

participants with respect to the phase or issue in the proceeding for which the list is established.

The Commission staff is consulting with the Georgia State Historic Preservation Officer (hereinafter, SHPO) and the Advisory Council on Historic Preservation (hereinafter, Council) pursuant to the Council's regulations, 36 CFR part 800, implementing section 106 of the National Historic Preservation Act, as amended, (16 U.S.C. section 470 f), to prepare and execute a programmatic agreement for managing properties included in, or eligible for inclusion in, the National Register of Historic Places at the Morgan Falls Hydroelectric Project No. 2237-013 (SHPO Reference Number HP-040120-022).

The programmatic agreement, when executed by the Commission, the SHPO, and the Council, would satisfy the Commission's section 106 responsibilities for all individual undertakings carried out in accordance with the license until the license expires or is terminated (36 CFR 800.13[e]). The Commission's responsibilities pursuant to section 106 for the Morgan Falls Project would be fulfilled through the programmatic agreement, which the Commission proposes to draft in consultation with certain parties listed below. The executed programmatic agreement would be incorporated into any Order issuing a license.

Georgia Power Company, as licensee for Project No. 2237, and the Muskogee (Creek) Nation of Oklahoma, the Poarch Band of Creek Indians, the Thlopthlocco Tribal Town, the Kialegee Tribal Town, the Alabama-Quassarte Tribal Town, the Seminole Indian Tribe, the Seminole Nation of Oklahoma, the Cherokee Nation, the Eastern Band of Cherokee Indians, the United Keetoowah Band of Cherokee Indians, and the National Park Service have expressed an interest in this proceeding and are invited to participate in consultations to develop the programmatic agreement.

For purposes of commenting on the programmatic agreement, we propose to restrict the service list for the aforementioned project as follows:

Don Klima or Representative, Advisory Council on Historic Preservation, The Old Post Office Building, Suite 803, 1100 Pennsylvania Avenue, NW., Washington, DC 20004.

Larry Wall and Scott Hendricks or Representative, Georgia Power Company, 241 Ralph McGill Blvd, Atlanta, GA 30308.

Elizabeth Shirk or Representative, Georgia Department of Natural Resources, Historic Preservation

Division, 34 Peachtree Street, NW., Suite 1600, Atlanta, GA 30303-2316.

Jeff Duncan or Representative, National Park Service, 175 Hamm Rd, Suite C, Chattanooga, TN 37405.

Eastern Band of Cherokee Indians, Attention: Michelle Hamilton, THPO, Qualla Boundary, P.O. Box 455, Cherokee, NC 28719.

Dr. Richard L. Allen, Policy Analyst, Cherokee Nation, P.O. Box 948, Tahlequah, Oklahoma 74465.

Evelyn Bucktrot, Town King, Kialegee Tribal Town, P.O. Box 332, 108 N. Main Street, Wetumka, OK 74883.

Emman Spain, Seminole Nation of Oklahoma, P.O. Box 1498, Wewoka, OK 74884.

Willard Steele, Seminole Tribe of Florida, Ah-Tah-Thi-Ki Museum, HC 61, Box 21 A, Clewiston, FL 33440.

Robert Thrower, Poarch Band of Creek Indians, 5811 Jack Springs Rd., Atmore, AL 36502.

Charles Coleman, Thlopthlocco Tribal Town, Rt. 1 Box 190-A, Weleetka, OK 74880.

Augustine Asbury, Alabama-Quassarte Tribal Town, P.O. Box 187, Wetumka, OK 74883.

Joyce Bear, Muskogee (Creek) Nation, P.O. Box 580, Highway 75 and Loop 56, Okmulgee, OK 74447.

Steve Mouse, United Keetoowah Board of Cherokee Indians, P.O. Box 189, Parkhill, OK 74456.

Any person on the official service list for the above-captioned proceeding may request inclusion on the restricted service list, or may request that a restricted service list not be established, by filing a motion to that effect within 15 days of this notice date. In a request for inclusion, please identify the reason(s) why there is an interest to be included. Also please identify any concerns about historic properties, including Traditional Cultural Properties. If historic properties are to be identified within the motion, please use a separate page, and label it Non-Public Information.

