

Metals. Development of these papers was led by Eastern Research Group Inc., a contractor to EPA. These papers will inform EPA's continuing discussion of practices and methods for the risk assessment of metals.

**DATES:** The scientific papers will be available on or about October 4, 2004.

**ADDRESSES:** The issue papers are available primarily via the Internet on the Risk Assessment Forum's Web page <http://cfpub.epa.gov/ncea/raf/recordisplay.cfm?deid=86119>. A limited number of paper copies will be available from the EPA's National Service Center for Environmental Publications (NSCEP), P.O. Box 42419, Cincinnati, OH 45242; telephone: 1-800-490-9198 or 513-489-8190; facsimile: 513-489-8695. Please provide your name and mailing address and the title and EPA number of the requested publication, "Papers Addressing Scientific Issues in the Risk Assessment of Metals" (EPA/630/R-04/118).

**FOR FURTHER INFORMATION CONTACT:** For technical information, contact Dr. William P. Wood, Executive Director, Risk Assessment Forum, National Center for Environmental Assessment, Office of Research and Development; telephone: (202) 564-3361; facsimile: (202) 565-0062; or e-mail: [risk\\_forum@epa.gov](mailto:risk_forum@epa.gov).

**SUPPLEMENTARY INFORMATION:** EPA has recognized the need for consistent application of methods and data to metals risk assessment in consideration of the unique properties of metals. Early in 2002, the Agency's Science Policy Council initiated the development a framework to assess the risks of metals to humans and the environment. An Agency Action Plan was developed and reviewed by EPA's Science Advisory Board (SAB) in September 2002. The SAB emphasized the importance of focusing on the unique properties of metals as they relate to environmental chemistry, bioavailability, bioaccumulation, exposure, and toxicity. The SAB also emphasized the importance of engaging the outside community so as to contribute to the knowledge base the Agency would draw from in developing guidance on the risk assessment of metals.

To inform the consideration of metals properties, and to engage the external scientific community, the Agency commissioned external experts to lead the development of a series of issue papers. (Some individual EPA experts contributed specific discussions on topic(s) for which he or she has scientific expertise or knowledge of current Agency practice.) A public comment period was held on the draft

papers from September 22 through November 7, 2003, wherein comments were collected utilizing the Agency's on-line commenting system (E-Docket). Additionally, comment was received via a public meeting held October 28, 2003, in Washington, DC (comments remain available for viewing at [www.epa.gov/edocket](http://www.epa.gov/edocket), Docket Number OAR-2003-0192.) Comments were requested on technical issues including the level of detail in the papers, the chemical, biological and physical processes addressed or omitted, models and approaches that might reduce uncertainty, and other considerations that would improve the utility of the papers to the development of the framework. To finalize the papers, authors were directed to EPA's E-Docket to review and consider public comments received. The final papers reflect the authors responses to scientific comments received during the public comment period. Therefore, the views expressed are those of the authors and do not necessarily reflect the views or policies of the EPA and should not be construed as implying EPA consent or endorsement.

Having engaged the external community to broaden our knowledge base, the Agency is working to develop a framework for metals risk assessment. The framework will be provided for public comment, and SAB review.

Dated: September 27, 2004.

**Peter W. Preuss,**

*Director, National Center for Environmental Assessment.*

[FR Doc. 04-22254 Filed 10-1-04; 8:45 am]

**BILLING CODE 6560-50-P**

## EXECUTIVE OFFICE OF THE PRESIDENT

### Office of Administration; Notice of Meeting of the Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction

**ACTION:** Notice.

**SUMMARY:** The Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction ("Commission") will meet in closed session on Wednesday, October 20, 2004, and Thursday, October 21, 2004, in its offices in Arlington, Virginia.

Executive Order 13328 established the Commission for the purpose of assessing whether the Intelligence Community is sufficiently authorized, organized, equipped, trained, and resourced to identify and warn in a timely manner of,

and to support the United States Government's efforts to respond to, the development of Weapons of Mass Destruction, related means of delivery, and other related threats of the 21st Century. This meeting will consist of briefings and discussions involving classified matters of national security, including classified briefings from representatives of agencies within the Intelligence Community; Commission discussions based upon the content of classified intelligence documents the Commission has received from agencies within the Intelligence Community; and presentations concerning the United States' intelligence capabilities that are based upon classified information. While the Commission does not concede that it is subject to the requirements of the Federal Advisory Committee Act (FACA), 5 United States Code Appendix 2, it has been determined that the October 20-21 meeting would fall within the scope of exceptions (c)(1) and (c)(9)(B) of the Sunshine Act, 5 United States Code, Sections 552b(c)(1) & (c)(9)(B), and thus could be closed to the public if FACA did apply to the Commission.

**DATES:** Wednesday, October 20, 2004 (9 a.m. to 5 p.m.) and Thursday, October 21, 2004 (9 a.m. to 1 p.m.).

**ADDRESSES:** Members of the public who wish to submit a written statement to the Commission are invited to do so by facsimile at (703) 414-1203, or by mail at the following address: Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction, Washington, DC 20503. Comments also may be sent to the Commission by e-mail at [comments@wmd.gov](mailto:comments@wmd.gov).

**FOR FURTHER INFORMATION CONTACT:**

Brett C. Gerry, Associate General Counsel, Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction, by facsimile, or by telephone at (703) 414-1200.

**Victor E. Bernson, Jr.**

*Executive Office of the President, Office of Administration, General Counsel.*

[FR Doc. 04-22218 Filed 10-1-04; 8:45 am]

**BILLING CODE 3130-W4-P**

## FEDERAL COMMUNICATIONS COMMISSION

### Public Information Collection(s) Requirement Submitted to OMB for Emergency Review and Approval

September 28, 2004

**SUMMARY:** The Federal Communications Commission, as part of its continuing

effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

**DATES:** Written comments should be submitted on or before November 3, 2004. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contacts listed below as soon as possible.

**ADDRESSES:** Direct all comments to Kristy L. LaLonde, Office of Management and Budget (OMB), Room 10236 NEOB, Washington, DC 20503, (202) 395-3087 or via the Internet at [Kristy\\_L\\_LaLonde@omb.eop.gov](mailto:Kristy_L_LaLonde@omb.eop.gov), and Les Smith, Federal Communications Commission, Room 1-A804, 445 12th Street, SW., Washington, DC 20554 or via Internet to [Leslie.Smith@fcc.gov](mailto:Leslie.Smith@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information or copies of the information collections contact Les Smith at (202) 418-0217 or via Internet at [Leslie.Smith@fcc.gov](mailto:Leslie.Smith@fcc.gov).

**SUPPLEMENTARY INFORMATION:** The Commission has requested approval of these two information collections under the emergency processing provisions of the PRA by September 28, 2004.

*OMB Control Number:* 3060-0027.

*Title:* Application for Construction Permit for Commercial Broadcast Station, FCC Form 301.

*Form Number:* FCC 301.

*Type of Review:* Revision of a currently approved collection.

*Respondents:* Business or other for-profit entities; Not-for-profit institutions.

*Number of Respondents:* 3,247.  
*Estimated Hours per Response:* 2 to 4 hours.

*Frequency of Response:* On occasion requirements; Third party disclosure.

*Total Annual Burden:* 8,380 hours.

*Total Annual Cost:* \$44,630,924.00.

*Privacy Impact Assessment:* No impact(s).

*Needs and Uses:* FCC Form 301 is used to apply for authority to construct a new commercial AM, FM, or TV broadcast station, or to make changes in existing facilities of such a station. In addition, FM licensees or permittees may request, by application on FCC Form 301, upgrades on adjacent and co-channels, modifications to adjacent channels of the same class and downgrades to adjacent channels without first submitting a petition for rulemaking. All applicants using this one-step process must demonstrate that a suitable site exists which would comply with allotment standards with respect to minimum distance separation and city-grade coverage and which would be suitable for tower construction. To receive authorization for commencement of Digital Television ("DTV") operation, commercial broadcast licensees must file FCC Form 301 for a construction permit. This application may be filed anytime after receiving the initial DTV allotment but must be filed before mid-point in a particular applicant's required construction period. The Commission will consider these applications as minor changes in facilities. Applications will not have to supply full legal or financial qualification information.

