

September 27, 2004, as amended on December 7, 2004.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant and all the parties in this proceeding.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

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*Comment Date:* 5 p.m. eastern time on February 14, 2005.

**Linda Mitry,**  
*Deputy Secretary.*

[FR Doc. E5-593 Filed 2-11-05; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. ER05-236-003]

### Northeast Energy Associates, a Limited Partnership; Notice of Supplemental Filing

February 7, 2005.

Take notice that on February 3, 2005 Northeast Energy Associates, a Limited Partnership, (NEA) submitted a supplement to its application for market-based rate authority filed on

November 18, 2004, as supplemental on November 30, 2004 and January 14, 2005, to correct certain exhibits.

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*Comment Date:* 5 p.m. eastern time on February 14, 2005.

**Linda Mitry,**  
*Deputy Secretary.*

[FR Doc. E5-594 Filed 2-11-05; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[ORD-2004-0023, FRL-7872-5]

### Agency Information Collection Activities: Proposed Collection; Comment Request; Health Effects of Microbial Pathogens in Recreational Waters; National Epidemiological and Environmental Assessment of Recreational (NEEAR) Water Study, EPA ICR Number 2081.02, OMB Control Number 2080.0086

**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 August 31, 2005. 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 April 15, 2005.

**ADDRESSES:** Submit your comments, referencing docket ID number ORD-2004-0023, to EPA online using EDOCKET (our preferred method), by e-mail to *oei.docket@epa.gov*, or by mail to: EPA Docket Center, Environmental Protection Agency, Office of Environmental Information Docket, Mail Code 2822T, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** Susan Auby, Environmental Protection Agency, Office of Information Collection, Office of Environmental Information, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 566-1672; fax number: (202) 566-1753; e-mail address: *auby.susan@epa.gov*.

**SUPPLEMENTARY INFORMATION:** EPA has established a public docket for this ICR under Docket ID number ORD-2004-0023, which is available for public viewing at the Office of Research and Development 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 Docket is (202) 566-1752. 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. 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 families frequenting fresh and marine water beaches in the continental United States.

**Title:** Health Effects of Microbial Pathogens in Recreational Waters.

**Abstract:** The purpose of this study is to examine the health effects of families in recreational water beach areas. This study will be conducted, and the information collected, by the Epidemiology and Biomarkers Branch, Human Studies Division, National Health and Environmental Effects Research Laboratory, Office of Research and Development, U.S. Environmental Protection Agency (EPA). Participation of adults and children in this collection of information is strictly voluntary. This

information is being collected as part of a research program consistent with the Section 3(a)(v)(1) of the Beaches Environmental Assessment and Coastal Health Act of 2000 and the strategic plan for EPA's Office of Research and Development (ORD) and the Office of Water entitled "Action Plan for Beaches and Recreational Water." The Beaches Act and ORD's strategic plan has identified research on effects of microbial pathogens in recreational waters as a high-priority research area with particular emphasis on developing new water quality indicator guidelines for recreational waters. The EPA has broad legislative authority to establish water quality criteria and to conduct research to support these criteria. This data collection is for a series of epidemiological studies to evaluate exposure to and effects of microbial pathogens in marine and fresh recreational waters as part of the EPA's research program on exposure and health effects of microbial pathogens in recreational waters. Health effects data collection was previously conducted in a pilot study and four freshwater coastal sites under OMB number 2080.0068 (expires August 31, 2005), ICR number 2081.01. The results will be used to develop mathematical relationships that will be used for the generation of new national water quality and monitoring guidelines. The questionnaire health data will be compared with routinely collected water quality measurements. The analysis will focus on determining whether any water quality parameters are associated with increased prevalence of swimming-related health effects.

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 would like to solicit 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, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

**Burden Statement:** Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

The annual public reporting and recordkeeping burden for this collection of information is estimated to average about fifteen minutes per response. If a participant completes all portions of the data collection, a total 45 minutes.

**Beach Interviews & Telephone Follow-ups:** Based on consultation with the individuals listed in Section 3(c) of the ICR, and our experience with similar types of information collection, we estimate that each family will spend an average of 30 minutes completing the beach interview and will require no recordkeeping. This includes the time for reviewing the information pamphlet and answering the questions. We estimate that each family spends an average of 15 minutes completing the home telephone interview. The telephone interviews will require no recordkeeping.

All human health data collection will be recorded utilizing computer-assisted personal interviews (CAPI). The telephone interview incorporates the same concept of direct data collection in a desk personal computer (PC) setting. The tablet notebooks and desk PCs are used by interviewers to collect human health data. Screens on these tablets and PCs only display current activated questions. All human health data is stored in secured locations to maintain confidentiality.

