

the OMB Inventory of Approved ICR Burdens. This increase is due to a correction in the estimated number of existing affected sources.

Dated: November 8, 2004.

**Oscar Morales,**

*Director, Collection Strategies Division.*

[FR Doc. 04-25621 Filed 11-17-04; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7837-8]

### Announcement of the Delegation of the Title V Permitting Program, Consistent With Federal Operating Permit Programs to the Navajo Nation Environmental Protection Agency and the Suspension of Federal Operating Permit Program Fee Collection by EPA for Sources Covered by the Delegation of Authority Agreement

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

**ACTION:** Informational notice.

**SUMMARY:** The purpose of this notice is to announce that on October 15, 2004, EPA granted the Navajo Nation Environmental Protection Agency's (NNEPA) request for full delegation of authority to administer the Clean Air Act's (the Act) federal operating permits program. Under this delegation, NNEPA will issue and implement Title V operating permits for certain air pollution sources located within the formal boundaries of the Navajo Nation reservation and certain off-reservation Tribal Trust lands and will otherwise administer the program. The terms and conditions of the full delegation are specified in a Delegation of Authority Agreement ("Agreement") between EPA Region IX and NNEPA, signed and dated on October 15, 2004. Region IX is also simultaneously suspending its collection of Part 71 fees, pursuant to 40 CFR 71.9(c)(2)(ii), for sources identified in this notice or otherwise covered by the Agreement.

**EFFECTIVE DATES:** The effective date for the Agreement between EPA and NNEPA, and EPA's suspension of its Part 71 fee collection for sources identified in this notice or otherwise covered by the Agreement, is October 15, 2004.

**ADDRESSES:** Copies of the letter requesting delegation of authority to administer the federal operating permits program and the Agreement between EPA and NNEPA are available for public inspection at EPA's Region IX Office, 75 Hawthorne Street, San Francisco, CA

94105 and at the Navajo Nation Environmental Protection Agency Air Quality Control Program Office, Rt. 12 North/Bldg #F004-051, Fort Defiance, AZ 86504. Effective October 15, 2004, all notifications, requests, applications, reports and other correspondence required under 40 CFR Part 71 for all Part 71 sources identified in this notice or otherwise covered by the Agreement shall be submitted to NNEPA's Air Quality Control Program Office at the following address: Navajo Nation Air Quality Control Program Office, P.O. BOX 529 Fort Defiance, AZ 86504 Attn: Chris Lee. Sources will also remain obligated to submit copies of such documents to EPA as set forth in the terms and conditions of their Part 71 permits and consistent with Section VII(2) of the Agreement.

**FOR FURTHER INFORMATION CONTACT:** Emmanuelle Rapicavoli, Permits Office (AIR-3), 75 Hawthorne Street, San Francisco, CA 94110, Telephone: 415-972-3969, e-mail: [rapicavoli.emmanuelle@epa.gov](mailto:rapicavoli.emmanuelle@epa.gov).

**SUPPLEMENTARY INFORMATION:** The purpose of this notice is to announce that on October 15, 2004, EPA granted NNEPA's request for full delegation of authority to administer the Part 71 federal operating permits program for certain Part 71 sources. The Act and its implementing regulations under Part 71 authorize EPA to delegate authority to administer the Part 71 program to any eligible Tribe that submits a demonstration of adequate regulatory procedures and authority for administration of the Part 71 operating permits program.

In order to be considered an "eligible tribe," the NNEPA submitted, on June 17, 2004, an application for a determination, under the provisions of the Tribal Authority Rule (TAR), 40 CFR Part 49, that it is eligible to be treated in the same manner as a state for the purpose of receiving delegation of authority to administer the federal Part 71 operating permit program. The application excluded the Four Corners Power Plant and the Navajo Generating Station. Region IX reviewed NNEPA's application and determined that it met the four criteria for eligibility, identified in 40 CFR 49.6, for the sources described, and was thus eligible for entering into a delegation agreement with Region IX to administer the Part 71 program. Region IX's eligibility determination was signed on October 13, 2004.

On July 16, 2004, NNEPA submitted a request to the Region to delegate the administration of the federal Part 71 program for certain Part 71 sources. The

area included in the request, herein called the "Delegated Program Area," includes all lands within the formal boundaries of the Navajo Nation Reservation and the satellite reservations of Alamo, Canoncito and Ramah and Tribal trust lands located outside of the formal reservations in the Eastern Agency, excluding the Bennet Freeze area.

