

**Order**

In view of the above, I hereby extend for a period effective from April 1, 2005, and ending March 31, 2006, the existing Ancillary Rate Schedules DSW-SD1, DSW-RS1, DSW-FR1, DSW-EI1, DSW-SPR1, DSW-SUR1, and the existing network integration transmission rate schedules PD-NTS1, and INT-NTS1.

Dated: March 14, 2005.

**Samuel W. Bodman,**

Secretary.

[FR Doc. 05-6035 Filed 3-25-05; 8:45 am]

BILLING CODE 6450-01-P

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7889-6]

**Proposed Consent Decree, Clean Air Act Citizen Suit**

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

**ACTION:** Notice of proposed consent decree; request for public comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("Act" or "CAA"), 42 U.S.C. 7413(g), notice is hereby given of a proposed consent decree, to address a lawsuit filed by Environmental Defense and American Lung Association (jointly referred to as the "Plaintiffs"): *Environmental Defense and American Lung Association v. Johnson*, No. 1:05CV00493 (D.D.C.). On March 10, 2005, the Plaintiffs filed a complaint to compel EPA to make a determination as to whether each state has submitted state implementation plans ("SIPs") required by section 110(a) of the CAA for the national ambient air quality standards for fine particles ("PM-2.5 NAAQS") and for ozone ("8-hour ozone NAAQS") (jointly referred to as the "1997 NAAQS").

**DATES:** Written comments on the proposed consent decree must be received by April 27, 2005.

**ADDRESSES:** Submit your comments, identified by docket ID number OGC-2005-0004, online at <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.

**FOR FURTHER INFORMATION CONTACT:**

Geoffrey L. Wilcox, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460. Telephone: (202) 564-5601.

**SUPPLEMENTARY INFORMATION:****I. Additional Information About the Proposed Consent Decree**

The proposed consent decree establishes a deadline of March 15, 2005 for the signature of a notice of EPA's determination pursuant to CAA section 110(k)(1)(B) as to whether each state has submitted the SIP revisions required by CAA section 110(a)(2)(D)(i) for the implementation, maintenance, and enforcement of the 1997 NAAQS that meet the minimum criteria promulgated by EPA pursuant to CAA section 110(k)(1)(A).

The proposed consent decree establishes a deadline of December 15, 2007, with respect to SIPs for the 8-hour ozone NAAQS, and October 5, 2008, with respect to SIPs for the PM-2.5 NAAQS, for the signature of a notice of EPA's determination pursuant to CAA section 110(k)(1)(B) as to whether each state has submitted the remaining SIP revisions required by CAA section 110(a)(2) for the implementation, maintenance, and enforcement of the 1997 NAAQS that meet the minimum criteria promulgated by EPA pursuant to CAA section 110(k)(1)(A). The foregoing obligation excludes any determinations regarding state submissions required by section 110(a)(2)(C) to the extent that subsection refers to a permit program as required in Part D of Title I of the CAA and to section 110(a)(2)(I).

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 consent decree from persons who were not named as parties or interveners to the litigation in question. EPA or the Department of Justice may withdraw or withhold consent to the proposed consent decree 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 determines, based on any comment which may be submitted, that consent to the consent decree should be

withdrawn, the terms of the decree will be affirmed.

**II. Additional Information About Commenting on the Proposed Consent Decree.****A. How Can I Get a Copy of the Consent Decree?**

EPA has established an official public docket for this action under Docket ID No. OGC-2005-0004 which contains a copy of the consent decree. The official public docket is available for public viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center, 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 Public Reading Room is (202) 566-1744, and the telephone number for the OEI Docket is (202) 566-1752.

An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to submit or view public comments, access the index listing of the contents of the official 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 appropriate docket identification number.

It is important to note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing in EPA's electronic public docket as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. Information claimed as CBI and other information whose disclosure is restricted by statute is not included in the official public docket or in EPA's electronic public docket. EPA's policy is that copyrighted material, including copyrighted material contained in a public comment, will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the EPA Docket Center.

### B. How and To Whom Do I Submit Comments?

You may submit comments as provided in the **ADDRESSES** section. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

If you submit an electronic comment, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment and with any disk or CD-ROM you submit. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. Any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

Your use of EPA's electronic public docket to submit comments to EPA electronically is EPA's preferred method for receiving comments. The electronic public docket system is an "anonymous access" system, which means EPA will not know your identity, e-mail address, or other contact information unless you provide it in the body of your comment. In contrast to EPA's electronic public docket, EPA's electronic mail (e-mail) system is not an "anonymous access" system. If you send an e-mail comment directly to the Docket without going through EPA's electronic public docket, your e-mail address is automatically captured and included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

Dated: March 18, 2005.