Respondent activities	Estimated number of respondents	Burden hours	Frequency	Total burden hours	Total burden cost
Beach Interview and Phone Interview .....	7,000	0.25	1	1,750	<sup>a</sup> 25,760
Beach Interview (Part A) .....	7,000	0.25	1	1,750	<sup>a</sup> 25,760
Phone Interview .....	7,000	0.25	1	1,750	<sup>a</sup> 25,760
<b>Total .....</b>	<b>21,000</b>	<b>0.75</b>	<b>3</b>	<b>5,250</b>	<sup>a</sup> 77,280

<sup>a</sup>\$14.72/hour.

There is no direct respondent costs for this data collection.

*Estimated Total Annualized Capital, O&M Cost Burden: \$0.*

Dated: January 27, 2005.

**Harold Zenick,**  
Associate Director of Health.

[FR Doc. 05-2793 2-11-05; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7872-8]

### Proposed Settlement Agreement, Clean Air Act Petition for Review

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of Proposed Settlement Agreement; Request for Public Comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("Act"), 42 U.S.C. 7413(g), notice is hereby given of a settlement agreement to address a claim raised by Alcoa, Inc. ("Alcoa") in a petition for review filed in the United States Court of Appeals for the District of Columbia Circuit.

#### *Alcoa, Inc. v. United States*

*Environmental Protection Agency, No. 04-1189 (D.C. Cir.)* This lawsuit, which was filed pursuant to section 307(b) of the Act, 42 U.S.C. 7607(b), challenged EPA's designation of the Evansville, Indiana area as nonattainment for the 8-hour ozone national ambient air quality standard ("NAAQS") pursuant to section 107(d)(1) of the Act, 42 U.S.C. 7407(d)(1). The proposed settlement agreement provides that if the State of Indiana submits a request to redesignate the Evansville area to attainment for the 8-hour ozone NAAQS, EPA shall determine whether the submission is complete and, if so, propose and take final action on the request within specified periods of time.

**DATES:** Written comments on the proposed settlement agreements must be received by March 16, 2005.

**ADDRESSES:** Submit your comments, identified by docket ID number OGC-2005-0001, online at <http://>

[www.epa.gov/edocket](http://www.epa.gov/edocket) (EPA's preferred method); by e-mail to [oei.docket@epa.gov](mailto:oei.docket@epa.gov); mailed to EPA Docket Center, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; or by hand delivery or courier to EPA Docket Center, EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC, between 8:30 a.m. and 4:30 p.m. Monday through Friday, excluding legal holidays. Comments on a disk or CD-ROM should be formatted in Wordperfect or ASCII file, avoiding the use of special characters and any form of encryption, and may be mailed to the mailing address above.

**SUPPLEMENTARY INFORMATION:** Alcoa, Inc. ("Alcoa") challenged EPA's designation of the Evansville, Indiana area as nonattainment for the 8-hour ozone NAAQS. The nonattainment designation was based on air quality monitoring data from 2001, 2002 and 2003.

Alcoa and EPA understand that the State of Indiana plans to submit shortly a request to redesignate the Evansville area from nonattainment to attainment for the 8-hour ozone NAAQS, based on air quality monitoring data from 2002, 2003 and 2004. The Settlement Agreement provides that within 30 days following an official submission by the State of Indiana, requesting redesignation of the Evansville area, EPA shall determine whether the submission is complete. If EPA determines that the official submission is complete, EPA shall, within 60 days of the completeness determination, sign a notice of proposed action soliciting comment on the redesignation request and shall forward that notice to the **Federal Register** for publication. Within 60 days after the close of the public comment period, EPA shall sign a notice taking final action on the redesignation request.

If Indiana does not submit an official submission to EPA by July 1, 2005, Alcoa has the right to move the Court to reactivate the litigation and the right to move to reactivate expires September 1, 2005. If EPA does not comply with the deadlines under the Settlement Agreement, the sole remedy for Alcoa is

the right to request the Court to reactivate the litigation.

For a period of thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the proposed Settlement Agreement from persons who were not named as parties or intervenors to the litigation in question. EPA or the Department of Justice may withdraw or withhold consent to the proposed Settlement Agreement if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless EPA or the Department of Justice determine, following the comment period, that consent is inappropriate, the Settlement Agreement will be final.

Dated: January 26, 2005.

**Richard B. Ossias,**  
Acting Associate General Counsel.

[FR Doc. 05-2794 Filed 2-11-05; 8:45 am]

**BILLING CODE 6560-50-M**

## ENVIRONMENTAL PROTECTION AGENCY

[OPPT-2005-0010; FRL-7699-1]

### Certain New Chemicals; Receipt and Status Information

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

**ACTION:** Notice.

**SUMMARY:** Section 5 of the Toxic Substances Control Act (TSCA) requires any person who intends to manufacture (defined by statute to include import) a new chemical (i.e., a chemical not on the TSCA Inventory) to notify EPA and comply with the statutory provisions pertaining to the manufacture of new chemicals. Under sections 5(d)(2) and 5(d)(3) of TSCA, EPA is required to publish a notice of receipt of a premanufacture notice (PMN) or an application for a test marketing exemption (TME), and to publish periodic status reports on the chemicals under review and the receipt of notices of commencement to manufacture those chemicals. This status report, which