An original and 8 copies of any such motion must be filed with Ms. Magalie R. Salas, the Secretary of the Commission (888 First Street, NE., Washington, DC 20426), and must be served on each person whose name appears on the official service list. Please put the project name "Morgan Falls Hydroelectric Project" and number "P-2237-013" on the front cover of any motion. If no such motions are filed, the restricted service list will be effective at the end of the 15 day period. Otherwise, a further notice will be issued ruling on

any motion or motions filed within the 15 day period.

**Magalie R. Salas,**  
*Secretary.*

[FR Doc. E6-285 Filed 1-12-06; 8:45 am]

**BILLING CODE 6717-01-P**

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## ENVIRONMENTAL PROTECTION AGENCY

[IN166-1; FRL-8021-3]

### Approval of Section 112(I) Delegation of Maximum Achievable Control Technology Standards; Indiana

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

**ACTION:** Notice.

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**SUMMARY:** EPA is notifying the public that delegation of the authority to implement and enforce the following maximum achievable control technology (MACT) standards was approved in a letter from EPA to IDEM dated November 30, 2005: Chemical Recovery Combustion Sources at Kraft, Soda Sulfitte, and Stand-alone Semicemical Pulp Mills; Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units; Manufacturing of Nutritional Yeast; Wet-Formed Fiberglass Mat Production; Leather Finishing Operations; Cellulose Products Manufacturing; Rubber Tire Manufacturing; Pharmaceuticals Production; Amino and Phenolic Resins; Polyether Polyols Production; Solvent Extraction for Vegetable Oil Production; Semiconductor Manufacturing; Refractory Products Manufacturing; Surface Coating of Large Appliances; Surface Coating of Metal Coil; Paper and Other Web Coating; Flexible Polyurethane Foam Fabrication Operations; Municipal Solid Waste Landfills; Friction Material Manufacturing Facilities; Polyvinyl Chloride and Copolymers Production; Secondary Aluminum; Asphalt Processing and Asphalt Roofing; Brick and Structural Clay Products; Clay Ceramics Manufacturing; Coke Ovens; Pushing, Quenching, and Battery Stacks; Engine Test Cells/Stands; Hydrochloric Acid Production; Printing, Coating and Dyeing Fabrics and other Textiles; Surface Coating of Metal Furniture; Surface Coating of Wood Building Products; Reciprocating Internal Combustion Engines; Organic Liquid Distribution (Non-Gasoline); Miscellaneous Organic Chemical Manufacturing; Surface Coating of Automobiles; Surface Coating of Metal Cans; Site Remediation; Miscellaneous

Coating Manufacturing; Stationary Combustion Turbines; Lime Manufacturing Plants; Iron and Steel Foundries; and Integrated Iron and Steel Manufacturing; Mercury Cell Chlor-Alkali Plants.

**ADDRESSES:** Copies of the State's submittal and other supporting information used in developing the approval are available for inspection during normal business hours at the following location: EPA Region 5, 77 West Jackson Boulevard, AR-18J, Chicago, Illinois 60604. Please contact Sam Portanova at (312) 886-3189 to arrange a time if inspection of the submittal is desired.

**FOR FURTHER INFORMATION CONTACT:** Sam Portanova, AR-18J, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-3189, [portanova.sam@epa.gov](mailto:portanova.sam@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. What action is EPA taking today?**

The purpose of this notice is to announce that EPA approved a request for delegation of the MACT standards for Chemical Recovery Combustion Sources at Kraft, Soda Sulfite, and Stand-alone Semicheical Pulp Mills; Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units; Manufacturing of Nutritional Yeast; Wet-Formed Fiberglass Mat Production; Leather Finishing Operations; Cellulose Products Manufacturing; Rubber Tire Manufacturing; Pharmaceuticals Production; Amino and Phenolic Resins; Polyether Polyols Production; Solvent Extraction for Vegetable Oil Production; Semiconductor Manufacturing; Refractory Products Manufacturing; Surface Coating of Large Appliances; Surface Coating of Metal Coil; Paper and Other Web Coating; Flexible Polyurethane Foam Fabrication Operations; Municipal Solid Waste Landfills; Friction Material Manufacturing Facilities; Polyvinyl Chloride and Copolymers Production; Secondary Aluminum; Asphalt Processing and Asphalt Roofing; Brick and Structural Clay Products; Clay Ceramics Manufacturing; Coke Ovens; Pushing, Quenching, and Battery Stacks; Engine Test Cells/Stands; Hydrochloric Acid Production; Printing, Coating and Dyeing Fabrics and other Textiles; Surface Coating of Metal Furniture; Surface Coating of Wood Building Products; Reciprocating Internal Combustion Engines; Organic Liquid Distribution (Non-Gasoline); Miscellaneous Organic Chemical Manufacturing; Surface Coating of Automobiles; Surface Coating of Metal

Cans; Site Remediation; Miscellaneous Coating Manufacturing; Stationary Combustion Turbines; Lime Manufacturing Plants; Iron and Steel Foundries; and Integrated Iron and Steel Manufacturing; Mercury Cell Chlor-Alkali Plants (i.e., 40 CFR part 63, subparts: MM, UUU, CCCC, HHHH, TTTT, UUUU, XXXX, GGG, OOO, PPP, GGGG, BBBB, SSSS, NNNN, SSSS, JJJJ, MMMM, AAAA, QQQQ, J, RRR, LLLL, JJJJ, KKKK, CCCC, PPPP, NNNN, OOOO, RRRR, QQQQ, ZZZZ, EEEE, FFFF, IIII, KKKK, GGGG, HHHH, YYYY, AAAA, EEEEE, FFFFF, and IIII respectively). EPA also delegated the applicable Category I authorities for these standards and all previously delegated standards under the general provisions as set forth in 40 CFR 63.91(g) pursuant to section 112(l) of the Clean Air Act (CAA). The State's mechanism of delegation involves State rule adoption of all existing and future section 112 standards unchanged from the Federal standards. The actual delegation of authority of individual standards was implemented by a letter dated November 30, 2005 from EPA to the Indiana Department of Environmental Management (IDEM).

All notifications, reports and other correspondence required under section 112 standards should be sent to the State of Indiana rather than to the EPA, Region 5, in Chicago. Affected sources should send this information to: Indiana Department of Environmental Management, Office of Air Management, 100 North Senate Avenue, P.O. Box 6015, Indianapolis, Indiana 46206-6015.

Pursuant to Section 112(l)(7) of the CAA, nothing in this delegation prohibits EPA from enforcing any applicable emission standard or requirement.

**II. EPA approved the delegation under what authority?**

On November 14, 1995, EPA approved Indiana's program of delegation for part 70 sources (**Federal Register** (60 FR 57118)). On July 8, 1997, EPA approved Indiana's program of delegation for non-part 70 sources (**Federal Register** (62 FR 36460)). The approved program of delegation met the criteria for approval for straight delegation found in 40 CFR 63.91(d), specifically an approved Title V program. The approved program of delegation can be used to delegate MACT standards unchanged from the federal standards to Indiana since Indiana has satisfied the Section 63.91(d) up-front approval requirements and it continues to maintain an approved Title V program.