As part of its request, NNEPA submitted a legal opinion from its attorney general stating that the Navajo Nation Air Pollution Prevention and Control Act and the Navajo Nation Air Quality Control Program Operating Permit Regulations provide it adequate authority to carry out all aspects of the delegated program. NNEPA provided all necessary documentation to demonstrate that it has adequate authority and adequate resources to administer the Part 71 federal permitting program.

Pursuant to 40 CFR 71.10(b), EPA hereby notifies the public that effective October 15, 2004, it has granted NNEPA's request and is fully delegating the authority to administer the federal operating permits program as set forth under 40 CFR Part 71 and in the Agreement. The terms and conditions for full delegation are specified in the Agreement between EPA Region IX and NNEPA signed and dated on October 15, 2004.

The Agreement applies to all new and existing sources within the Delegated Program Area except the Four Corners Power Plant and the Navajo Generating Station, for which Region IX retains sole authority to regulate under Title V. The existing Part 71 sources covered by the Agreement are the following: the El Paso Natural Gas Window Rock Compressor Station, the El Paso Natural Gas White Rock Compressor Station, the El Paso Natural Gas Navajo Compressor Station, the El Paso Natural Gas Leupp Compressor Station, the El Paso Natural Gas Dilkon Compressor Station, the Transwestern Pipeline Klagetoh Compressor Station, the Transwestern Pipeline Leupp Compressor Station, El Paso Natural Gas Gallup Compressor Station, the Conoco Phillips Wingate Fractionating Plant, Peabody Western Coal Company's Black Mesa Complex, the Chevron-Texaco Aneth Gas Plant, and the Exxon-Mobil McElmo Creek Unit. The Agreement also applies to all new Part 71 sources which will construct and operate within the Delegated Program Area as well as existing sources in the Delegated Program Area which later become subject to Part 71.

If, at any time, EPA determines that NNEPA is not or cannot adequately

administer the requirements of Part 71 or fulfill the terms of the Agreement, this delegation may be revoked, in whole or in part, pursuant to 40 CFR 71.10(c). Under this delegation, EPA retains its authority to (1) object to the issuance of any Part 71 permit, (2) act upon petitions submitted by the public, and (3) collect fees from all owners or operators of sources described in the Agreement and subject to 40 CFR Part 71 if it is demonstrated that NNEPA is not adequately administering the Part 71 program in accordance with the Agreement, 40 CFR Part 71, and/or the Act. Because EPA is retaining its authority to act upon petitions submitted pursuant to 40 CFR 71.10(h) and 71.11(n), any such petitions must be submitted to Region IX following the procedures set forth in those regulations.

EPA also notifies the public, pursuant to 40 CFR 71.9(c)(2)(ii), that effective October 15, 2004, it has suspended collection of its Part 71 permit fees for those Part 71 sources identified in this notice or otherwise covered by the Agreement. In delegating the administration of the Part 71 program, EPA has determined that NNEPA can collect fees under tribal law sufficient to fund the delegated Part 71 program and carry out the duties specified in the Agreement. EPA retains its authority to collect Part 71 fees if it is demonstrated that NNEPA is not adequately administering the Part 71 program in accordance with the Agreement, Part 71, and/or the Act.

Dated: October 26, 2004.

**Jane Diamond,**

*Acting Regional Administrator, Region 9.*

[FR Doc. 04-25624 Filed 11-17-04; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[Petition IV-2003-7; FRL-7838-5]

### Clean Air Act Operating Permit Program; Petition for Objection to State Operating Permit for Cargill, Inc.—Soybean Oil Mill; Gainesville (Hall County), GA

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

**ACTION:** Notice of amended final order on petition to object to a state operating permit.

**SUMMARY:** On October 19, 2004, EPA amended an order signed by the Administrator on July 16, 2004, partially granting and partially denying a petition to object to a state operating permit

issued by the Georgia Environmental Protection Division (EPD) to Cargill, Inc.—Soybean Oil Mill (Cargill) located in Gainesville, Hall County, Georgia, pursuant to title V of the Clean Air Act, 42 U.S.C. 7661-7661f. The July 16, 2004 Order was amended to delete two references to a cement kiln in Section IV.A. The deletions were made because:

