

Docket no.	Date filed	Presenter or requester
4. CP04-37-000	1-24-05	Hon. John Cornyn.
5. CP04-293-000, CP04-223-000, CP04-36-000, CP04-41-000.	1-18-05	Hon. Jack Reed.
6. CP04-293-000, CP04-223-000, CP04-36-000, CP04-41-000.	1-24-05	Hon. Lincoln Chafee.
7. CP04-386-000, CP04-400-000	1-18-05 (1-13-05 Memo to file)	Jennifer Kerrigan.
8. CP04-386-000, CP04-400-000	1-26-05 (1-24-05 Memo to file)	Jennifer Kerrigan.
9. CP05-3-000	1-18-05 (Memo to file re: 1-12-05 Mtg.)	Monica DeAngelo.
10. CP05-3-000	1-18-05 (Memo to file re: 1-13-05 Mtg.)	Monica DeAngelo.
11. CP05-19-000	1-18-05	Jennifer Kerrigan.
12. Project No. 1971-079	1-24-05	Steven A. Ellis.
13. Project No. 2150-033	1-18-05	Kenneth L. Brettmann
14. Project No. 2237-013	1-12-05	Nicholas Jayjack/Jim Long, <i>et al.</i> ¹

¹ Memo to File from Nicholas Jayjack attaching email communications and documents provided to the Study Dispute Resolution Panel for the Morgan Falls Hydroelectric Project proceeding.

Magalie R. Salas,
Secretary.

[FR Doc. E5-445 Filed 2-3-05; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RM05-2-000]

Policy for Selective Discounting by Natural Gas Pipelines; Errata Notice

January 26, 2005.

On January 25, 2005, the Commission issued a Notice of Extension of Time in the above-docketed proceeding. The date for filing comments should be changed from "May 2, 2005" to "March 2, 2005". Comments on the NOI are due March 2, 2005.

Magalie R. Salas,
Secretary.

[FR Doc. E5-423 Filed 2-3-05; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-7869-4]

Clean Air Act Operating Permit Program; Petition for Objection to State Operating Permits; Dow Chemical Company

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final order on petition to object to State operating permits.

SUMMARY: The EPA Administrator signed an order, dated December 22, 2004, denying the petition to object to State operating permits issued by the Louisiana Department of Environmental Quality (LDEQ) for the Light Hydrocarbon III and Cellulose plants at

the Dow Chemical Company's facilities in Plaquemine, Iberville Parish, Louisiana. Pursuant to section 505(b)(2) of the Clean Air Act (Act), the petitioner may seek judicial review of this petition response in the United States Court of Appeals for the Fifth Circuit. Any petition must be filed within 60 days of the date this notice appears in the **Federal Register**, pursuant to section 307(d) of the Act.

ADDRESSES: You may review copies of the final order, the petition, and other supporting information at EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733. If you wish to examine these documents, you should make an appointment at least 24 hours before visiting day. The final order is also available electronically at the following address: <http://www.epa.gov/region07/programs/artd/air/title5/petitiondb/petitiondb2002.htm>.

FOR FURTHER INFORMATION CONTACT: Ms. Mary Stanton, Air Permits Section, Multimedia Planning and Permitting Division, EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733, telephone (214) 665-8377, or e-mail at Stanton.Marya@epa.gov.

SUPPLEMENTARY INFORMATION: The Act affords EPA a 45-day period to review, and, as appropriate, object to operating permits proposed by State permitting authorities under Title V of the Act, 42 U.S.C. 7661-7661f. 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 State operating permits if EPA has not objected on its own initiative. 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.

The Louisiana Environmental Action Network (LEAN) submitted a petition requesting that the Administrator object to title V operating permits issued by LDEQ to the Dow Chemical Company, for modifications to its Light Hydrocarbon III and Cellulose Plants at Dow's facility in Plaquemine, Iberville Parish, Louisiana.

The petition maintains that the permits are inconsistent with the Act because:

(1) The emission reduction credits (ERCs) used as offsets are not valid because the underlying emission reductions were required, and not surplus;

(2) The ERCs are not valid because LDEQ improperly concluded that the underlying emission reductions occurred within 10 years of the date the offsets were used;

(3) Dow's application for ERCs was not timely under the requirements of the Louisiana Administrative Code;

(4) LDEQ's Basis For Decision on the ERC application failed to respond to all reasonable public comments;

(5) The permits should have required controls designed to achieve the Lowest Achievable Emission Rate (LAER) because Dow had insufficient offsets to avoid LAER;

(6) Offsets should have been required for 33.34 tons per year of emission increases of volatile organic compounds from emission points C6, C7, and LN, and LDEQ was inconsistent in granting those emission increases while also maintaining that the facilities were in compliance with the previously permitted emissions limitations; and

(7) In establishing the baseline for sulfur dioxide emissions for purposes of determining whether the permits constituted a significant modification, LDEQ failed to either use actual emissions over the preceding two years, or make a determination that a different

time period was more representative of normal source operation.

On December 22, 2004, the Administrator issued an order denying the petition. The order explains the reasons for the Administrator's decision that the petition does not demonstrate that the permits are not in compliance with the Act.

Dated: January 26, 2005.

Richard E. Greene,

Regional Administrator, Region 6.

[FR Doc. 05-2181 Filed 2-3-05; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-6660-1]

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 2, 2004 (69 FR 17403).