**Richard B. Ossias,**

*Acting Associate General Counsel, Air and Radiation Law Office, Office of General Counsel.*

[FR Doc. 05-6039 Filed 3-25-05; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7887-9]

### Notice of Availability: Draft NPDES Permit for Concentrated Animal Feeding Operations for Puerto Rico

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

**ACTION:** Notice of availability of draft permit.

**SUMMARY:** Today's notice makes available for public comment the draft *NPDES Permit for Concentrated Animal Feeding Operations for Puerto Rico* for public review and comment. This draft permit is being published to meet one of EPA's key action items in the *Concentrated Animal Feeding Operations Regulations*—to issue NPDES permits to reduce risk to water quality and human health from animal feeding operations by December 2006. Please note that this Draft Permit for CAFOs in Puerto Rico has been sent to Public Notice in both an English and a Spanish Newspaper in Puerto Rico for a period of 60 days.

The Concentrated Animal Feeding Operation (CAFO) General Permit is a single permit which covers all CAFOs that apply for coverage in the Commonwealth of Puerto Rico. Consequently, those CAFOs which are covered by the General Permit will have identical permit language and requirements. Unique facility-specific requirements will be similarly referenced in the permit. The facility-specific requirements are found in the Puerto Rico Environmental Quality Board's regulations for Animal Feeding Operations and detailed in an Agricultural Waste Management Plan (AWMP). The AWMP is a requirement for all CAFOs. For Puerto Rico the AWMP is synonymous with a Residuals Management System.

Only Animal Feeding Operations (AFOs) which meet the definition of a CAFO are eligible to apply for coverage under the General Permit. AFOs which do not meet the definition are not eligible to be covered under the General Permit. To determine if your operation is a CAFO, see 40 CFR 122.23 (4) and (6) as well as Part VII of the Definitions section of the General Permit. In addition, facilities can be designated as CAFOs on a case by case basis.

EPA believes that comments from a wide range of interested stakeholders is important to produce a final permit that will help EPA achieve the goal of reducing risk to water quality and human health from animal feeding operations. EPA is interested in

receiving comments from reviewers of the draft *NPDES Permit for Concentrated Animal Feeding Operations for Puerto Rico*, and will carefully consider this input as it prepares a final permit.

**DATES:** Written comments should be submitted by April 30, 2005, to the address below.

**ADDRESSES:** Address all comments to Karen O'Brien, U.S. EPA Region 2, 290 Broadway, 24th Floor, New York, New York 10007. Submit electronic comments to [obrien.karen@epa.gov](mailto:obrien.karen@epa.gov).

**FOR FURTHER INFORMATION CONTACT:** Karen O'Brien, (212) 637-3717 or Jeff Gratz, (212) 637-3873.

**SUPPLEMENTARY INFORMATION:** Copies of the draft *NPDES Permit for Concentrated Animal Feeding Operations* for Puerto Rico may be obtained on the Internet at: <http://www.epa.gov/owm>. If you do not have Internet access, you may obtain a paper copy of the draft guidance by calling the EPA Region 2 at (212) 637-3717. The draft permit is also available in electronic format.

Dated: March 10, 2005.

**Kevin Bricke,**

*Deputy Director, Division of Environmental Planning and Protection, Region II.*

[FR Doc. 05-6038 Filed 3-25-05; 8:45 am]

**BILLING CODE 6560-50-P**

## EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

### Sunshine Act; Meetings

**DATE AND TIME:** Thursday, March 24, 2005, 1 p.m. Eastern Time.

**PLACE:** Clarence M. Mitchell, Jr. Conference Room on the Ninth Floor of the EEOC Office Building, 1801 "L" Street, NW., Washington, DC 20507.

**STATUS:** The meeting will be open to the public.

#### MATTERS TO BE CONSIDERED:

Open Season

1. Announcement of Notation Votes, and
2. Spring 2005 Regulatory Agenda

**Note:** In accordance with the Sunshine Act, this meeting will be open to public observation of the Commission's deliberations and voting. (In addition to publishing notices on EEOC Commission meetings in the **Federal Register**, the Commission also provides a recorded announcement a full week in advance on future Commission sessions.)

Please telephone (202) 663-7100 (voice) and (202) 663-4074 (TTY) at any time for information on these meetings.