

Center, EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC, between 8:30 a.m. and 4:30 p.m. Monday through Friday, excluding legal holidays. Comments on a disk or CD-ROM should be formatted in Wordperfect or ASCII file, avoiding the use of special characters and any form of encryption, and may be mailed to the mailing address above.

**FOR FURTHER INFORMATION CONTACT:** Steven Silverman, Air and Radiation Law Office (2366A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460. telephone: (202) 564-5523.

**SUPPLEMENTARY INFORMATION:**

**I. Additional Information about the Proposed Settlement**

Petitioners raised issues involving technical aspects of the final rule entitled "National Emission Standard for Hazardous Air Pollutants for the integrated Iron and Steel Source Category" published at 68 FR 27646 (May 20, 2003) ("the Rule"). Rather than litigate these issues, EPA and the Petitioners have agreed that EPA will propose amendments to the rule.

The settlement agreement provides that EPA will propose amendments to the rule by September 23, 2005. The text of these amendments is set out in Attachment A to the Settlement Agreement, and is available from EPA as provided below.

For a period of thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the proposed settlement agreement from persons who were not named as parties or interveners to the litigation in question. As provided in section 113(g), EPA or the Department of Justice may withdraw or withhold consent to the proposed settlement agreement if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless EPA or the Department of Justice determine, based on any comment which may be submitted, that consent to the settlement agreement should be withdrawn, the terms of the agreement will be affirmed.

**II. Additional Information About Commenting on the Proposed Settlement**

*A. How Can I Get a Copy of the Settlement?*

EPA has established an official public docket for this action under Docket ID No. OGC-2005-0008 which contains a

copy of the settlement. The official public docket is available for public viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center, EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OEI Docket is (202) 566-1752.

An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Once in the system, select "search," then key in the appropriate docket identification number.

It is important to note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing in EPA's electronic public docket as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. Information claimed as CBI and other information whose disclosure is restricted by statute is not included in the official public docket or in EPA's electronic public docket. EPA's policy is that copyrighted material, including copyrighted material contained in a public comment, will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the EPA Docket Center.

*B. How and to Whom Do I Submit Comments?*

You may submit comments as provided in the **ADDRESSES** section. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

If you submit an electronic comment, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment and with any

disk or CD-ROM you submit. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. Any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

Your use of EPA's electronic public docket to submit comments to EPA electronically is EPA's preferred method for receiving comments. The electronic public docket system is an "anonymous access" system, which means EPA will not know your identity, e-mail address, or other contact information unless you provide it in the body of your comment. In contrast to EPA's electronic public docket, EPA's electronic mail (e-mail) system is not an "anonymous access" system. If you send an e-mail comment directly to the Docket without going through EPA's electronic public docket, your e-mail address is automatically captured and included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

Dated: June 7, 2005.

**Richard B. Ossias,**

*Acting Associate General Counsel, Air and Radiation Law Office, Office of General Counsel.*

[FR Doc. 05-12449 Filed 6-22-05; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7926-3]

**Proposed Settlement Agreement, Clean Air Act Citizen Suit**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of proposed settlement agreement; request for public comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("Act"), 42 U.S.C. 7413(g), notice is hereby given of a proposed settlement agreement, to address a petition for writ of mandamus filed by Sierra Club in the U.S. Court of Appeals for the District of Columbia Circuit: *In re Sierra Club*, No. 04-1370 (D.C. Cir.). On October 28, 2004, Petitioner filed a petition asking

the Court to issue a writ of mandamus directing EPA to complete remand proceedings ordered by the United States Court of Appeals for the D.C. Circuit in *National Lime Ass'n v. EPA*, 233 F.3d 625 (D.C. Cir. 2000) to revise the National Emission Standard for Hazardous Air Pollutants for Portland cement kilns' emissions of mercury, hydrogen chloride, and total hydrocarbons, and to consider setting more stringent emission standards for Portland cement kilns' emissions of non-mercury HAP metals. Under the terms of the proposed settlement agreement, no later than one year after signature of this agreement, EPA shall publish a notice of final rulemaking which responds to the remand order.

