

Market-Based Rate Authorizations, 105 FERC 61,175 (2004) and the change in status reporting requirement adopted in Order No. 652.

*Filed Date:* 7/13/2005.

*Accession Number:* 20050715-0070.

*Comment Date:* 5 p.m. eastern time on Wednesday, August 3, 2005.

*Docket Numbers:* ER95-1018-008.

*Applicants:* Kohler Company.

*Description:* Kohler Company submits its updated market power analysis in compliance with the Order Announcing Policy on Non-Compliance with Conditions of Market-Based Rate Authority, Instituting Section 206 Proceeding and Establishing Refund Effective Date issued 5/31/05, 111 FERC 61,295.

*Filed Date:* 7/13/2005.

*Accession Number:* 20050715-0155.

*Comment Date:* 5 p.m. eastern time on Wednesday, August 3, 2005.

Any person desiring to intervene or to protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) on or before 5 p.m. eastern time on the specified comment date. It is not necessary to separately intervene again in a subdocket related to a compliance filing if you have previously intervened in the same docket. 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. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. In reference to filings initiating a new proceeding, interventions or protests submitted on or before the comment deadline need not be served on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 14 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First St. NE., Washington, DC 20426.

The filings in the above proceedings are accessible in the Commission's eLibrary system by clicking on the

appropriate link in the above list. They are also available for review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

**Linda Mitry,**

*Deputy Secretary.*

[FR Doc. E5-3938 Filed 7-22-05; 8:45 am]

**BILLING CODE 6717-01-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7943-3]

### Science Advisory Board Staff Office, Clean Air Scientific Advisory Committee (CASAC), CASAC Particulate Matter Review Panel, Notification of Public Advisory Committee Meeting (Teleconference)

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

**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency (EPA or Agency) Science Advisory Board (SAB) Staff Office announces a public teleconference of the Clean Air Scientific Advisory Committee (CASAC) Particulate Matter (PM) Review Panel (Panel) to review the EPA staff recommendations concerning a potential thoracic coarse PM standard in the final PM Staff Paper.

**DATES:** August 11, 2005. The teleconference meeting will be held on August 11, 2005, from 1 to 5 p.m. (eastern time).

**FOR FURTHER INFORMATION CONTACT:** Any member of the public who wishes to obtain the teleconference call-in numbers and access codes; would like to submit written or brief oral comments; or wants further information concerning this teleconference meeting, should contact Mr. Fred Butterfield, Designated Federal Officer (DFO), EPA Science Advisory Board (1400F), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; via telephone/voice mail: (202) 343-9994; fax: (202) 233-0643; or e-mail at: [butterfield.fred@epa.gov](mailto:butterfield.fred@epa.gov). General information concerning the CASAC or the EPA SAB can be found on the EPA Web site at: <http://www.epa.gov/sab>.

## SUPPLEMENTARY INFORMATION:

*Summary:* The CASAC, which is comprised of seven members appointed by the EPA Administrator, was established under section 109(d)(2) of the Clean Air Act (CAA or Act) (42 U.S.C. 7409) as an independent scientific advisory committee, in part to provide advice, information and recommendations on the scientific and technical aspects of issues related to air quality criteria and national ambient air quality standards (NAAQS) under sections 108 and 109 of the Act. The CASAC is a Federal advisory committee chartered under the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C., App. The CASAC PM Review Panel complies with the provisions of FACA and all appropriate SAB Staff Office procedural policies.

This teleconference meeting is being held for the CASAC PM Review Panel to review EPA staff recommendations concerning a potential thoracic coarse PM standard found in the Review of the National Ambient Air Quality Standards for Particulate Matter: Policy Assessment of Scientific and Technical Information (OAQPS Staff Paper, EPA-452/R-05-005, June 2005).

*Background:* Under section 108 of the CAA, the Agency is required to establish NAAQS for each pollutant for which EPA has issued criteria, including PM. Section 109(d) of the Act subsequently requires periodic review and, if appropriate, revision of existing air quality criteria to reflect advances in scientific knowledge on the effects of the pollutant on public health and welfare. EPA is also to revise the NAAQS, if appropriate, based on the revised criteria. The purpose of the PM Staff Paper is to evaluate the policy implications of the key scientific and technical information contained in a related document, EPA's revised Air Quality Criteria Document (AQCD) for PM (October 2004), and to identify critical elements that EPA staff believes should be considered in the review of the PM NAAQS. The Staff Paper for PM is intended to "bridge the gap" between the scientific review contained in the PM AQCD and the public health and welfare policy judgments required of the Administrator in reviewing the PM NAAQS. The Agency's second draft PM Staff Paper and the second draft PM Risk Assessment were made available for review by the CASAC PM Review Panel and the public on January 31, 2005 by EPA's Office of Air Quality Planning and Standards (OAQPS), within the Office of Air and Radiation (OAR). Detailed summary information on these documents is contained in a previous EPA **Federal Register** notice

(70 FR 5443, February 2, 2005). The CASAC PM Review Panel's final report from its review of the second draft PM Staff Paper and the second draft PM Risk Assessment (EPA-SAB-CASAC-05-007, dated June 6, 2005) is posted on the SAB Web site at URL: <http://www.epa.gov/sab/panels/casacpmpanel.html>. Taking into account the advice and recommendations of the CASAC PM Review Panel and comments from the public, EPA released the final PM Staff Paper on June 30, 2005.

