

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Docket No. RM98-1-000]

**Records Governing Off-the-Record Communications; Public Notice**

October 26, 2009.

This constitutes notice, in accordance with 18 CFR 385.2201(b), of the receipt of prohibited and exempt off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive a prohibited or exempt off-the-record communication relevant to the merits of a contested proceeding, to deliver to the Secretary of the Commission, a copy of the communication, if written, or a summary of the substance of any oral communication.

Prohibited communications are included in a public, non-decisional file

associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication, and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such a request only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication shall serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications are included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of off-the-record communications recently received by the Secretary of the Commission. The communications listed are grouped by docket numbers in ascending order. These filings are available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the eLibrary link. Enter the docket number, excluding the last three digits, in the docket number field to access the document. For assistance, please contact FERC, Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at (866) 208-3676, or for TTY, contact (202) 502-8659.

**EXEMPT**

Docket No.	File date	Presenter or requester
1. Project No. 400-000 .....	10-22-09	LaShavio Johnson.
2. Project No. 2079-000 .....	10-13-09	Dianne Feinstein.
3. Project No. 2244-000 .....	10-22-09	LaShavio Johnson.
4. Project No. 12775-000 .....	10-20-09	Richard L. Fort. <sup>1</sup>

<sup>1</sup> (1) of two letters from Richard L. Fort to Commission staff.

**Kimberly D. Bose,**  
*Secretary.*

[FR Doc. E9-26245 Filed 10-30-09; 8:45 am]

BILLING CODE 6717-01-P

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-8976-6]

**Clean Air Act Operating Permit Program; Petition for Objection to State Operating Permit for Kerr-McGee/Anadarko—Frederick Compressor Station**

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

**ACTION:** Notice of final action.

**SUMMARY:** This document announces that the EPA Administrator has responded to a citizen petition asking EPA to object to an operating permit issued by the Colorado Department of Public Health and Environment (CDPHE). Specifically, the Administrator has granted the August 14, 2008 petition, submitted by Rocky Mountain Clean Air Action (Petitioner),

to object to CDPHE's April 29, 2008 Addendum to the January 1, 2007 Technical Review Document in support of the renewal of the title V operating permit and to CDPHE's determination that "no changes to the [title V] permit" were warranted.

Pursuant to section 505(b)(2) of the Clean Air Act (Act), Petitioners may seek judicial review of those portions of the petitions, which EPA denied in the United States Court of Appeals for the appropriate circuit. Any petition for review shall be filed within 60 days from the date this notice appears in the **Federal Register**, pursuant to section 307 of the Act.

**ADDRESSES:** You may review copies of the final order, the petition, and other supporting information at the EPA Region 8 Office, 1595 Wynkoop Street, Denver, Colorado, 80202-1129. EPA requests that if at all possible, you contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section to view the copies of the final order, the petition, and other supporting information. You may view the hard copies Monday through Friday, 8 a.m. to 4 p.m., excluding Federal holidays. If

you wish to examine these documents, you should make an appointment at least 24 hours before visiting day. Additionally, the final order for Kerr-McGee/Anadarko—Frederick Compressor Station, is available electronically at: [http://www.epa.gov/region7/programs/artd/air/title5/petitiondb/petitions/anadarko\\_response2008.pdf](http://www.epa.gov/region7/programs/artd/air/title5/petitiondb/petitions/anadarko_response2008.pdf).

**FOR FURTHER INFORMATION CONTACT:** Donald Law, Office of Partnerships and Regulatory Assistance, EPA, Region 8, 1595 Wynkoop Street, Denver, Colorado, 80202-1129, (303) 312-7015, [law.donald@epa.gov](mailto:law.donald@epa.gov).

**SUPPLEMENTARY INFORMATION:** The Act affords EPA a 45-day period to review, and object to as appropriate, a Title V operating permit proposed by State permitting authorities. Section 505(b)(2) of the Act authorizes any person to petition the EPA Administrator, within 60 days after the expiration of this review period, to object to a Title V operating permit if EPA has not done so. Petitions must be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided by the

State, unless the petitioner demonstrates that it was impracticable to raise these issues during the comment period or the grounds for the issues arose after this period.

On August 14, 2008, EPA received a petition from Rocky Mountain Clean Air Action requesting that EPA object to the issuance of the Title V operating permit to Kerr-McGee/Anadarko for the operation of the Frederick Compressor Station. First, the Petitioner asserts that natural gas wells owned or controlled by Kerr-McGee/Anadarko constitute pollutant emitting activities connected with the Frederick Compressor Station. Second, the Petitioner alleges the natural gas wells owned or controlled by Kerr-McGee/Anadarko constitute pollutant emitting activities that are contiguous or adjacent to the Frederick Compressor Station. Finally, the Petitioner argues that by CDPHE's failure to aggregate emissions from Kerr-McGee/Anadarko's interrelated and connected natural gas wells with the Frederick Compressor Station, CDPHE has issued a Title V permit that fails to assure compliance with Prevention of Significant Deterioration (PSD) requirements and without a required compliance schedule to bring the facility into compliance with PSD requirements and is in violation of title V permitting regulations at 40 CFR 70.

