

www.regulations.gov or e-mail. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it within the submitted material. If you submit information directly to EPA by e-mail without going through <http://www.regulations.gov>, your e-mail address will be automatically captured and included as part of the information that is placed in the public docket and made available on the Internet. If you submit materials electronically, EPA recommends that you include your name and other contact information with any disk or CD-ROM you submit. If EPA cannot read your submitted material due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your submission. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket visit the EPA Docket Center homepage at <http://www.epa.gov/epahome/dockets.htm>.

Docket: Documents in the docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is publicly available only in hard copy. Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy at the OEI Docket in the EPA HQ Docket Center.

FOR FURTHER INFORMATION CONTACT: For technical information, contact Mary Ross, facsimile: 919-541-1818 or e-mail: ross.mary@epa.gov.

SUPPLEMENTARY INFORMATION:

A. Does This Action Apply to Me?

Section 108(a) of the Clean Air Act directs the Administrator to identify certain pollutants that "may reasonably be anticipated to endanger public health and welfare" and to issue air quality criteria for them. These air quality criteria are to "accurately reflect the latest scientific knowledge useful in indicating the kind and extent of all identifiable effects on public health or welfare which may be expected from the presence of [a] pollutant in the ambient air * * *." Under section 109 of the Act, EPA is then to establish National Ambient Air Quality Standards (NAAQS) for each pollutant for which EPA has issued criteria. 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.

SO_x are one of six principal (or "criteria") pollutants for which EPA has established national ambient air quality standards (NAAQS). Periodically, EPA reviews the scientific basis for these standards and prepares a science assessment document (historically referred to as a "criteria document"). The science assessment provides the scientific basis for additional technical and policy assessments that form the basis for EPA decisions on the adequacy of a current NAAQS and the appropriateness of new or revised standards. One of the first steps in this process is to announce the beginning of this periodic NAAQS review and the start of the development of the science assessment by requesting the public to submit scientific literature that they want to bring to the attention of the Agency. The Clean Air Scientific Advisory Committee (CASAC), a review committee of the EPA's Science Advisory Board (SAB), is mandated by the Clean Air Act with performing an independent expert scientific review of the air quality criteria. This involves review of draft(s) of EPA's science assessment document. As this process proceeds, the public will have opportunities to review and comment on draft(s) of the science assessment document for SO_x. These opportunities will also be announced in the **Federal Register**.

B. What Should I Consider as I Prepare Materials for Submission to EPA?

Since completion of the 1994 "Supplement to the Second Addendum (1986) to Air Quality Criteria for Particulate Matter and Sulfur Oxides (1982): Assessment of New Findings on Sulfur Dioxide Acute Exposure Health Effects in Asthmatic Individuals," EPA has continued to follow the scientific research on SO_x exposure and its effects on public health and the environment and has gathered appropriate studies. The Agency is particularly interested in additional new information concerning: (1) Atmospheric science aspects (e.g., sources, emissions, atmospheric transformation and transport, air quality concentrations, patterns and trends); (2) exposure and dosimetry aspects; (3) health effects aspects, including information derived from human and animal toxicological studies of SO₂ and transformation products (e.g. sulfates, sulfuric acid); and (4) ecological effects

of SO₂ and transformation products, such as those arising from wet and dry deposition of sulfates and/or sulfuric acid. These and other selected literature relevant to a review of the NAAQS for sulfur oxides will be assessed in the forthcoming revised science assessment for SO_x. One or more drafts of the science assessment document for SO_x are expected to be made available by EPA for public comment and CASAC review. After this call for information, other opportunities for submission of new peer-reviewed papers (published or in-press) will be possible as part of public comment on the draft documents that will be reviewed by CASAC.

Dated: May 3, 2006.

Peter W. Preuss,

Director, National Center for Environmental Assessment.

[FR Doc. E6-7340 Filed 5-12-06; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-8170-2]

Animal Feeding Operations Consent Agreement and Final Order

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA is considering the disclosure of certain information that may be subject to a claim of confidential business information (CBI) in connection with a proceeding before EPA's Environmental Appeals Board (EAB). The information is the name and address of Animal Feeding Operations (AFOs) who have submitted consent agreements and final orders to EPA to resolve potential civil violations related to air emissions from their facilities. EPA is requesting comments from the effected AFOs regarding the potential disclosure of their names and address.

DATES: Comments must be received by May 22, 2006.

ADDRESSES: Submit comments to:

Director, Attn: AFO CAFO
Confidential Business Information
Comments, Special Litigation and
Projects Division (2248A), 1200
Pennsylvania Ave., NW., Washington,
DC 20460.

Comments may also be submitted via facsimile to (202) 564-0010 or via e-mail at AFOComments@epa.gov.

FOR FURTHER INFORMATION CONTACT: For further information regarding this notice, contact Bruce Fergusson at (202) 564-1261 or at fergusson.bruce@epa.gov.

