see contact information below). Participation in the teleconference call meetings will be by teleconference only.

**FOR FURTHER INFORMATION CONTACT:** Any member of the public wishing further information regarding the public meeting may contact Dr. Angela Nugent, Designated Federal Officer (DFO), U.S. EPA Science Advisory Board by telephone/voice mail at (202) 564-4562 or via e-mail at [nugent.angela@epa.gov](mailto:nugent.angela@epa.gov). Members of the public who wish to obtain the call-in number and access code to participate in any of the teleconference meetings must contact Ms. Sandra Friedman, EPA Science Advisory Board Staff, at telephone/voice mail: (202) 564-2526, via e-mail at: [Friedman.Sandra@epa.gov](mailto:Friedman.Sandra@epa.gov). General information about the SAB can be found in the SAB Web site at <http://www.epa.gov/sab>.

#### SUPPLEMENTARY INFORMATION:

**Summary:** Pursuant to the Federal Advisory Committee Act, Pub. L. 92-463, notice is hereby given that the Council will hold a public meeting to provide advice to the EPA on the Agency’s plan to develop the third in a series of statutorily mandated comprehensive analyses of the total costs and total benefits of programs implemented pursuant to the Clean Air Act, and that the Council and its two subcommittees will also hold public teleconferences to plan for the public meeting. The dates and times for both the meeting and teleconference are provided above.

**Background:** Background on the Council, its subcommittees, and on the advisory project that will be the focus of the meeting and teleconferences described in this notice was provided in a **Federal Register** notice published on February 14, 2003 (68 FR 7531-7534).

In forming the Health and Ecological Effects Subcommittee discussed in that **Federal Register** notice, the Science Advisory Board Staff Office received nominations for health effects experts. It has therefore decided to rename the Subcommittee as the “Health Effects Subcommittee” of the Council and to work with the Council to form a new subcommittee to focus on ecological effects or to develop another appropriate mechanism to consider and give due attention to ecological effects, including coordination with a new SAB