On October 8, 2009, the Administrator issued an order granting the petition. The order explains the reasons behind EPA's conclusion grant the petition for objection.

Dated: October 22, 2009.

**Carol Rushin,**

*Acting Regional Administrator.*

[FR Doc. E9-26339 Filed 10-30-09; 8:45 am]

**BILLING CODE 6560-50-P**

## **ENVIRONMENTAL PROTECTION AGENCY**

[FRL-8974-1; Docket ID No. EPA-HQ-ORD-2007-0664]

### **Integrated Risk Information System (IRIS); Announcement of Availability of Literature Searches for IRIS Assessments**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Announcement of availability of literature searches for IRIS assessments; request for information.

**SUMMARY:** The U.S. Environmental Protection Agency (EPA) is announcing the availability of literature searches for three IRIS assessments that were or may be started in 2009 and requesting

scientific information on health effects that may result from exposure to these chemical substances. The Integrated Risk Information System (IRIS) is an EPA database that contains information on human health effects that may result from exposure to chemical substances in the environment.

**DATES:** EPA will accept information related to the specific substances included herein as well as any other compounds being assessed by the IRIS Program. Please submit any information in accordance with the instructions provided below.

**ADDRESSES:** Please submit relevant scientific information identified by docket ID number EPA-HQ-ORD-2007-0664, online at <http://www.regulations.gov> (EPA's preferred method); by e-mail to [ord.docket@epa.gov](mailto:ord.docket@epa.gov); mailed to Office of Environmental Information (OEI) Docket (Mail Code: 2822T), U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; or by hand delivery or courier to EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC, between 8:30 a.m. and 4:30 p.m. Monday through Friday, excluding legal holidays. Information on a disk or CD-ROM should be formatted in Word or as an 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:** For information on the IRIS program, contact Dr. Abdel-Razak Kadry, IRIS Program Director, National Center for Environmental Assessment, (mail code: 8601D), Office of Research and Development, U.S. Environmental Protection Agency, Washington, DC 20460; telephone: (703) 347-8545, facsimile: (703) 347-8689; or e-mail: [kadry.abdel@epa.gov](mailto:kadry.abdel@epa.gov).

For general questions about access to IRIS, or the content of IRIS, please call the IRIS Hotline at (202) 566-1676 or send electronic mail inquiries to [hotline.iris@epa.gov](mailto:hotline.iris@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

IRIS is a database of human health effects that may result from exposure to various chemical substances found in the environment. (EPA notes that information in the IRIS database has no preclusive effect and does not predetermine the outcome of any rulemaking. When EPA uses such information to support a rulemaking, the scientific basis for, and the application of, that information are subject to comment.) IRIS currently

provides information on health effects associated with more than 500 chemical substances.

The database includes chemical-specific summaries of qualitative and quantitative health information in support of the first two steps of the risk assessment process, i.e., hazard identification and dose-response evaluation. Combined with specific situational exposure assessment information, the information in IRIS is an important source in evaluating potential public health risks from environmental contaminants.

#### **The IRIS Annual Agenda**

The 2008 IRIS agenda was announced in a **Federal Register** Notice (FRN) of December 21, 2007 (72 FR 72715), which can be found on the IRIS Web site at <http://www.epa.gov/iris>. With the December 21, 2007, IRIS agenda announcement, EPA started a new process to actively solicit information from the public at the beginning of assessment development. As literature searches are completed, the results will be posted on the IRIS Web site (<http://www.epa.gov/iris>). The public is invited to review the literature search results and submit additional information to EPA. EPA posted literature searches for 11 chemicals and stated that the availability of additional literature searches would be announced in subsequent FRNs.

#### **Request for Public Involvement in IRIS Assessments**

EPA is soliciting public involvement in assessments on the IRIS agenda, including new assessments starting in 2009. While EPA conducts a thorough literature search for each chemical substance, there may be unpublished studies or other primary technical sources that are not available through the open literature. EPA would appreciate receiving scientific information from the public during the information gathering stage for the assessments listed in this notice or any other assessments on the IRIS agenda. Interested persons should provide scientific analyses, studies, and other pertinent scientific information. While EPA is primarily soliciting information on new assessments starting in 2009 and beyond, the public may submit information on any chemical substance at any time.

This notice provides (1) a list of new IRIS assessments for which literature searches have recently become available; and (2) instructions to the public for submitting scientific information to EPA pertinent to the development of assessments.