**DATES:** Written comments on the proposed settlement agreement must be received by July 25, 2005.

**ADDRESSES:** Submit your comments, identified by docket ID number OGC-2005-0007, online at <http://www.epa.gov/edocket> (EPA's preferred method); by e-mail to [oei.docket@epa.gov](mailto:oei.docket@epa.gov); mailed to EPA Docket Center, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; or by hand delivery or courier to EPA Docket Center, EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC, between 8:30 a.m. and 4:30 p.m. Monday through Friday, excluding legal holidays. Comments on a disk or CD-ROM should be formatted in Wordperfect or ASCII file, avoiding the use of special characters and any form of encryption, and may be mailed to the mailing address above.

**FOR FURTHER INFORMATION CONTACT:** Steven Silverman, Air and Radiation Law Office (2366A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460. telephone: (202) 564-5523.

**SUPPLEMENTARY INFORMATION:**

**I. Additional Information About the Proposed Settlement**

EPA promulgated regulations on June 14, 1999 to set emission standards for Portland cement kilns' emissions of mercury, hydrogen chloride, and total hydrocarbons. 64 FR 31925. These regulations were challenged, and on December 15, 2000, the United States Court of Appeals for the District of Columbia Circuit remanded portions of the regulations to EPA. *National Lime Ass'n v. EPA*, 233 F.3d 625 (D.C. Cir. 2000).

The settlement agreement establishes a date, May 26, 2006 (one year after the

signing of this settlement agreement), EPA shall sign for publication in the **Federal Register** a notice of final rulemaking setting forth its final action to fully comply with the Court's remand order in *National Lime Ass'n v. EPA*, including any regulations necessary to comply with that order.

For a period of thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the proposed settlement agreement from persons who were not named as parties or interveners to the litigation in question. EPA or the Department of Justice may withdraw or withhold consent to the proposed settlement agreement if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless EPA or the Department of Justice determine, based on any comment which may be submitted, that consent to the settlement agreement should be withdrawn, the terms of the agreement will be affirmed.

**II. Additional Information About Commenting on the Proposed Settlement**

*A. How Can I Get a Copy of the Settlement?*

EPA has established an official public docket for this action under Docket ID No. OGC-2005-0007 which contains a copy of the settlement. The official public docket is available for public viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center, EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OEI Docket is (202) 566-1752.

An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Once in the system, select "search," then key in the appropriate docket identification number.

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viewing in EPA's electronic public docket as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. Information claimed as CBI and other information whose disclosure is restricted by statute is not included in the official public docket or in EPA's electronic public docket. EPA's policy is that copyrighted material, including copyrighted material contained in a public comment, will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the EPA Docket Center.

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Your use of EPA's electronic public docket to submit comments to EPA electronically is EPA's preferred method for receiving comments. The electronic public docket system is an "anonymous access" system, which means EPA will not know your identity, e-mail address, or other contact information unless you provide it in the body of your comment. In contrast to EPA's electronic public docket, EPA's electronic mail (e-mail) system is not an "anonymous access" system. If you send an e-mail comment directly to the Docket without going

through EPA's electronic public docket, your e-mail address is automatically captured and included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

Dated: June 16, 2005.

**Richard B. Ossias,**

*Acting Associate General Counsel, Air and Radiation Law Office, Office of General Counsel.*

[FR Doc. 05-12448 Filed 6-22-05; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7926-2]

### Velsicol/Hardeman County Landfill Superfund Site, et al.; Notice of Proposed Settlement

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of settlement.

