

EPA to object to operating permits issued to three facilities by the New York State Department of Environmental Conservation (NYSDEC). Specifically, the Administrator has partially granted and partially denied three petitions submitted by the New York Public Interest Research Group (NYPIRG) to object to the state operating permits issued to the Keyspan Generation Far Rockaway Station, Motiva Enterprises, LLC, and the New York City Department of Environmental Protection (NYCDEP) North River Water Pollution Control Plant. Additionally, the Administrator has partially granted and partially denied a petition submitted by the NYCDEP, requesting our objection to its own operating permit for the North River plant. Pursuant to section 505(b)(2) of the Clean Air Act (Act), petitioners may seek judicial review of those portions of the petitions which EPA denied in the United States Court of Appeals for the appropriate circuit. Any petition for review shall be filed within 60 days from the date this notice appears in the **Federal Register**, pursuant to section 307 of the Act.

**ADDRESSES:** You may review copies of the final orders, the petitions, and other supporting information at the EPA Region 2 Office, 290 Broadway, New York, New York 10007-1866. If you wish to examine these documents, you should make an appointment at least 24 hours before visiting day. Additionally, the final orders are available electronically at: <http://www.epa.gov/region07/programs/artd/air/title5/petitiondb/petitiondb2002.htm>.

**FOR FURTHER INFORMATION CONTACT:** Steven Riva, Chief, Permitting Section, Air Programs Branch, Division of Environmental Planning and Protection, EPA Region 2, 290 Broadway, 25th Floor, New York, New York 10007-1866, telephone (212) 637-4074.

**SUPPLEMENTARY INFORMATION:** The Act affords EPA a 45-day period to review, and object to as appropriate, operating permits proposed by state permitting authorities. Section 505(b)(2) of the Act authorizes any person to petition the EPA Administrator within 60 days after the expiration of this review period to object to state operating permits if EPA has not done so. Petitions must be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided by the state, unless the petitioner demonstrates that it was impracticable to raise these issues during the comment period or the grounds for the issues arose after this period.

### I. Keyspan

On July 5, 2002, the EPA received a petition from NYPIRG, requesting that EPA object to the issuance of the title V operating permit for the Keyspan Generation Far Rockaway Station. On September 24, 2004, the Administrator issued an order partially granting and partially denying the Keyspan petition. The order explains the reasons behind EPA's conclusion that the NYSDEC must determine whether to retain or delete a condition relating to burning waste-oil in the utility boiler. If this condition is to be retained, the NYSDEC must incorporate additional requirements, and discuss applicability in the corresponding Permit Review Report. The order also explains EPA's reasons for denying NYPIRG's remaining claims.

### II. Motiva

On May 23, 2002, the EPA received a petition from NYPIRG, requesting that EPA object to the issuance of the title V operating permit for Motiva Enterprises, LLC. On September 24, 2004, the Administrator issued an order partially granting and partially denying the Motiva petition. The order explains the reasons behind EPA's conclusion that the NYSDEC must: (1) Provide information on the methods used in creating the emission statement; (2) prescribe opacity monitoring for the Vapor Recovery Unit; (3) include additional requirements that are applicable to bulk gasoline terminals; (4) state that reporting is due semi-annually for the facility's average daily gasoline throughput; (5) specify which type of control is in place at the Fixed Roof storage tanks; (6) specify that a record will be generated whenever activities pertaining to the replacement of any liquid mounted seal are performed; (7) state that facility is subject to a gasoline throughput limit of 526,900,000 gallons/yr; and (8) reference emission calculations together with any applicable technical basis. The order also explains EPA's reasons for denying NYPIRG's remaining claims.

