

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission****Combined Notice of Filings #2**

June 15, 2005.

Take notice that the Commission received the following electric rate filings

*Docket Numbers:* ER02-1081-003.

*Applicants:* Indeck-Oswego Limited Partnership.

*Description:* Indeck-Oswego Limited Partnership submits First Substitute Sheet No. 1B, to its FERC Electric Tariff, Original Volume No. 1 to be effective June 30, 2005.

*Filed Date:* 06/08/2005.

*Accession Number:* 20050614-0200.

*Comment Date:* 5 p.m. Eastern Time on Friday, June 24, 2005.

*Docket Numbers:* ER05-1093-000.

*Applicants:* Hermiston Power Partnership.

*Description:* Hermiston Power Partnership submits its Rate Schedule 2 for Reactive Power Supply and Voltage Control from Generation Sources Service in order to receive compensation for the reactive power service it provides Bonneville Power Administration from its generating plant near the City of Hermiston.

*Filed Date:* 06/10/2005.

*Accession Number:* 20050614-0103.

*Comment Date:* 5 p.m. Eastern Time on Friday, July 01, 2005.

*Docket Numbers:* ER05-1101-000.

*Applicants:* NorthWestern Energy.

*Description:* NorthWestern Corporation dba NorthWestern Energy submits First Revised Sheet 161-163 and 171-314 to its Open Access Transmission Tariff, FERC Electric Tariff, Fifth Revised Volume 5 in compliance with FERC Order No. 2003-B issued December 20, 2004.

*Filed Date:* 06/10/2005.

*Accession Number:* 20050614-0100.

*Comment Date:* 5 p.m. Eastern Time on Friday, July 01, 2005.

*Docket Numbers:* ER05-1102-000.

*Applicants:* Goldendale Energy Center, LLC.

*Description:* Goldendale Energy Center, LLC submits its FERC Rate Schedule 2 for Reactive Supply and Voltage Control from Generation Sources Service in order to begin receiving compensation for the reactive power service that it provides to Bonneville Power Administration from its Goldendale generating facility.

*Filed Date:* 06/10/2005.

*Accession Number:* 20050614-0101.

*Comment Date:* 5 p.m. Eastern Time on Friday, July 01, 2005.

*Docket Numbers:* ER05-1103-000.

*Applicants:* PJM Interconnection L.L.C.

*Description:* PJM Interconnection, LLC submits an unexecuted construction service agreement with Neptune Regional Transmission System, LLC, and Public Service Electric and Gas Company.

*Filed Date:* 06/10/2005.

*Accession Number:* 20050614-0092.

*Comment Date:* 5 p.m. Eastern Time on Friday, July 01, 2005.

*Docket Numbers:* ER05-1104-000.

*Applicants:* Central Vermont Public Service Corporation.

*Description:* Central Vermont Public Service Corporation submits a short-form market-based rate tariff, effective 6/10/05 and a request for a waiver of FERC's notice of filing requirements.

*Filed Date:* 06/09/2005.

*Accession Number:* 20050614-0192.

*Comment Date:* 5 p.m. Eastern Time on Thursday, June 30, 2005.

*Docket Numbers:* ER05-1105-000.

*Applicants:* LP and T Energy, LLC.

*Description:* LP and T Energy, LLC submits an application for acceptance of initial market-based rate tariff, waivers & blanket authority.

*Filed Date:* 06/10/2005.

*Accession Number:* 20050614-0193.

*Comment Date:* 5 p.m. Eastern Time on Friday, July 01, 2005.

*Docket Numbers:* ER05-1106-000.

*Applicants:* Arizona Public Service Company.

*Description:* Arizona Public Service Company submits construction agreements with PacifiCorp and one between Arizona Public Service Company and Western Area Power Administration.

*Filed Date:* 06/10/2005.

*Accession Number:* 20050614-0194.

*Comment Date:* 5 p.m. Eastern Time on Friday, July 01, 2005.

*Docket Numbers:* ER05-1107-000.

*Applicants:* California Independent System Operator Corporation.

*Description:* California Independent System Operator Corporation submits an informational filing pursuant to Article IX, section B of the Stipulation and Agreement approved by the Commission on 5/28/1999.

*Filed Date:* 06/10/2005.

*Accession Number:* 20050614-0209.

*Comment Date:* 5 p.m. Eastern Time on Friday, July 01, 2005.

*Docket Numbers:* ER05-661-002.

*Applicants:* Somerset Windpower LLC.

*Description:* Somerset Windpower, LLC submits supplement to the 2/28/05 request for authorization to amend its market-based rate tariff under ER05-661.

*Filed Date:* 06/10/2005.

*Accession Number:* 20050614-0198.

*Comment Date:* 5 p.m. Eastern Time on Friday, June 24, 2005.

*Docket Numbers:* ER05-742-001.

*Applicants:* Cambridge Electric Light Company and Commonwealth Electric Company.

*Description:* Cambridge Electric Light Company and Commonwealth Electric Company submits description of FERC's Accounts used in Revised Tariff in compliance with FERC's 5/25/05 Order. 111 FERC ¶ 61,246 (2005).

*Filed Date:* 06/10/2005.

*Accession Number:* 20050614-0191.

*Comment Date:* 5 p.m. Eastern Time on Friday, July 01, 2005.

Any person desiring to intervene or to protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) on or before 5 p.m. Eastern time on the specified comment date. It is not necessary to separately intervene again in a subdocket related to a compliance filing if you have previously intervened in the same docket. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. In reference to filings initiating a new proceeding, interventions or protests submitted on or before the comment deadline need not be served on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 14 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First St. NE., Washington, DC 20426.