**Availability of Meeting Materials:** The final PM Staff Paper with its appendices, and related technical reports and memoranda, are posted on EPA's Technology Transfer Network (TTN) Web site at: [http://www.epa.gov/ttn/naaqs/standards/pm/s\\_pm\\_index.html](http://www.epa.gov/ttn/naaqs/standards/pm/s_pm_index.html) in the "Documents from Current Review" section, under "Staff Papers" and "Technical Documents," respectively. In addition, a copy of the draft meeting agenda will be posted at: <http://www.epa.gov/sab/agendas.htm> in advance of this teleconference. Any questions concerning the final PM Staff Paper and associated technical reports, etc. should be directed to Dr. Mary Ross, OAQPS, at phone: (919) 541-5170, or e-mail: [ross.mary@epa.gov](mailto:ross.mary@epa.gov).

**Providing Oral or Written Comments at SAB Meetings:** The SAB Staff Office accepts written public comments of any length, and will accommodate oral public comments whenever possible. The SAB Staff Office expects that public statements presented at its face-to-face meetings and teleconferences will not repeat previously-submitted oral or written statements. **Oral Comments:** In general, each individual or group requesting an oral presentation at a CASAC meeting or teleconference is limited to a total time of five minutes (unless otherwise indicated). However, no more than 30 minutes will be allotted for all oral public comments at this teleconference; therefore, the time allowed for each speaker's comments will be adjusted accordingly. In addition, for scheduling purposes, requests to provide oral comments must be *in writing* (e-mail, fax or mail) and received by Mr. Butterfield no later than noon (eastern time) five business days prior to the meeting in order to reserve time on the meeting agenda. **Written Comments:** Although the SAB Staff Office accepts written comments until the date of the meeting or teleconference (unless otherwise stated), written comments should be received in the SAB Staff Office no later than noon (eastern time) five business days prior to the meeting so that the comments may

be made available to the CASAC PM Review Panel for their consideration. Comments should be supplied to Mr. Butterfield (preferably via e-mail) at the address/contact information noted above, as follows: one hard copy with original signature, and one electronic copy via e-mail (acceptable file format: Adobe Acrobat PDF, WordPerfect, MS Word, MS PowerPoint, or Rich Text files (in IBM-PC/Windows 98/2000/XP format)).

Dated: July 12, 2005.

**Anthony Maciorowski,**  
Acting Director, EPA Science Advisory Board  
Staff Office.

[FR Doc. 05-14607 Filed 7-22-05; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[OPPT-2005-0040; FRL-7727-3]

### Response to Petition Regarding Animal Welfare; Notice of Availability

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

**ACTION:** Notice.

**SUMMARY:** EPA received a petition, dated April 5, 2005, from the People for the Ethical Treatment of Animals (PETA). The petition requests EPA initiate rulemaking to require that: All chemical testing conducted in connection with test rules and voluntary consent orders under the Toxic Substances Control Act (TSCA), as well as testing under the voluntary High Production Volume (HPV) Challenge Program, adhere to certain animal welfare principles contained in guidance provided to participants in the voluntary HPV Challenge Program; and EPA enforce those guidelines where they are not followed. The petition states that it is filed under section 21 of TSCA and section 553(e) of the Administrative Procedure Act (APA). Although EPA believes the petitioner's request is outside the scope of TSCA section 21, EPA responded to the petitioners within the 90-day timeframe established in TSCA for section 21 petitions. EPA has responded to the petition by denying the request and is announcing the public availability of this response.

**FOR FURTHER INFORMATION CONTACT:** For general information contact: Colby Lintner, Regulatory Coordinator, Environmental Assistance Division (7408M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone

number: (202) 554-1404; e-mail address: [TSCA-Hotline@epa.gov](mailto:TSCA-Hotline@epa.gov).

**For technical information contact:** Roy Seidenstein, Chemical Control Division (7405M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (202) 564-9274; e-mail address: [seidenstein.roy@epa.gov](mailto:seidenstein.roy@epa.gov).

## SUPPLEMENTARY INFORMATION:

### I. General Information

#### A. Does this Action Apply to Me?

This action is directed to the public in general, and may be of particular interest to participants in the voluntary HPV Challenge Program and persons who are or may be required to conduct testing of chemical substances under TSCA. Since other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be interested in this action. If you have any questions regarding the applicability of this action to a particular entity, consult the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

#### B. How Can I Get Copies of this Document and Other Related Information?

1. **Docket.** EPA has established an official public docket for this action under docket identification (ID) number OPPT-2005-0040. The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although a part of the official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing at the EPA Docket Center, Rm. B102-Reading Room, EPA West, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The EPA Docket Center Reading Room telephone number is (202) 566-1744 and the telephone number for the OPPT Docket, which is located in EPA Docket Center, is (202) 566-0280.

2. **Electronic access.** You may access this **Federal Register** document electronically through the EPA Internet under the "**Federal Register**" listings at <http://www.epa.gov/fedrgrstr/>. The documents referenced in Unit I.B.1 are also accessible through the EPA Internet at <http://www.epa.gov/chemrtk/>