

or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

**Respondents/Affected Entities:** Petroleum refineries that are major sources of HAP emissions.

**Estimated Number of Respondents:** 134.

**Frequency of Response:** Annual, Semiannual, On Occasion, Quarterly.

**Estimated Total Annual Hour Burden:** 410,054 hours.

**Estimated Total Annual Costs:** \$26,163,236, which includes \$0 annual capital/startup costs, \$0 annual O&M costs, and \$26,163,236 annual labor costs.

**Changes in the Estimates:** There is a decrease of 59,376 hours in the total estimated burden currently identified in the OMB Inventory of Approved ICR Burdens. This adjustment decrease in burden is due to several factors, including: a decrease in the number of respondents, the removal of capital/startup costs resulting from performance tests, and revisions to the approach to calculating costs for newly subject facilities.

Dated: December 14, 2004.

**Oscar Morales,**

*Director, Collection Strategies Division.*

[FR Doc. 04-27889 Filed 12-20-04; 8:45 am]

**BILLING CODE 6560-50-P**

## **EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**

### **SES Performance Review Board**

**ACTION:** Notice of Members of the U.S. Equal Employment Opportunity Commission Performance Review Board (PRB).

**SUMMARY:** Pursuant to 5 U.S.C. 4314(c)(4), this notice announces the appointment of members of the PRB for the Equal Employment Opportunity Commission (EEOC). The Board reviews the performance appraisals of career and non-career senior executives. The Board makes recommendations regarding

proposed performance appraisals, ratings, bonuses and other appropriate personnel actions.

**FOR FURTHER INFORMATION CONTACT:**

Angelica E. Ibarguen, Chief Human Capital Officer, Equal Employment Opportunity Commission, 1801 L Street, NW., Washington, DC 20507, (202) 663-4306.

**Composition of PRB:** The Board shall consist of at least three voting members. When appraising a career appointee's performance or recommending a career appointee for a performance award, more than half of the members must be SES career appointees. The names and titles of the PRB members are as follows:

#### **Primary Members**

Angelica E. Ibarguen, Chief Human Capital Officer, EEOC—(Chairperson), Reuben Daniels, Jr., Director, Charlotte District Office, EEOC—(Member), James L. Lee, Deputy General Counsel, EEOC—(Member).

**DATES:** Membership is effective on the date of this notice.

Signed at Washington, DC on this 22nd day of November 2004.

For the Commission.

**Cari M. Dominguez,**

*Chair.*

[FR Doc. 04-27855 Filed 12-20-04; 8:45 am]

**BILLING CODE 6570-01-M**

## **FEDERAL COMMUNICATIONS COMMISSION**

[CC Docket No. 98-98; DA 04-3678]

### **Parties Asked To Refresh the Record Regarding a Petition by the New York State Public Service Commission Seeking Broad Delegated Authority To Make Area Code Changes Outside the Context of Area Code Relief Planning**

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice; solicitation of comments.

**SUMMARY:** The Commission invites New York State Public Service Commission (NYPSC) to update the record pertaining to its petition seeking delegated authority to make area code changes outside the context of area code relief planning and invites interested parties to submit pleadings pertaining to the NYPSC petition.

**DATES:** Comments are due on or before January 4, 2005. Reply Comments are due on or before January 11, 2005.

**ADDRESSES:** Parties who choose to file by paper must file an original and four copies of each filing. All filings must be

sent to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554. See

**SUPPLEMENTARY INFORMATION** section for where and how to file comments.

**FOR FURTHER INFORMATION CONTACT:**

Karen Franklin, Attorney, Wireline Competition Bureau, Telecommunications Access Policy Division, (202) 418-7400 TTY: (202) 418-0484.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Public Notice released November 23, 2004 in CC Docket No. 98-98; DA 04-3678. The full text of this document is available for public inspection during regular business hours in the FCC Reference Center, Room CY-A257, 445 Twelfth Street, SW., Washington, DC 20554. Pursuant to § 1.1 of the Commission's rules, the Commission invites the NYPSC to update the record pertaining to its petition seeking delegated authority to make area code changes outside the context of area code relief planning and invites interested parties to submit pleadings pertaining to the NYPSC petition.