**III. Which standards has IDEM submitted to EPA for approval under Indiana's air toxics program delegation mechanism?**

On February 14, 2005 and September 19, 2005, IDEM requested delegation of implementation and enforcement authority of the MACT standards for Chemical Recovery Combustion Sources at Kraft, Soda Sulfite, and Stand-alone Semicheical Pulp Mills; Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units; Manufacturing of Nutritional Yeast; Wet-Formed Fiberglass Mat Production; Leather Finishing Operations; Cellulose Products Manufacturing; Rubber Tire Manufacturing; Pharmaceuticals Production; Amino and Phenolic Resins; Polyether Polyols Production; Solvent Extraction for Vegetable Oil Production; Semiconductor Manufacturing; Refractory Products Manufacturing; Surface Coating of Large Appliances; Surface Coating of Metal Coil; Paper and Other Web Coating; Flexible Polyurethane Foam Fabrication Operations; Municipal Solid Waste Landfills; Friction Material Manufacturing Facilities; Polyvinyl Chloride and Copolymers Production; Secondary Aluminum; Asphalt Processing and Asphalt Roofing; Brick and Structural Clay Products; Clay Ceramics Manufacturing; Coke Ovens; Pushing, Quenching, and Battery Stacks; Engine Test Cells/Stands; Hydrochloric Acid Production; Printing, Coating and Dyeing Fabrics and other Textiles; Surface Coating of Metal Furniture; Surface Coating of Wood Building Products; Reciprocating Internal Combustion Engines; Organic Liquid Distribution (Non-Gasoline); Miscellaneous Organic Chemical Manufacturing; Surface Coating of Automobiles; Surface Coating of Metal Cans; Site Remediation; Miscellaneous Coating Manufacturing; Stationary Combustion Turbines; Lime Manufacturing Plants; Iron and Steel Foundries; and Integrated Iron and Steel Manufacturing; Mercury Cell Chlor-Alkali Plants (i.e., 40 CFR part 63, subparts: MM, UUU, CCCC, HHHH, TTTT, UUUU, XXXX, GGG, OOO, PPP, GGGG, BBBB, SSSS, NNNN, SSSS, JJJJ, MMMM, AAAA, QQQQ, J, RRR, LLLL, JJJJ, KKKK, CCCC, PPPP, NNNN, OOOO, RRRR, QQQQ, ZZZZ, EEEE, FFFF, IIII, KKKK, GGGG, HHHH, YYYY, AAAA, EEEEE, FFFFF, and IIII respectively). The State of Indiana's rules 326 Indiana Administrative Code (IAC) 20-49, 326 IAC 20-50, 326 IAC 20-51, 326 IAC 20-52, 326 IAC 20-53, 326 IAC 20-54, 326

IAC 20-55, 326 IAC 20-57, 326 IAC 20-58, 326 IAC 20-59, 326 IAC 20-60, 326 IAC 20-61, 326 IAC 20-62, 326 IAC 20-63, 326 IAC 20-64, 326 IAC 20-65, 326 IAC 20-66, 326 IAC 20-67, 326 IAC 20-68, 326 IAC 20-69, 326 IAC 20-70, 326 IAC 20-71, 326 IAC 20-72, 326 IAC 20-73, 326 IAC 20-74, 326 IAC 20-75, 326 IAC 20-76, 326 IAC 20-77, 326 IAC 20-78, 326 IAC 20-79, 326 IAC 20-82, 326 IAC 20-83, 326 IAC 20-84, 326 IAC 20-85, 326 IAC 20-86, 326 IAC 20-87, 326 IAC 20-88, 326 IAC 20-90, 326 IAC 20-91, 326 IAC 20-92, 326 IAC 20-93, and 326 IAC 20-94 incorporate these MACT standards into the State's rules unchanged from the Federal regulations.

Dated: December 29, 2005.

**Gary Gulezian,**

*Acting Regional Administrator, Region 5.*

[FR Doc. E6-369 Filed 1-12-06; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-6671-3]

### Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared pursuant to the Environmental Review Process (ERP), under section 309 of the Clean Air Act and section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at 202-564-7167. An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in the **Federal Register** dated April 1, 2005 (70 FR 16815).

#### Draft EISs

*EIS No. 20050298, ERP No. D-AFS-J65448-UT*, West Bear Vegetation Management Project, Timber Harvesting, Prescribed Burning, Roads Construction, Township 1 North, Range 9 East, Salt Lake Principle Meridian, Evanston Ranger District, Wasatch-Cache National Forest, Summit County, UT.

*Summary:* EPA expressed environmental concerns about the potential for impacts to aquatic and terrestrial resources, and identified the need for additional information on monitoring and mitigation. Rating EC2.

*EIS No. 20050351, ERP No. D-SFW-K65493-CA*, East Contra Costa County Habitat Conservation Plan and Natural Community Conservation Plan, Implementation, Incidental Take Permit, Cities of Brentwood, Clayton,

Oakley and Pittsburg, Contra Costa County, CA.

*Summary:* EPA expressed concerns about the uncertainties of preserve land acquisition in areas with conflicting General Plan zoning or in nonparticipating jurisdictions, and requested additional information regarding alternatives to these acquisition areas to protect covered species. Rating EC2.

*EIS No. 20050399, ERP No. D-BLM-L65496-AK*, Ring of Fire Resource Management Plan, Implementation, Alaska Peninsula, Kodiak Island and Aleutain Islands, AK.

*Summary:* EPA generally supports the proposal to designate the Neacola Mountains Area of Critical Environmental Concern (ACEC), Knik River and Haines Block Special Recreation Management Areas. However, EPA has concerns about the adequacy of some required operating procedures and lease stipulations and recommended improvements for consideration in the Final EIS. Rating EC2.

*EIS No. 20050452, ERP No. D-BLM-G65099-NM*, Kasha-Katuwe Tent Rocks National Monument Resource Management Plan, Implementation, Rio Puerco Field Office, Sandoval County, NM.

*Summary:* EPA does not object to the selection of the preferred alternative. Rating LO.

*EIS No. 20050454, ERP No. D-FRC-D03005-00*, Cove Point Expansion Project, Construction and Operation of a Liquefied Natural Gas (LNG) Import Terminal Expansion and Natural Gas Pipeline Facilities, U.S. Army COE Section 404 Permit, Docket Nos. CPO5-130-000, CP05-131-000 and CP05-132-00, PA, VA, WV, NY and MD.

*Summary:* EPA expressed environmental concerns and requested that the Final EIS include mitigation plans for both air quality and wetland impacts, as well as address environmental justice issues related to the project. Rating EC2.

#### Final EISs

*EIS No. 20050426, ERP No. F-FTA-K40243-CA*, Mid-City/Westside Transit Corridor Improvements, Wilshire Bus Rapid Transit and Exposition Transitway, Construction and Operation, Funding, Section 404 Permit, Los Angeles County, CA.

*Summary:* EPA does not object to the proposed project.

*EIS No. 20050457, ERP No. F-IBR-K65252-CA*, Lake Berryessa Visitor

Services Plans, Future Use and Operation, Solano Project Lake Berryessa, Napa County, CA.

*Summary:* EPA's earlier concerns were addressed in the Final EIS; therefore, EPA does not object to the proposed action.

*EIS No. 20050480, ERP No. F-NOA-K39092-CA*, Programmatic—Montrose Settlements Restoration Plan, Restoration of Inquired Natural Resources, Channel Islands, Southern California Bight, Baja California Pacific Islands, Orange County, CA.

*Summary:* EPA does not object to the proposed action.

*EIS No. 20050485, ERP No. F-FRC-K05059-CA*, Upper North Fork Feather River Project (FERC No. 2105), Issuance of a New License for existing 3517.3 megawatt (MW) Hydroelectric Facility located in North Fork Feather River and Butt Creek, Plumas County, CA.

*Summary:* EPA's previous issues have been resolved; therefore, EPA does not object to the proposed action.

*EIS No. 20050489, ERP No. F-IBR-J39032-00*, Operation of Flaming Gorge Dam Colorado River Storage Project, Protection and Assistance in the Recovery of Populations and Designated Critical Habitat of Four Endangered Fishes: Bony Tail, Colorado Pikeminnow, Humpback Chub, and Razorback Sucker, Green River, UT and WY.

*Summary:* EPA supports the proposed operation and other management activities in the FEIS that are recommended to conserve, protect, and promote the recovery of the populations and designated critical habitat for endangered fish species.

*EIS No. 20050492, ERP No. F-AFS-J65454-SD*, Bugtown Gulch Mountain Pine Beetle and Fuels Projects, To Implement Multiple Resource Management Actions, Black Hills National Forest, Hell Canyon Ranger District, Custer County, SD.

*Summary:* EPA continues to have environmental concerns about impacts to water quality from roads construction, run-off and soil erosion, and cumulative impacts from other, large timber projects to vegetation and habitat.

*EIS No. 20050494, ERP No. F-NOA-L39063-AK*, Amendments to the Alaska Coastal Management Program, Approval, Implementation and Funding, US Army COE 404 Permit, AK.

*Summary:* EPA continues to have environmental concerns about the