### III. North River

On October 1 and 4, 2002, the EPA received petitions from NYPIRG and the NYCDEP, requesting that EPA object to the issuance of the title V operating permit for the NYCDEP North River Water Pollution Control Plant. On September 24, 2004, the Administrator issued an order partially granting and partially denying both North River petitions. The order explains the reasons behind EPA's conclusion that the NYSDEC must reopen the permit to:

(1) Move the hydrogen sulfide requirements to the state-only enforceable portion of the permit; (2) include requirements for exempt activities where applicable; (3) require annual certification of federally enforceable terms as directed by EPA; (4) include the SIP "excuse" provision codified at 6 NYCRR section 201.5(e); (5) include additional monitoring for NO<sub>x</sub> from the engines; (6) specify the degree of air cleaning required by 6 NYCRR section 212.4(a) for the wastewater, sludge and miscellaneous processes, and include appropriate monitoring; and (7) clarify the applicability of 6 NYCRR section 230.2 and include appropriate permit conditions. In addition, several issues require the NYSDEC to provide a revised statement of basis that: (1) Explains how the sulfur in fuel monitoring is consistent with the city's contract; (2) clarifies the rationale for including multiple monitoring requirements for opacity from the engines; (3) clarifies the applicability of exempt and trivial activities as well as the general opacity regulation; (4) explains its reasons for concluding the facility is a non-industrial POTW; and (5) clarifies the applicability of CAA section 112(r). The order also explains EPA's reasons for denying the petitioners' remaining claims.

Dated: November 1, 2004.

**Jane M. Kenny,**

*Regional Administrator, Region 2.*

[FR Doc. 04-24923 Filed 11-8-04; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRC-7835-1]

### Notice of Disclosure of Confidential Business Information Obtained Under the Comprehensive Environmental Response, Compensation and Liability Act to EPA Contractor Techlaw, Incorporated and its Subcontractors

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice, request for comment.

**SUMMARY:** The U.S. Environmental Protection Agency ("EPA") hereby complies with the requirements of 40 CFR 2.310(h) for authorization to disclose to TechLaw, Inc. of San Francisco, California, and its subcontractors, Superfund confidential business information ("CBI") submitted to EPA Region 9.

**DATES:** Comments may be submitted by November 24, 2004.

**ADDRESSES:** Comments should be sent to: Environmental Protection Agency, Region 9, Peggy De La Torre (PMD-8), 75 Hawthorne Street, San Francisco, CA 94105.

**FOR FURTHER INFORMATION CONTACT:**

Peggy De La Torre, Policy & Management Division, Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105, (415) 972-3717.

*Notice of Required Determinations, Contract Provisions and Opportunity to Comment:* The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA") as amended, (commonly known as "Superfund") requires completion of enforcement activities at Superfund sites in concert with other site events. EPA has entered into a contract, No. GS-10F-0168J, delivery order No. 0901, with TechLaw, Inc. for Superfund Enforcement Support Services-Emergency Response Enforcement ("SESS9-ERE"). These services will be provided to EPA by SAIC and its subcontractors: Jonas and Associates, Inc. of Martinez, CA and PPC Land Consultants, Inc. of Dixon, CA. EPA has determined that disclosure of CBI to SAIC employees, and its subcontractors' employees, is necessary in order that SAIC may carry out the work required by that contract with EPA. The information EPA intends to disclose includes submissions made by Potentially Responsible Parties to EPA in accordance with EPA's enforcement activities at Superfund sites. The information would be disclosed to the contractor and its subcontractor for any of the following reasons: to assist with document handling, inventory, and indexing; to assist with document review and analysis; to verify completeness; and to provide technical review of submittals. The contract complies with all requirements of 40 CFR 2.310(h)(2). EPA Region 9 will require that each SAIC employee and subcontractor employee sign a written agreement that he or she: (1) Will use the information only for the purpose of carrying out the work required by the contract, (2) shall refrain from disclosing the information to anyone other than EPA without prior written approval of each affected business or of an EPA legal office, and (3) shall return to EPA all copies of the information (and any abstracts or extracts therefrom) upon request from the EPA program office, whenever the information is no longer required by SAIC and its subcontractors for performance of the work required by the contract or upon

completion of the contract or subcontract.