On June 24, 2004, the U. S. Court of Appeals for the Third Circuit (the "Court") issued an Opinion and Judgment ("*Remand Order*") in which it upheld certain aspects of the new Commission's ownership rules adopted on June 2, 2003 (See 18 FCC Rcd 13620 (2003)), specifically those dealing with local radio ownership, while requiring further explanation for all other aspects of the new rules. The Court stated that its prior stay of all the new rules would remain in effect pending the outcome of the remand proceeding. The Commission filed a petition for rehearing requesting that the Court lift the stay partially—*i.e.*, with respect to the radio ownership rules which the Court's *Remand Order* upheld. In the *Rehearing Order*, the Court granted the petition, thus partially lifting the stay. As a result of the *Rehearing Order*, the new radio ownership rules took effect September 3, 2004.

*OMB Control Number:* 3060-0031.

*Title:* Application for Consent to Assignment of Broadcast Station

Construction Permit or License, FCC Form 314.

*Form Number:* FCC 314.

*Type of Review:* Revision of a currently approved collection.

*Respondents:* Business or other for-profit entities and Not-for-profit institutions.

*Number of Respondents:* 2,225.

*Estimated Hours per Response:* 1—2 hours.

*Frequency of Response:* On occasion reporting requirement, Third party disclosure.

*Total Annual Burden:* 3,990 hours.

*Total Annual Cost:* \$16,017,631.25.

*Privacy Impact Assessment:* No impact(s).

*Needs and Uses:* FCC Form 314 and applicable exhibits/explanations are required to be filed when applying for consent for assignment of an AM, FM, or TV broadcast station construction permit or license. In addition, the applicant must notify the Commission when an approved assignment of a broadcast station construction permit or license has been consummated.

This collection also includes the third party disclosure requirement of 47 CFR 73.3580. This section requires local public notice in a newspaper of general circulation of the filing of all applications for assignment of license/permit. This notice must be completed within 30 days of the tendering of the application. This notice must be published at least twice a week for two consecutive weeks in a three-week period. A copy of this notice must be placed in the public inspection file along with the application. Additionally, an applicant for assignment of license must broadcast the same notice over the station at least once daily on four days in the second week immediately following the tendering for filing of the application.

On June 24, 2004, the U.S. Court of Appeals for the Third Circuit (the "Court") issued an Opinion and Judgment ("*Remand Order*") in which it upheld certain aspects of the new Commission's ownership rules adopted on June 2, 2003 (See 18 FCC Rcd 13620 (2003)), specifically those dealing with local radio ownership, while requiring further explanation for all other aspects of the new rules. The Court stated that its prior stay of all the new rules would remain in effect pending the outcome of the remand proceeding. The Commission filed a petition for rehearing requesting that the Court lift the stay partially—*i.e.*, with respect to the radio ownership rules which the Court's *Remand Order* upheld. In the *Rehearing Order*, the Court granted the petition, thus partially lifting the stay.

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As a result of the *Rehearing Order*, the new radio ownership rules took effect September 3, 2004.

*OMB Control Number:* 3060-0032.

*Title:* Application for Consent to Transfer Control of Entity Holding Broadcast Station Construction Permit or License, FCC Form 315.

*Form Number:* FCC 315.

*Type of Review:* Revision of a currently approved collection.

*Respondents:* Business or other for-profit entities and Not-for-profit institutions.

*Number of Respondents:* 2,225.

*Estimated Time per Response:* 1-2 hours.

*Frequency of Response:* On occasion reporting requirement; Third party disclosure.

*Total Annual Burden:* 3,990 hours.

*Total Annual Cost:* \$16,017,631.25.