Draft EISs

ERP No. D-AFS-F65047-IN Rating LO, German Ridge Restoration Project, To Restore Native Hardwood Communities, Implementation, Hoosier National Forest, Tell City Ranger District, Perry County, IN.

Summary: EPA has no objections with the proposed restoration project; however, we recommended that a schedule for prescribed burns and timber removal be included in the FEIS.

ERP No. D-BLM-K65274-NV Rating EC2, Las Vegas Valley Disposal Boundary Project, Disposal and Use of Public Land under the Management of (BLM), Implementation, Clark County, NV.

Summary: EPA expressed environmental concerns about impacts to wetlands and Waters of the U.S., general conformity under the Clean Air Act, the analysis of alternatives, and consultation with tribal governments.

ERP No. D-FHW-C40164-NY Rating EC2, NY Route 17—Elmira to Chemung Project, Proposed Highway Reconstruction, New Highway Construction, Bridge Rehabilitation/Replacement, Funding and U.S. Army

COE Section 404 Permit, Town and City of Elmira, Town of Ashland and Chemung, Chemung County, NY.

Summary: EPA has concerns with the proposed project due to indirect impacts to water quality and wetlands, and suggested firmer mitigation measures be implemented to address these concerns.

ERP No. D-FHW-D40325-PA Rating EC2, U.S. 219 Improvements Project, Meyersdale to Somerset, SR 6219, Section 020, Funding, U.S. COE Section 404 Permits, Somerset County, PA.

Summary: EPA has environmental concerns with the proposed project regarding impacts to wetlands, endangered species, aquatic resources, air quality, and environmental justice.

ERP No. D-FHW-F40426-OH Rating EC2, Eastern Corridor Multi-Modal (Tier 1) Project, To Implement a Multi-Modal Transportation Program between the City of Cincinnati and Eastern Suburbs in Hamilton and Clermont Counties, OH.

Summary: EPA has concerns with the proposed project, primarily regarding a new bridge span across the Little Miami River, a designated Wild and Scenic River. These concerns include unresolved questions regarding visual impacts, and cumulative, indirect and secondary impacts to the river's identified characteristics.

ERP No. D-FHW-J40167-UT Rating EC2, Brown Park Road Project, Reconstruction (Paving) and Partial Realignment from Red Creek to Colorado State Line, Diamond Mountain Resource Management Plan Amendment (BLM), U.S. Army COE Section 404 Permit, Daggett County, UT.

Summary: EPA has environmental concerns with the proposed project regarding habitat fragmentation, impacts to wildlife due to vehicle collisions, and the introduction of invasive species.

ERP No. D-NIH-D81035-MD Rating EC2, National Institutes of Health (NIH) Master Plan 2003 Update, National Institutes of Health Main Campus—Bethesda, MD, Montgomery County, MD.

Summary: EPA expressed concerns regarding impacts from land development and storm water management. EPA requested that the final EIS address the function and value of the existing hardwoods that will be lost, and provide an outline of the mitigation.

ERP No. DS-BIA-A65165-00 Rating EC2, Programmatic—Navajo Nation 10-Year Forest Management Plan, New and Updated Information on Alternatives, Chuska Mountains and Defiance Plateau Area, AZ and NM.

Summary: EPA expressed concerns regarding cumulative impacts and

implementation of the Range Assessment and Management Plan (RAMP), and requested that existing environmental information be incorporated into the alternatives and cumulative impact analyses.

ERP No. DS-FHW-E40325-NC Rating EC2, Eastern Section of the Winston-Salem Northern Beltway, U.S. 52 south to I-40 Business and I-40 Business south to U.S. 311, Improvements to the Surface Transportation Network, TIP Project Nos. U-2579 and U-2579A, Forsyth County, NC.

Summary: EPA continues to have environmental concerns with the proposed project regarding the number of residential relocations required as well as impacts to aquatic stream habitat and water supply.

Final EISs

ERP No. F-AFS-E65067-00 Land Between the Lakes National Recreation Area, Proposes to Revise TVA's 1994 Natural Resources Management Plan, Development of a Land Management Resource Plan or Area Plan, Gold Pond, Trigg and Lyon Counties, KY and Stewart County, TN.

Summary: The Final EIS has addressed our concerns and EPA has no objections to the project.

ERP No. F-COE-G39041-LA Programmatic EIS—Louisiana Coastal Area (LCA) Ecosystem Restoration Study, Implementation, Tentatively Selected Plan, Mississippi River, LA.

Summary: EPA continues to express full support for the Louisiana Coastal Area Plan, recognizing that the Plan is the appropriate next step in the ongoing effort to address wetland and barrier island loss in coastal Louisiana.

ERP No. F-DHS-D11036-MD National Biodefense Analysis and Countermeasures Center (NBACC) Facility at Fort Detrick, Construction and Operation, Fort Detrick, Frederick County, MD.

Summary: The Final EIS provided adequate responses to EPA's comments.

ERP No. F-FHW-E40795-NC U.S.-17 Interstate Corridor Improvements, south of NC-1127 (Possum Track Road) to north of NC-1418 (Roberson Road) Funding and Permit Issuance, City of Washington and Town of Chocowinity Vicinity, Beaufort and Pitt Counties, NC.

Summary: EPA has no objections to the preferred alternative.

ERP No. F-FHW-F40368-WI U.S.-12 Highway Corridor Project, Improvement from I-90/94 at Lake Delton south to Ski Hi Road, Selected Preferred Alternative, Funding and U.S. Army COE Section 404 Permit Issuance, Sauk County, WI.