The filings in the above proceedings are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also available for review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the Web site that

enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov). or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

**Linda Mitry,**

*Deputy Secretary.*

[FR Doc. E5-3204 Filed 6-20-05; 8:45 am]

**BILLING CODE 6717-01-P**

## **ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7925-4]

### **Lead-Based Paint Activities; State of Washington Lead-Based Paint Program**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice; final approval of the State of Washington Lead-Based Paint Activities Program.

**SUMMARY:** On June 18, 2004, EPA received an application from the State of Washington requesting authorization to administer a Program in accordance with section 402 of the Toxic Substances Control Act (TSCA). Included in the application was a letter signed June 10, 2004, by the Governor of Washington, stating that the State's Lead-Based Paint Abatement Program is at least as protective of human health and the environment as the Federal program under TSCA section 402. Also, included was a letter from the Attorney General of Washington, certifying that the laws and regulations of the State provided adequate legal authority to administer and enforce TSCA section 402. Washington certifies that its program meets the requirements for approval of a State program under section 404 of TSCA and that Washington has the legal authority and ability to implement the appropriate elements necessary to enforce the program. Therefore, pursuant to section 404, the program is deemed authorized as of the date of submission. Today's notice announces the authorization of the State of Washington Lead-Based Paint Activities Program to apply in the State of Washington effective June 10, 2004.

**DATES:** The Lead-Based Paint Activities Program authorization was granted to the State of Washington on June 10, 2004.

**FOR FURTHER INFORMATION CONTACT:**

Barbara Ross, Regional Lead Coordinator, Environmental Protection

Agency, Region 10, AWT-128, 1200 Sixth Avenue, Seattle, WA 98101; telephone: (206) 553-1985; e-mail address: [ross.barbara@epa.gov](mailto:ross.barbara@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. General**

*A. Does this Notice Apply to Me?*

This notice is directed to the public in general. This notice may, however, be of interest to firms and individuals engaged in lead-based paint activities in Washington. Since other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be affected by the notice. If you have any questions regarding the applicability of this notice to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

*B. Summary*

On October 28, 1992, the Housing and Community Development Act of 1992, Public Law 102-550, became law. Title X of that statute was the Residential Lead-Based Paint Hazard Reduction Act of 1992. The Act amended TSCA (15 U.S.C. 2601 *et seq.*) by adding Title IV (15 U.S.C. 2681-92), titled "Lead Exposure Reduction."

Section 402 of TSCA (15 U.S.C. 2682) authorizes and directs EPA to promulgate final regulations governing lead-based paint activities in target housing, public and commercial buildings, bridges and other structures. On August 29, 1996 (61 FR 45777) (FRL-5389-9), EPA promulgated final TSCA section 402/404 regulations governing lead-based paint activities in target housing and child-occupied facilities (a subset of public buildings). These regulations are to ensure that individuals engaged in such activities are properly trained, that training programs are accredited, and that individuals engaged in these activities are certified and follow documented work practice standards.

Under section 404 (15 U.S.C. 2684), a State or Indian Tribe may seek authorization from EPA to administer and enforce its own lead-based paint activities program.

States and Tribes that choose to apply for program authorization must submit a complete application to the appropriate Regional EPA Office for review. EPA will review those applications within 180 days of receipt of the complete application. To receive EPA approval, a State or Tribe must demonstrate that its program is at least as protective of human health and the environment as the Federal program, and provides for adequate enforcement

(section 404(b) of TSCA, 15 U.S.C. 2684 (b)).

EPA's regulations (40 CFR part 745, subpart Q) provide the detailed requirements a State or Tribal program must meet in order to obtain EPA authorization.

A State may choose to certify that its lead-based paint activities program meets the requirements for EPA authorization, by submitting a letter signed by the Governor or the Attorney General stating that the program meets the requirements of section 404(b) of TSCA. Upon submission of such certification letter, the program is deemed authorized until such time as EPA disapproves the program application or withdraws the program authorization.

In accordance with 40 CFR 745.324(d), "Program Certification," the Governor of Washington submitted a self-certification letter to the EPA Administrator on June 17, 2004, certifying that the State program meets the requirements contained in 40 CFR 745.324(e)(2)(i) and (e)(2)(ii). Included in the application was a letter from the Attorney General of Washington, certifying that the laws and regulations of the State provided adequate legal authority to administer and enforce TSCA section 402.

As determined by EPA's review and assessment, Washington's application successfully demonstrated that the State's Lead-Based Paint Activities Program achieves the protectiveness and enforcement criteria, as required for Federal authorization. Therefore, as of June 10, 2004 the State of Washington is authorized to administer and enforce the lead-based paint program under TSCA section 402.

**II. Federal Overfiling**

TSCA section 404(b) (15 U.S.C. 2684(b)) makes it unlawful for any person to violate, or fail or refuse to comply with, any requirement of an approved State or Tribal program. Therefore, EPA reserves the right to exercise its enforcement authority under TSCA against a violation of, or a failure or refusal to comply with, any requirement of an authorized State or Tribal program.

**III. Withdrawal of Authorization**

Pursuant to TSCA section 404(c), the Administrator may withdraw a State or Tribal lead-based paint activities program authorization, after notice and opportunity for corrective action, if the program is not being administered or enforced in compliance with standards, regulations, and other requirements established under the authorization. The