In the *Local Competition Second Report and Order*, the Commission delegated authority to implement new area codes to state commissions in the context of area code relief planning. The Commission noted that state commissions are uniquely positioned to understand local conditions and what effect new area codes will have on those conditions. Each state's implementation method is, however, subject to the Commission's guidelines for numbering administration. Existing Commission guidelines, which were originally enumerated in the *Ameritech Order*, state that numbering administration should: (1) Seek to facilitate entry into the communications marketplace by making numbering resources available on an efficient and timely basis; (2) not unduly favor or disadvantage any particular industry segment or group of consumers; and (3) not unduly favor one technology over another.

The NYPSC petitioned the Commission for delegated authority to make area codes changes outside the context of area code relief planning. Because the passage of time and intervening developments may have rendered the record developed for this petition stale, the Wireline Competition Bureau requests that the NYPSC identify whether the pursuit of area code relief outside the context of area code relief planning remains an issue. Also, some issues raised in the petition may have

become moot or irrelevant in light of intervening events.

To the extent that intervening events may have materially altered the circumstances surrounding the petition or the relief sought by the NYPSC, the NYPSC may refresh the record with new information or arguments related to its original filing that it believes to be relevant to the issues. The previously filed petition will be deemed withdrawn and will be dismissed if the NYPSC does not indicate in writing an intent to pursue its petition.

The NYPSC may update its previously filed comments on or before January 4, 2005. Reply Comments are due on or before January 11, 2005. All pleadings are to reference CC Docket No. 92-105. Comments may be filed using: (1) The Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (May 1, 1998).

Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include the following words in the body of the message, "get form." A sample form and directions will be sent in reply. Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number.

One (1) courtesy copy should also be sent to Sheryl Todd, Wireline Competition Bureau, FCC, Room 5-B540, 445 12th Street, SW., Washington, DC 20554. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail).

The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002. The filing hours at this location are 8 a.m. to 7 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW., Washington, DC 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

The original petition for reconsideration that the NYPSC filed in 2001 is available for inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12th St. SW., Room CY-A257, Washington, DC 20554. The document may also be purchased from Best Copy and Printing, Inc., Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 1-800-378-3160, or via e-mail [www.bcpweb.com](http://www.bcpweb.com).

This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. *See* 47 CFR 1.1200 and 1.1206. Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one- or two-sentence description of the views and arguments presented is generally required. *See* 47 CFR 1.1206(b). Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in § 1.1206(b) of the Commission's rules, 47 CFR 1.1206(b).

Federal Communications Commission.

**Narda M. Jones,**

*Chief, Telecommunications Access Policy Division.*

[FR Doc. 04-27876 Filed 12-20-04; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

[DA 04-3817]

### Second Audit Letter and Notice of Cancellation to Certain Licensees in the Paging and Radiotelephone Service and Certain Licensees Operating on 929-930 MHz Exclusive Private Carrier Paging Channels

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** In this document the Wireless Telecommunications Bureau (Bureau) announces it mailed its second audit letter and notice of cancellation to licensees that did not respond to the first inquiry. The audit involves site-specific licenses operating under part 22, Paging and Radiotelephone Service with "CD" radio service code and all site-specific licenses operating in the 929-930 MHz band on exclusive private carrier paging channels with "GS" radio service code. Licensees must respond to the audit electronically.

**DATES:** Responses are due by January 21, 2005.

#### FOR FURTHER INFORMATION CONTACT:

Denise D. Walter, Mobility Division, at 202-418-0620.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Federal Communications Commission's *Public Notice*, DA 04-3817, released on December 8, 2004. The full text of this document is available for inspection and copying during normal business hours in the Federal Communications Commission Reference Center, 445 12th Street, SW., Washington, DC 20554. The complete text may be purchased from the Federal Communications Commission's copy contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC 20554. The full text may also be downloaded at <http://wireless.fcc.gov>. Alternative formats are available to persons with disabilities by contacting Brian Millin at (202) 418-7426 or TTY (202) 418-7365 or at [bmillin@fcc.gov](mailto:bmillin@fcc.gov).

1. On December 7, 2004 the Bureau mailed its second audit letter and notice of cancellation to certain licensees operating with site-specific licenses in the Paging and Radiotelephone Service, part 22, subpart E, and site-specific licenses operating on exclusive private carrier paging channels in the 929-930 MHz band, part 90, subpart P.

2. Each licensee to whom this second audit letter and notice of cancellation was mailed must respond and certify by January 21, 2005 that its authorized