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**Magalie R. Salas,**  
Secretary.

[FR Doc. E4-1705 Filed 8-2-04; 8:45 am]

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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Docket No. RP04-409-000]

**Pogo Producing Company; Notice Scheduling Convening Session**

July 27, 2004.

By order issued July 26, 2004, in the above-captioned docket, the Commission directed its Dispute Resolution Service to convene a meeting with the parties no later than Wednesday, July 28, 2004. During the convening session, the DRS Representative will pursue the selection of an ADR process to address the issues raised by Pogo Producing Company's filing on July 26, 2004. The DRS contemplates that the process selected would commence on Thursday afternoon at 2 c.s.t, July 29, or Friday morning 9 c.s.t., July 30. The ADR process would be held, tentatively, in Houston, Texas. The location will be announced as soon as it is known.

The Convening Session will be held by a telephone conference call on Wednesday July 28, for all interested parties at 1 p.m. central time (2 p.m. eastern time). The dial-in instructions are:

*When:* Wednesday, July 28, at 1 p.m. central time (2 p.m. eastern time).

*Dial-In #* 1-888-560-7328.  
*Passcode:* 994508 (enter # after number, and announce name on entry).

If you have any questions regarding this matter, please call Richard Miles at 202-502-8702 or Jeri Purdy at 202-502-8671.

**Magalie R. Salas,**  
Secretary.

[FR Doc. E4-1704 Filed 8-2-04; 8:45 am]

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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Docket No. RM98-1-000]

**Records Governing Off-the-Record Communications; Public Notice**

July 27, 2004.

This constitutes notice, in accordance with 18 CFR 385.2201(b), of the receipt of exempt and prohibited off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive an exempt or prohibited off-the-record communication relevant to the merit's of a contested on-the-record proceeding, to deliver a copy of the communication, if written, or a summary of the substance of any oral communication, to the Secretary.

Prohibited communications will be included in a public, non-decisional file associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a part

of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication, and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such a request only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication shall serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications will be included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of prohibited and exempt communications recently received in the Office of the Secretary. The communications listed are grouped by docket numbers. These filings are available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the eLibrary (FERRIS) link. Enter the docket number excluding the last three digits in the docket number field to access the document. For Assistance, please contact FERC, Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at (866) 208-3676, or for TTY, contact (202) 502-8659.

Docket No	Date filed	Presenter or requester
Prohibited:		
1. CP04-36-000 .....	7-8-04	Gordon Shearer.
CP04-41-000		
CP04-42-000		
CP04-43-000		
2. Project No. 11175-016 .....	6-15-04	Anumzziatta Purchiaroni. <sup>1</sup>
Exempt:		
1. CP04-223-000 .....	7-21-04	David D. Costa.
2. CP04-223-000 .....	7-21-04	Capt. William C. Reed.
3. EL03-180-000, <i>et al</i> .....	6-23-04	Hon. Maria Cantwell.
EL02-113-000		
EL02-114-000		
EL02-115-000		
EL03-154-000		
4. Project No. 2082-000 .....	7-21-04	Todd Olson.
5. Project No. 2144-116 .....	7-8-04	Antone C. Minthorn.
Project No. 2145-060		
6. Project No. 11659-000 .....	7-21-04	John Klutz.

<sup>1</sup> Newscipping sent to FERC program office by anonymous sender.

Magalie R. Salas,

Secretary.

[FR Doc. E4-1703 Filed 8-2-04; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[OAR-2004-0081, FRL-7796-9]

### Agency Information Collection Activities: Proposed Collection; Comment Request; Prevention of Significant Deterioration Nonattainment Area New Source Review (Renewal), EPA ICR Number 1230.17, OMB Control Number 2060-0003.

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit a continuing Information Collection Request (ICR) to the Office of Management and Budget (OMB). This is a request to renew an existing approved collection. This ICR is scheduled to expire on October 31, 2004. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below.