SUPPLEMENTARY INFORMATION: On January 31, 2005, EPA offered certain Animal Feeding Operations (AFOs) the opportunity to sign a consent agreement and final order resolving potential violations under the Clean Air Act (CAA), the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), and the Emergency Planning and Community Right-to-Know Act (EPCRA) (henceforth referred to as the "Air Compliance Agreement" or the "Agreement"). By the close of the sign-up period on August 12, 2005, EPA had received over 2600 signed Agreements from AFOs. Approximately 1200 of the Agreements included broad claims by the submitting AFOs that the facility specific information that was required to be submitted in Attachment A to the Agreements was entitled to confidential treatment for reasons of business confidentiality (CBI). These broad claims potentially included the name of the facility and its address, which are found in Attachment A to the Agreements. EPA is considering the disclosure of the names and addresses of these AFOs in connection with the submittal of these proposed consent agreements and final orders to the EAB for approval.

With respect to proceedings commenced at EPA Headquarters, EPA is required to obtain a final order from the EAB ratifying any consent agreement that disposes of the proceeding. In accordance with this requirement, EPA submitted 20 Agreements, which did not contain any CBI claims, to the EAB on November 11, 2005, for approval. On January 27, 2006, the Board approved the first 20 Agreements. On April 11, 2006, EPA submitted 702 additional Agreements, which did not contain any CBI claims, to the EAB for approval. These additional Agreements were approved on April 17, 2006.

EPA is preparing to submit most of the approximately 1200 Agreements that contain information claimed as CBI to the EAB for review and approval. In connection with those proceedings, EPA is considering the disclosure of the names and addresses of the AFOs who signed the Agreements (the Respondents) pursuant to 40 CFR 2.301(g) ("Disclosure of information relevant to a proceeding"), notwithstanding that the information may be subject to a CBI claim. EPA's filings with the EAB are public, thus this information would be available to the public upon EPA's filing of the proposed Agreements and final orders. EPA is not considering, at this time, disclosing to the public any other

information that has been claimed to be CBI. EPA is considering disclosing names and addresses because, initially, it appears that: (1) The names and addresses of the Respondents are relevant to the subject of the proceedings; (2) the public interest would be served by making available the names and addresses of the businesses with which EPA will be entering into consent agreements; and (3), the names and addresses of these businesses are reasonably attainable by other persons through public records such as telephone books and other business listings.

EPA is hereby providing an opportunity for any affected AFO to provide comments on the proposal by EPA to make their names and addresses available as part of the proceeding before the EAB to approve their Agreement. Such comments should address the issue of whether its name and address are relevant to the proceeding and whether it is in the public interest to disclose that information. The affected AFO may also address the issue of whether its name and address are entitled to confidential treatment pursuant to the criteria set forth in 40 CFR 2.208, including whether the information is reasonably obtainable by other persons through legitimate means. All comments should be submitted within five (5) days of the date of this notice. EPA is not seeking, or considering, comments from anybody other than the affected AFOs.

In accordance with 40 CFR 2.204(e)(1), any failure by an AFO to furnish timely comments will be construed as a waiver of its claim, and EPA will forward their Agreement to the EAB for review and approval no earlier than five (5) days after the close of the comment period. Although the names and addresses of the AFOs will be available to the public at that time, other information about the facility claimed as CBI will continue to be handled in accordance with EPA's CBI regulations. For those AFOs who furnish timely comments, EPA will proceed to make a determination under 40 CFR 2.301(g) after the close of the comment period.

Dated: May 9, 2006.

Robert A. Kaplan,

Director, Special Litigation and Project Division, Office of Civil Enforcement, Office of Enforcement and Compliance Assurance.
[FR Doc. E6-7330 Filed 5-12-06; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-8169-6]

Brownfields State and Tribal Response Grant Program

AGENCY: Environmental Protection Agency.

ACTION: Notice.

SUMMARY: This action adds the Brownfields State and Tribal Response (BSTR) grant program authorized by section 128(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, (CERCLA), to the list of environmental grant programs eligible for inclusion in Performance Partnership Grants (PPGs).

FOR FURTHER INFORMATION CONTACT: Jack Bowles, Office of Congressional and Intergovernmental Relations, Office of the Administrator, Mail Code 1301, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number, 202-564-7178; e-mail address: bowles.jack@epa.gov; or Jennifer Wilbur, Office of Brownfields Cleanup and Redevelopment, Office of Solid Waste and Emergency Response, Mail Code 5105T, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number, 202-566-2756; e-mail address: wilbur.jennifer@epa.gov.

SUPPLEMENTARY INFORMATION: The Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Pub. L. 104-134) and the Department of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act of 1998 (Pub. L. 105-65), authorize EPA to combine categorical grant funds appropriated in EPA's State and Tribal Assistance Grant (STAG) account and award the funds as PPGs. Public Law 104-134, states, in relevant part, that: "the Administrator is authorized to make grants annually from funds appropriated under this heading, subject to such terms and conditions as the Administrator shall establish, to any State or federally recognized Indian tribe for multimedia or single media pollution prevention, control and abatement and related environmental activities at the request of the Governor or other appropriate State official or the tribe." Public Law 105-65 amended the PPG authority by authorizing "interstate agencies, tribal consortia, and air pollution control agencies" to receive PPGs. Pursuant to the authority granted in Public Law 104-134 and Public Law 105-65, EPA promulgated PPG