(1) The citation for the cement kiln reference on page 6 of the original Order was incorrect. The reference originally cited to Petitioners' Consultant's Report: the Letter from Bill Powers, P.E. of Powers Engineering to Curtis Cox of Georgia Center for Law in the Public Interest (GCLPI) (October 3, 2002). While the actual date for the Powers Report was October 3, 2003, the correct citation to the cement kiln reference should have been to Cargill's Consultant's July 17, 2002 Report: Letter from Todd Cloud of Trinity Consultants to Mr. James Capp of EPD (July 17, 2002); and

(2) In re-reviewing the correct permit record document relating to the cement kiln reference on page 6 of the original Order, EPA has become concerned that the cement kiln information contained in the July 17, 2002 Letter from Todd Cloud of Trinity Consultants to Mr. James Capp of EPD may have been erroneously included in Trinity's Report and may not be accurate as applied to Cargill's Gainesville, Georgia facility. The deletion of the two references to a cement kiln in Section IV.A does not impact or alter EPA's original finding that the permit narrative and permit record provided little explanation for the numerical reasonable available control technology (RACT) limit chosen for boiler B001, nor does it impact or alter EPA's original grant of the Petitioners' claim that the narrative and permit record are inadequate on the numerical RACT limit for boiler B001.

**ADDRESSES:** Copies of the amended final order, the petition, and all pertinent information relating thereto are on file at the following location: EPA Region 4, Air, Pesticides and Toxics Management Division, 61 Forsyth Street SW., Atlanta, Georgia 30303-8960. The amended final order is also available electronically at the following address: [http://www.epa.gov/region7/programs/artd/air/title5/petitiondb/petitions/cargillamendment\\_decision2003\(amended\).pdf](http://www.epa.gov/region7/programs/artd/air/title5/petitiondb/petitions/cargillamendment_decision2003(amended).pdf).

**FOR FURTHER INFORMATION CONTACT:** Art Hofmeister, Air Permits Section, EPA Region 4, at (404) 562-9115 or [hofmeister.art@epa.gov](mailto:hofmeister.art@epa.gov).

**SUPPLEMENTARY INFORMATION:** GCLPI originally submitted a petition on behalf

of the Sierra Club to the Administrator on October 7, 2003, requesting that EPA object to a state title V operating permit issued by EPD to Cargill. The Petitioner maintains that the Cargill permit is inconsistent with the Act due to: (1) The inadequacy of EPD's RACT determinations for various emission units; (2) the inadequacy of various monitoring and reporting requirements; (3) the inadequacy of the statement of basis; and (4) the permit's inability to assure compliance.

Dated: November 10, 2004.

**A. Stanley Meiburg,**

*Deputy Regional Administrator, Region 4.*

[FR Doc. 04-25623 Filed 11-17-04; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7839-1]

### Science Advisory Board Staff Office; Notification of an Upcoming Teleconference of the Science Advisory Board Second Generation Model Advisory Panel

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

**ACTION:** Notice.

**SUMMARY:** The EPA, Science Advisory Board (SAB) Staff Office announces a teleconference of the Second Generation Model Advisory Panel to discuss its plan for providing advice to EPA on this model.

**DATES:** A public teleconference of the SAB Second Generation Model Advisory Panel will be held from 2 p.m. to 5 p.m. Eastern time on December 2, 2004.

**FOR FURTHER INFORMATION CONTACT:** Members of the public who wish to obtain the call-in number and access code to participate in the teleconference may contact Dr. Holly Stallworth, EPA Science Advisory Board Staff (1400F), U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone/voice mail: (202) 343-9867 or via e-mail at [stallworth.holly@epa.gov](mailto:stallworth.holly@epa.gov).

**Technical Contact:** The technical contact in EPA's Office of Atmospheric Programs for the Second Generation Model is Michael Leifman who can be reached at [leifman.michael@epa.gov](mailto:leifman.michael@epa.gov) or 202-343-9380.

### SUPPLEMENTARY INFORMATION:

**Background:** EPA's Office of Atmospheric Programs had requested the SAB to provide advice on the Second Generation Model. The SAB Staff Office has formed a SAB Panel to