**DATES:** Comments must be submitted on or before October 4, 2004.

**ADDRESSES:** Submit your comments, referencing docket ID number OAR-2004-0081, to EPA online using EDOCKET (our preferred method), or by mail to: EPA Docket Center, Environmental Protection Agency, Air and Radiation Docket and Information Center, Mail Code 6102T, 1200 Pennsylvania Avenue, Northwest, Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** Juan E. Santiago, Information Transfer and Program Integration Division (C339-03), U.S. EPA Office of Air Quality Planning and Standards, Research Triangle Park, North Carolina 27711, telephone 919-541-1084, fax 919-541-5509, or electronic mail at [santiago.juan@epa.gov](mailto:santiago.juan@epa.gov).

**SUPPLEMENTARY INFORMATION:** The EPA has established a public docket for this ICR under Docket ID number OAR-2004-0081, which is available for public viewing at the Air Docket in the EPA Docket Center (EPA/DC), EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket

Center 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 Reading Room is (202) 566-1744, and the telephone number for the Air Docket is (202) 566-1742. An electronic version of the public docket is available through EPA Dockets (EDOCKET) at <http://www.epa.gov/edocket>. Use EDOCKET to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available electronically. Once in the system, select "search," then key in the docket ID number identified above.

Any comments related to this ICR should be submitted to EPA within 60 days of this notice. The EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing in EDOCKET as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose public disclosure is restricted by statute. When EPA identifies a comment containing copyrighted material, EPA will provide a reference to that material in the version of the comment that is placed in EDOCKET. The entire printed comment, including the copyrighted material, will be available in the public docket. Although identified as an item in the official docket, information claimed as CBI, or whose disclosure is otherwise restricted by statute, is not included in the official public docket, and will not be available for public viewing in EDOCKET. For further information about the electronic docket, see EPA's **Federal Register** notice describing the electronic docket at 67 FR 38102 (May 31, 2002), or go to <http://www.epa.gov/edocket>.

**Affected entities:** Entities potentially affected by this action are business or other non-profits; Federal, State, local, or tribal governments.

**Title:** Prevention of Significant Deterioration Non-Attainment Area New Source Review (Renewal).

**Abstract:** Part C of the Clean Air Act (Act)—"Prevention of Significant Deterioration," and Part D—"Plan Requirements for Nonattainment Areas," require all States to adopt preconstruction review programs for new or modified stationary sources of air pollution. In addition, the provisions of section 110 of the Act include a requirement for States to have a preconstruction review program to manage the emissions from the construction and modification of any

stationary source of air pollution to assure that the National Ambient Air Quality Standards (NAAQS) are achieved and maintained. Implementing regulations for these three programs are promulgated at 40 CFR 51.160 through 51.166 to part 51 and 40 CFR 52.21 and 52.24. In order to receive a construction permit for a major new source or major modification, the applicant must conduct the necessary research, perform the appropriate analyses and prepare the permit application with documentation to demonstrate that their project meets all applicable statutory and regulatory NSR requirements. Specific activities and requirements are listed and described in the Supporting Statement for the ICR.

Reviewing authorities, either State, local or Federal, review the permit application and provides for public review of the proposed project and issues the permit based on its consideration of all technical factors and public input. The EPA, more broadly, reviews a fraction of the total applications and audits the State and local programs for their effectiveness. Consequently, information prepared and submitted by the source is essential for the source to receive a permit, and for Federal, State and local environmental agencies to adequately review the permit application and thereby properly administer and manage the NSR programs.

Information that is collected and handled according to EPA's policies set forth in title 40, chapter 1, part 2, subpart B—Confidentiality of Business Information (*see* 40 CFR part 2). See also section 114(c) of the Act.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations in 40 CFR are listed in 40 CFR part 9.

The EPA solicits comments to:

(i) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;

(ii) Evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(iii) enhance the quality, utility, and clarity of the information to be collected; and

(iv) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic,