

**ADDRESSES:** The amendments and related documents are available for review upon written request or by appointment in the following office(s):

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)713-0376; and Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930-2298; phone (978)281-9200; fax (978)281-9371.

**FOR FURTHER INFORMATION CONTACT:** Amy Sloan or Ruth Johnson, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** On February 24, 2004, notice was published in the **Federal Register** (69 FR 8386) that amendments of the above-named permits had been requested by the above-named individuals and organization. The requested amendments have been granted under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216), the Endangered Species Act (16 U.S.C. 1531 *et seq.*), and the regulations governing endangered and threatened fish and wildlife (50 CFR parts 222-226).

Permit No. 42-1642-02, as amended, authorizes the permit holder (Mystic Aquarium) to collect, receive, import, and export blood, milk, and other soft parts from all non-listed and certain listed marine mammals under NMFS jurisdiction in order to: (1) Study metabolic clearance rates of vitamins A and E in captive Steller sea lions (*Eumetopias jubatus*); (2) establish the vitamin A and E status of free-ranging Steller sea lions; (3) determine the metabolic requirements for these vitamins; and (4) study the disease hemochromatosis (an excessive accumulation of iron in tissues) and conduct general marine mammal health research, including *Brucella* and immune and nervous system studies.

Permit No. 482-1653-01, as amended, authorizes the permit holder (James Gilbert) to capture, mark, sex, measure, blood sample, radio tag, VHF tag, biopsy, monitor heart rate, determine blood volume, and monitor via aerial survey harbor seals (*Phoca vitulina*) in order to study seal depredations at Atlantic salmon aquaculture farms in New England, population structure and foraging ecology, and behavioral and physiological development of diving in seal pups.

Permit No. 1026-1671-00, as amended, authorizes the permit holder (Belinda Rubinstein) to capture, tag,

sample (including tooth extraction, blubber biopsy, sample lesions, blood and milk collection, oral and anal swabs, urine and feces), take rectal temperatures and use a pulse oxymeter to monitor animals' conditions during procedures, ultrasound for blubber thickness measurements, and release solitary animals of five pinniped species including harbor seal, harp seal (*Phoca groenlandica*), gray seal (*Halichoerus grypus*), hooded seal (*Cystophora cristata*), and ringed seal (*Phoca hispida*) in the wild and in rehabilitation facilities. Samples may be exported and re-imported for analyses. The purposes of the research are to study habitat utilization using satellite telemetry and flipper tagging, determine stock association, and monitor health of phocids along the east coast of the U.S., from Maine to Virginia.

Dated: April 28, 2004.

**Stephen L. Leathery,**

Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 04-10074 Filed 5-3-04; 8:45 am]

BILLING CODE 3510-22-S

## CONSUMER PRODUCT SAFETY COMMISSION

### Public Field Hearing Concerning Swimming Pool Safety

**AGENCY:** U.S. Consumer Product Safety Commission.

**ACTION:** Notice of public field hearing.

**SUMMARY:** The U.S. Consumer Product Safety Commission ("CPSC or Commission") will conduct a public field hearing in Tampa, Florida, on Monday, June 21, 2004 to obtain information and views from the public concerning swimming pool safety. The hearing will focus on drownings of children under 5 years old in residential swimming pools and spas, as well as entrapments and entanglements in suction outlets in swimming pools and spas. The hearing will address the following general questions: What has worked to prevent swimming pool drownings of young children—and why? What has not worked to prevent these drownings—and why? What can CPSC do to reduce drownings of young children in residential swimming pools? What strategies are most effective in addressing suction entrapment and entanglement incidents? What can CPSC do to prevent these incidents?

The Commission requests members of the public to participate in this hearing. The Commission is particularly interested in participation from city/

county/state code officials, injury prevention specialists, industry representatives, fire department/EMS officials, medical personnel, legislative officials, and parents/caregivers of children who were victims of drowning or near-drowning.

**DATES:** The hearing will be held on Monday, June 21, 2004, from 10 a.m. to 6 p.m. The Commission will recess for lunch around 12 noon. Requests to make an oral presentation, and 10 copies of the text of the presentation, must be received by the Office of the Secretary no later than June 7, 2004. Persons making presentations at the meeting should provide an additional 10 copies for dissemination on the date of the meeting. In addition, requests for audiovisual equipment (e.g., Powerpoint) for presentations must be made to the Office of the Secretary by June 7, 2004. Oral presentations should run no more than 5 minutes. The Commission reserves the right to limit the number of persons who make presentations and the duration of their presentations. To prevent similar presentations, groups may be directed to designate a spokesperson. Written submissions in addition to, or instead of, oral presentations may be sent to the address listed below and will be accepted until July 21, 2004.

**ADDRESSES:** The meeting will be held at the University of South Florida College of Public Health, 13201 Bruce B. Downs Blvd., Tampa, Florida 33612-3805. Requests to make oral presentations, and texts of oral presentations should be captioned "Swimming Pool Hearing" and mailed to the Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207, or delivered to that office: Room 502, 4330 East-West Highway, Bethesda, Maryland 20814. Requests and texts of oral presentations also may be submitted by facsimile to (301) 504-0127 or by e-mail to [cpsc-os@cpsc.gov](mailto:cpsc-os@cpsc.gov).

**FOR FURTHER INFORMATION CONTACT:** For information about the purpose or subject matter of this meeting, contact Deborah Tinsworth, Project Manager, Directorate for Epidemiology, U.S. Consumer Product Safety Commission, Washington, D.C. 20207; telephone: (301) 504-7307; e-mail:

[dtinsworth@cpsc.gov](mailto:dtinsworth@cpsc.gov). For more information about the schedule for submission of requests to make oral presentations and submission of texts of oral presentations, contact Rockelle Hammond, Office of the Secretary, U.S. Consumer Product Safety Commission, Washington, DC 20207; telephone (301) 504-6833; fax (301) 504-0127; or e-mail [rhammond@cpsc.gov](mailto:rhammond@cpsc.gov).

## SUPPLEMENTARY INFORMATION:

**A. Background**

Swimming pools can be dangerous to young children. In 1999 and 2000, an average of about 250 children under 5 years old drowned in swimming pools each year. In 2002, approximately 1,600 children under 5 years old were treated in U.S. hospital emergency rooms for near-drowning injuries related to swimming pools. About 58 percent of these children were hospitalized. Approximately 67 percent of the near-drowning injuries were reported to have occurred in home settings. Societal costs associated with these drownings and near-drownings are almost \$2 billion each year. In addition, these tragedies result in severe emotional impacts on the families of the victims. From 1990 through October 2003, CPSC has reports of 126 suction entrapment incidents, including 25 deaths. These incidents occurred in both swimming pools and spas.

CPSC has been actively involved for many years in injury prevention activities addressing swimming pool safety. In the late 1980s, CPSC conducted an extensive study of submersion incidents involving children under age 5 in residential swimming pools in eight counties in California, Arizona, and Florida. The results of this study indicated that most of the victims were boys between 1 and 3 years old. Nearly half of the victims were last seen in the house before being found in the pool. In addition, 23 percent of the victims were last seen on the porch or patio or in the yard. This means that fully 69 percent of the children who became victims were not expected to be in or at the pool, but were found in the water. Sixty-five percent of the incidents occurred in a pool owned by the victims's immediate family, and 33 percent occurred in pools owned by relatives or friends. Fewer than 2 percent of the incidents were the result of children trespassing on property where they did not belong. Seventy-seven percent of the victims had been missing for 5 minutes or less when they were found.

The speed with which swimming pool drownings and submersions can occur is a special concern. Toddlers are inquisitive and impulsive and lack a sense of danger. In addition, the incidents are silent; it is unlikely that splashing or screaming will occur to alert a parent or caregiver that a child is in trouble.

From this information as well as information on child development and behavior, CPSC staff concluded that the best way to reduce child drownings in

residential pools is for pool owners to construct and maintain barriers that prevent young children from gaining access to pools. CPSC staff believes that barriers help overcome the short lapses in supervision that are often associated with submersion incidents. In 1994, CPSC published Safety Barrier Guidelines for Home Pools (available on CPSC's Web site at <http://www.cpsc.gov>.) Since that time, CPSC has continued to stress the importance of a primary barrier in addition to other layers of protection and has stressed the need for close supervision of young children in and around the water. CPSC staff has studied pool alarms and worked on voluntary standards for fencing, pool and spa safety covers, door alarms, and pool alarms. CPSC has conducted annual public outreach on child drowning prevention.

In 1998, CPSC published Guidelines for Entrapment Hazards: Making Pools and Spas Safer (available at <http://www.cpsc.gov>.) These guidelines provide safety information that will help identify and address potential entrapment hazards in swimming pools, wading pools, spas, and hot tubs. They address the hazards of evisceration/disembowelment, body entrapment, and hair entrapment/entanglement. The CPSC has recently circulated a draft revision to these guidelines and is responding to comments. These Guidelines emphasize layers of protection. In addition, CPSC staff has worked to develop or revise voluntary standards for suction fittings and Safety Vacuum Release Systems ("SVRS"). CPSC has also provided the public with information about suction entrapments and how to prevent them.

In 2003, CPSC set a new strategic goal to reduce the rate of swimming pool and other at-home drownings of children under 5 years old by 10 percent from the 1999–2000 annual average by the year 2013. The information that we gather at this public hearing will help CPSC develop plans for further work in the area of swimming pool safety.

**B. The Public Hearing**

The purpose of the public hearing is to provide a forum for oral presentations concerning swimming pool safety, specifically drownings of children under 5 years old in residential swimming pools and suction entrapment and entanglement deaths and injuries. The Commission intends to hold another public field hearing on swimming pool safety in Phoenix, Arizona on Tuesday, July 23, 2004.

The Commission requests comments from interested stakeholders and

citizens on the following specific areas of interest:

1. Data on drowning and near-drowning in residential swimming pools and spas.
  - In your locale, how many child drowning and near-drowning incidents do you see on an annual basis? How many suction entrapments and entanglements?
  - What were the circumstances involved in these incidents?
  - What trends in drowning and entrapment incidents have you seen in recent years?
  - Have you seen any correlation between drowning intervention activities (for example, new barrier requirements, safety campaigns, etc.) and changes in the number of incidents and deaths?
  - Are there ways in which the incident reporting process could be improved?
  - In general, is the available incident information adequate for a thorough and accurate evaluation of the hazard scenarios involved?
  - What data needs still exist?
2. Regional/local pool barrier codes, laws, and regulations.
  - What law or guideline has been adopted in your region/locale?
  - What does it require?
  - When was it enacted?
  - What was the source building code?
  - Which agency has jurisdiction?
  - What enforcement exists?
3. Effectiveness of pool barriers and other protective products.
  - What evidence can you provide to demonstrate the effectiveness of protective products such as pool fencing, pool and/or door alarms, pool covers, etc?
  - Which protective products do you think are the most effective?
  - What factors do you think contribute to consumers using or not using these products?
  - What research, if any, do you think needs to be done in this area?
4. Educational approaches.
  - In your locale, what public information approaches have been used to address pool drowning hazards?
  - To whom were these approaches targeted?
  - What tasks were involved in carrying out these efforts?
  - Which approaches worked, and which did not?
  - What dollar resources were involved?
5. Role for CPSC.
  - What role should CPSC take to help address child drownings and entrapment and entanglement injuries? Participation in the hearing is open. See the **DATES** section of this notice for

information on making requests to give oral presentations at the hearing.

Dated: April 29, 2004.

**Todd A. Stevenson,**

*Secretary, Consumer Product Safety Commission.*

[FR Doc. 04-10163 Filed 5-3-04; 8:45 am]

BILLING CODE 6355-01-P

## DEPARTMENT OF EDUCATION

### Submission for OMB Review; Comment Request

**AGENCY:** Department of Education.

**SUMMARY:** The Leader, Regulatory Information Management Group, Office of the Chief Information Officer invites comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995.

**DATES:** Interested persons are invited to submit comments on or before June 3, 2004.

**ADDRESSES:** Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Alice Thaler, Desk Officer, Department of Education, Office of Management and Budget, 725 17th Street, NW., Room 10222, New Executive Office Building, Washington, DC 20503 or faxed to (202) 395-6974.