*Privacy Impact Assessment:* No impact(s).

*Needs and Uses:* FCC Form 315 and applicable exhibits/explanations are required to be filed when applying for transfer of control of a corporation holding an AM, FM, or TV broadcast station construction permit or license. In addition, the applicant must notify the Commission when an approved transfer of control of a broadcast station construction permit or license has been consummated.

This collection also includes the third party disclosure requirement of 47 CFR 73.3580. This section requires local public notice in a newspaper of general circulation of the filing of all applications for transfer of control of license/permit. This notice must be completed within 30 days of the tendering of the application. This notice must be published at least twice a week for two consecutive weeks in a three-week period. A copy of this notice must be placed in the public inspection file along with the application. Additionally, an applicant for transfer of control of license must broadcast the same notice over the station at least once daily on four days in the second week immediately following the tendering for filing of the application.

On June 24, 2004, the U. S. Court of Appeals for the Third Circuit (the "Court") issued an Opinion and Judgment ("*Remand Order*") in which it upheld certain aspects of the new Commission's ownership rules adopted on June 2, 2003 (See 18 FCC Rcd 13620 (2003)), specifically those dealing with local radio ownership, while requiring further explanation for all other aspects of the new rules. The Court stated that its prior stay of all the new rules would remain in effect pending the outcome of

the remand proceeding. The Commission filed a petition for rehearing requesting that the Court lift the stay partially—*i.e.*, with respect to the radio ownership rules which the Court's *Remand Order* upheld. In the *Rehearing Order*, the Court granted the petition, thus partially lifting the stay. As a result of the *Rehearing Order*, the new radio ownership rules took effect September 3, 2004.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 04-22227 Filed 10-1-04; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL RESERVE SYSTEM

### Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The application also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States. Additional information on all bank holding companies may be obtained from the National Information Center website at [www.ffiec.gov/nic/](http://www.ffiec.gov/nic/).

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than October 28, 2004.

**A. Federal Reserve Bank of Philadelphia** (Michael E. Collins, Senior Vice President) 100 North 6th Street,

Philadelphia, Pennsylvania 19105-1521:

1. *Fulton Financial Corporation*, Lancaster, Pennsylvania; to merge with First Washington Financial Corp., Windsor, New Jersey, and thereby indirectly acquire First Washington State Bank, Windsor, New Jersey.

**B. Federal Reserve Bank of Atlanta** (Sue Costello, Vice President) 1000 Peachtree Street, N.E., Atlanta, Georgia 30303:

1. *Synovus Financial Corp.*, Columbus, Georgia; to acquire 100 percent of the voting shares of Cohutta Banking Company of Tennessee, Chattanooga, Tennessee, a *de novo* bank.

Board of Governors of the Federal Reserve System, September 28, 2004.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. 04-22178 Filed 10-1-04; 8:45 am]

**BILLING CODE 6210-01-S**

## FEDERAL RESERVE SYSTEM

### Notice of Proposals to Engage in Permissible Nonbanking Activities or to Acquire Companies that are Engaged in Permissible Nonbanking Activities

The companies listed in this notice have given notice under section 4 of the Bank Holding Company Act (12 U.S.C. 1843) (BHC Act) and Regulation Y (12 CFR Part 225) to engage *de novo*, or to acquire or control voting securities or assets of a company, including the companies listed below, that engages either directly or through a subsidiary or other company, in a nonbanking activity that is listed in § 225.28 of Regulation Y (12 CFR 225.28) or that the Board has determined by Order to be closely related to banking and permissible for bank holding companies. Unless otherwise noted, these activities will be conducted throughout the United States.

Each notice is available for inspection at the Federal Reserve Bank indicated. The notice also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether the proposal complies with the standards of section 4 of the BHC Act. Additional information on all bank holding companies may be obtained from the National Information Center website at [www.ffiec.gov/nic/](http://www.ffiec.gov/nic/).

Unless otherwise noted, comments regarding the applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than October 18, 2004.