Dated: October 25, 2004.

**Nancy Lindsay,**

*Deputy Director, Superfund Division, Region 9.*

[FR Doc. 04-24925 Filed 11-8-04; 8:45 am]

**BILLING CODE 6560-50-M**

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7836-2]

**Workshop on Lead in Drinking Water in Schools and Child Care Facilities**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice.

**SUMMARY:** The U.S. Environmental Protection Agency (EPA) is holding a workshop to discuss issues concerning lead in drinking water in schools and child care facilities. The EPA recognizes that lead in drinking water most often occurs within the distribution system and the Agency is especially concerned about its effects on vulnerable populations, such as children. The EPA is hosting this workshop to discuss experiences and options with national experts in drinking water and children's health and education. The workshop participants will discuss best practices to promote awareness and water testing in schools and child care facilities, linkages between water suppliers and school officials, school and child care facilities participation in voluntary programs, and the Lead and Copper Rule and Lead Contamination Control Act as they apply to schools and child care facilities. The EPA has been working with the Department of Education to plan this event.

**DATES:** The workshop will be held on December 7, 2004, 8:30 a.m. to 5:30 p.m. Eastern time.

**ADDRESSES:** The workshop will be held at the Wyndham Washington Hotel, 1400 M Street NW., Washington, DC 20005.

**FOR FURTHER INFORMATION CONTACT:** To attend this workshop as an observer registration is required. Attendance as an observer is limited to the first 50 people to register. To register by phone, please contact Sarah Koppel at 202-564-3859, or register by e-mail at [koppel.sarah@epa.gov](mailto:koppel.sarah@epa.gov). For administrative meeting information and technical information contact Lisa Christ, Office of Water, Office of Ground Water and Drinking Water, U.S. EPA, 1200 Pennsylvania Ave., NW., (MC 4606M), Washington, DC 20460, at 202-

564-8354 or by e-mail at [christ.lisa@epa.gov](mailto:christ.lisa@epa.gov).

**SUPPLEMENTARY INFORMATION:** There is no charge for attending this workshop as an observer, but seats are limited, so register as soon as possible. Any person needing special accommodations at the meeting, including wheelchair access, should make this known at the time of registration.

Dated: November 1, 2004.

**Cynthia C. Dougherty,**

*Director, Office of Ground Water and Drinking Water.*

[FR Doc. 04-24922 Filed 11-8-04; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7835-4]

**Air Quality Criteria Document for Lead**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice; call for information.

**SUMMARY:** The U.S. Environmental Protection Agency (EPA) Office of Research and Development's National Center for Environmental Assessment (NCEA) is updating and revising, where appropriate, the Air Quality Criteria for Lead, EPA-600/8-83/028aF-dF, published in June 1986, and the associated supplement (EPA-600/8-89/049F) published in 1990. Interested parties are invited to assist the EPA in developing and refining the scientific information base for updating the Air Quality Criteria for Lead by submitting research studies that have been published, accepted for publication, or presented at a public scientific meeting.

**DATES:** The sixty-day period for submission of this information begins November 15, 2004, and ends January 15, 2005.

**ADDRESSES:** Information may be submitted electronically, by mail, by facsimile, or by hand delivery/courier. Please follow the detailed instructions as provided in the section of this notice entitled **SUPPLEMENTARY INFORMATION**.

**FOR FURTHER INFORMATION CONTACT:** For details on the period for submission of research information from the public, contact the Office of Environmental Information Docket; telephone: 202-566-1752; facsimile: 202-566-1753; or e-mail: [ORD.Docket@epa.gov](mailto:ORD.Docket@epa.gov).

For technical information, contact Robert Elias, Ph.D., NCEA, facsimile: 919-541-1818 or e-mail: [elias.robert@epa.gov](mailto:elias.robert@epa.gov).