**SUPPLEMENTARY INFORMATION:** Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Leader, Regulatory Information Management Group, Office of the Chief Information Officer, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g. new, revision,

extension, existing or reinstatement; (2) title; (3) summary of the collection; (4) description of the need for, and proposed use of, the information; (5) respondents and frequency of collection; and (6) reporting and/or recordkeeping burden. OMB invites public comment.

**Angela C. Arrington,**

*Leader, Regulatory Information Management Group, Office of the Chief Information Officer.*

### Institute of Education Sciences

*Type of Review:* New.

*Title:* Impact Evaluation of Teacher Preparation Methods.

*Frequency:* On occasion.

*Affected Public:* State, local, or tribal gov't, SEAs or LEAs, Individuals or household.

*Reporting and Recordkeeping Hour Burden:*

Responses: 4,120.

Burden Hours: 14,041.

*Abstract:* Data collection for impact evaluation of teacher preparation methods. A sample of teachers are the primary respondents.

Requests for copies of the submission for OMB review; comment request may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 2456. When you access the information collection, click on "Download Attachments" to view. Written requests for information should be addressed to Department of Education, 400 Maryland Avenue, SW., Potomac Center Plaza, 9th Floor, Washington, DC 20202. Requests may also be electronically mailed to the Internet address [OCIO\\_RIMG@ed.gov](mailto:OCIO_RIMG@ed.gov) or faxed to 202-245-6623. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be directed to Katrina Ingalls at her e-mail address

[Katrina\\_Ingalls@ed.gov](mailto:Katrina_Ingalls@ed.gov). Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

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BILLING CODE 4000-01-M

## DEPARTMENT OF ENERGY

### [Certification Notice—211]

### Office of Fossil Energy; Notice of Filings of Coal Capability Powerplant and Industrial Fuel Use Act

**AGENCY:** Office of Fossil Energy, DOE.

**ACTION:** Notice of filings.

**SUMMARY:** The owners/operators of thirteen baseload electric powerplants have submitted coal capability self-certifications pursuant to section 201 of the Powerplant and Industrial Fuel Use Act of 1978 (FUA) and Department of Energy (DOE) regulations in 10 CFR 501.60.61.

**ADDRESSES:** Copies of self-certification filings are available for public inspection, upon request, in the Office of Coal & Power Import/Export, Fossil Energy, Room 4G-039, FE-27, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585.

### FOR FURTHER INFORMATION CONTACT:

Ellen Russell at (202) 586-9624.

**SUPPLEMENTARY INFORMATION:** Title II of FUA, as amended (42 U.S.C. 8301 *et seq.*), provides that no new baseload electric powerplants may be constructed or operated without the capability to use coal or another alternate fuel as a primary energy source pursuant to FUA section 201(d), in order to meet the requirement of coal capability, the owner or operator of such facilities proposing to use natural gas or petroleum as its primary energy source shall certify to the Secretary of Energy (Secretary) prior to construction, or prior to operation as a base load electric powerplant, that such powerplant has the capability to use coal or another alternate fuel. Such certification establishes compliance with FUA section 201(a) as of the date filed with the Secretary. The Secretary is required to publish a notice in the **Federal Register** that a certification has been filed. The following owners/operators of proposed new baseload electric powerplants have filed self-certifications pursuant to FUA section 201(d) and in accordance with DOE regulations in 10 CFR 501.60, 61.

Owner operator	Capacity	Plant location	In-service date
Deer Park Energy Center, L.P .....	950 MW	Deer Park, TX .....	Jan. 2003.
Riverside Energy Center, LLC .....	600 MW	Beloit, WI .....	June 2004.
Riverview Energy Center, LLC .....	45 MW	Pleasanton, CA .....	1st Qtr. 2003.
Reliant Energy Bighorn, LLC .....	580 MW	Primm, NV .....	June 27, 2003
Brookhaven Energy, L.P .....	540 MW	Brookhaven, NY .....	1st Qtr. 2006.
Plymouth Energy LLC .....	307 MW	Plymouth, WA .....	Dec. 2006.
South Carolina Electric & Gas Co. ....	875 MW	Jasper County, S.C. ....	May 1, 2004.