

revegetation of the disturbed ground around the well pads would minimize soil disturbance and reduce or prevent the potential for soil erosion. The road design would include an appropriately designed culvert so that downstream flow and function of the floodplain will not be impeded. Indirect impacts from discharge of well development water to the ground would be minimized. The water would be sampled and the analytical results would be sent to the New Mexico Environment Department for their approval prior to discharge. Discharge would be through sprinklers or via a water truck along the access roads. No debris would be left at the work site. No vehicle maintenance or fueling within 100 feet of the floodplain would occur. Any sediment movement from the site would be short term and temporary.

Issued in Los Alamos, NM, on August 5, 2003.

**Ralph E. Erickson,**

*Manager, Department of Energy, National Nuclear Security Administration, Los Alamos Site Office.*

[FR Doc. 03-20585 Filed 8-12-03; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[IN 150-1; FRL-7543-5]

### Notice of Final Determination for Alcoa-Warrick Power Plant in Newburgh, Indiana

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

**ACTION:** Notice of final action.

**SUMMARY:** This notice announces that on March 5, 2003, the Environmental Appeals Board (EAB) of the EPA dismissed a petition for review of a permit issued for the Alcoa-Warrick Power Plant (Alcoa) by the Indiana Department of Environmental Management (IDEM). The EAB dismissed the petition because it determined that it does not have jurisdiction to review permits that are issued solely under a state's federally approved Title V permit program.

**DATES:** The effective date for the EAB's decision is March 5, 2003. Judicial review of this permit decision, to the extent it is available pursuant to section 307(b)(1) of the Clean Air Act, 42 U.S.C. 7607(b)(1), may be sought by filing a petition for review in the United States Court of Appeals for the Seventh Circuit within 60 days of August 13, 2003.

**ADDRESSES:** The documents relevant to the above action are available for public

inspection during normal business hours at the following address: EPA, Region 5, 77 West Jackson Boulevard (AR-18J), Chicago, Illinois 60604. To arrange viewing of these documents, call Sam Portanova at (312) 886-3189.

**FOR FURTHER INFORMATION CONTACT:** Sam Portanova, EPA, Region 5, 77 W. Jackson Boulevard (AR-18J), Chicago, Illinois 60604. Anyone who wishes to review the EAB decision can obtain it at <http://www.epa.gov/eab/orders/alcoa.pdf>.

**SUPPLEMENTARY INFORMATION:** This supplemental information is organized as follows:

- A. What Action Is EPA Taking?
- B. What Is The Background Information?
- C. What did EPA Determine?

#### A. What Action Is EPA Taking?

We are notifying the public of a final decision by EPA's EAB on a permit issued by IDEM.

#### B. What Is the Background Information?

On November 6, 2002, IDEM issued a Part 70 Significant Source Modification permit (permit number 173-16275-00002) to Alcoa to modify three pulverized dry bottom wall-fired boilers by installing low NO<sub>x</sub> burners. The permit allows the boilers to fire bituminous coal or natural gas and requires the use of low NO<sub>x</sub> burners to control nitrogen oxide (NO<sub>x</sub>) emissions. IDEM determined that this project qualified as a pollution control project and was not subject to PSD.

Stephen A. Loeschner subsequently filed a petition for review of the permit with the EAB on December 10, 2002. Mr. Loeschner argued that IDEM improperly exempted this modification from PSD review by granting it a pollution control project exemption. He also argued that this permit should require carbon monoxide continuous emissions monitors.

In two previous rulings, Carlton, Inc. N. Shore Power Plant, 9 E.A.D. 690 (EAB 2001), and DPL Energy Montpelier Electric Generating Station, 9 E.A.D. 695 (EAB 2001), as in the Alcoa case, the petitioners challenged the state agency's decision to issue state minor source permits rather than federal PSD permits. In denying review in both of these permits, the EAB ruled that its jurisdiction is limited to federal PSD permits that are actually issued under the PSD program, and does not extend to a state's decision not to issue a PSD permit.

#### C. What Did the EAB Determine?

On March 5, 2003, the EAB dismissed the petition for review on the grounds

that the Board lacks authority to review the Alcoa permit, which was issued solely under Indiana's federally approved Title V program and was not a federal PSD permit.

Dated: July 24, 2003.

**Bharat Mathur,**

*Acting Regional Administrator, Region 5.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7543-3]

### Integrated Risk Information System (IRIS); 2003/2004 Program; Notice and Request for Scientific Information on Supplemental 2003 Program; Request for Chemical Substance Nominations for 2004 Program

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice; Announcement of supplement to the IRIS 2003 program and request for scientific information on health effects that may result from exposure to chemical substances; and request for chemical substance nominations for the IRIS 2004 program.

**SUMMARY:** The Integrated Risk Information System (IRIS) is an Environmental Protection Agency (EPA) data base that contains the Agency's scientific consensus positions on human health effects that may result from exposure to chemical substances in the environment. On February 5, 2003, in a **Federal Register** (68 FR 5870), EPA announced the 2003 IRIS agenda and solicited scientific information from the public for consideration in assessing health effects from specific chemical substances. The notice also stated that later in 2003: (1) Additional assessments may be announced in the **Federal Register**; and (2) EPA would solicit public nominations for chemical substances for its 2004 agenda. Today, EPA is following up on these two actions.

**DATES:** EPA invites the public to submit scientific information pertaining to the specific chemical substances listed in this notice, and/or nominations for substances to be considered for an assessment in 2004 in accordance with the instructions provided at the end of this notice by October 14, 2003.

**ADDRESSES:** Please submit relevant scientific information to the IRIS Submission Desk in accordance with the address and instructions provided at the end of this notice. Similarly, chemical substance nominations should be