**SUMMARY:** In accordance with section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), 42 U.S.C. 9622(i), notice is hereby given of a proposed administrative ability-to-pay settlement with Velsicol Chemical Corporation relating to Paragraph 15 of the August 9, 2002 Settlement Agreement approved by the United States Bankruptcy Court for the District of Delaware in *In re Fruit of the Loom, Inc.*, No. 99-4497(PJW) and to Paragraph 15 of the August 28, 2002 Agreement and Settlement for Recovery of Response Costs, EPA Docket No. 00-51-C (Region 4). These Agreements relate to the following sites: The Velsicol/Hardeman County Landfill Superfund Site, Toone, Hardeman County, Tennessee; the Velsicol Chemical Superfund Site, St. Louis, Michigan; the Woodridge/Berry's Creek Superfund Site, Wood-Ridge and Carlstadt, New Jersey; the North Hollywood Dump Superfund Site, Memphis Tennessee, the Residue Hill Site, Chattanooga, Tennessee; the Marshall 23 Acre Site, Marshall, Illinois; the Breckenridge Site, Breckenridge, Michigan; the Mathis Brothers/South Marble Top Road Landfill Superfund Site; Kensington, Walker County, Georgia; the Valley Chemical Superfund Site, Greenville, Mississippi; the Tennessee Products Superfund Site, Chattanooga, Tennessee; the Former Coke Production Plant Property, Chattanooga, Tennessee; and the Shaver's Farm Superfund Site,

Lafayette, Walker County, Georgia. The proposed administrative settlement requires Velsicol Chemical Corporation to pay \$1,454,000 million to resolve its liability under Paragraph 15 of the August 9, 2002 Settlement Agreement and foregoes further recovery under Paragraph 15 of the August 28, 2002 Agreement. EPA will consider public comments on the Agreement until July 25, 2005. EPA may withdraw from or modify the Agreement if such comments should disclose facts or considerations which indicate the Agreement is inappropriate, improper or inadequate. Copies of the proposed settlement are available from: Ms. Paula V. Batchelor, U.S. Environmental Protection Agency, Region 4, Waste Management Division, 61 Forsyth Street, SW., Atlanta, Georgia 30303, 404/562-8887, [Batchelor.Paula@epa.gov](mailto:Batchelor.Paula@epa.gov).

Written comments may be submitted to Ms. Batchelor at the above address by July 25, 2005.

Dated: June 7, 2005.

**Rosalind H. Brown,**

*Chief, Superfund Enforcement & Information Management Branch, Waste Management Division.*

[FR Doc. 05-12452 Filed 6-22-05; 8:45 am]

**BILLING CODE 6560-50-P**

## FEDERAL ELECTION COMMISSION

### Sunshine Act; Meetings

**DATE AND TIME:** Tuesday, June 28, 2005, at 9:30 a.m. and Wednesday, June 29, 2005 at 9:30 a.m.

**PLACE:** 999 E Street, NW., Washington, DC (Ninth Floor).

**STATUS:** This hearing will be open to the public.

**MATTER BEFORE THE COMMISSION:** Internet Communications Notice of Proposed Rulemaking.

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**PREVIOUSLY ANNOUNCED DATE AND TIME:** Thursday, June 30, 2005 at 10 a.m., meeting open to the public. This meeting has been cancelled.

\* \* \* \* \*

**PERSON TO CONTACT FOR INFORMATION:** Mr. Robert Biersack, Press Officer. Telephone: (202) 694-1220.

**Mary W. Dove,**

*Secretary of the Commission.*

[FR Doc. 05-12547 Filed 6-21-05; 12:12 pm]

**BILLING CODE 6715-01-M**

## GENERAL SERVICES ADMINISTRATION

### Office of Governmentwide Policy

#### Cancellation of an Optional Form by the Office of Personnel Management (OPM)

**AGENCY:** Office of Governmentwide Policy, GSA.

**ACTION:** Notice.

**SUMMARY:** The Office of Personnel Management (OPM) cancelled OF 86, Personal Data (Warning) Label (Large) since it is no longer needed.

**FOR FURTHER INFORMATION CONTACT:** Ms. Barbara Williams, General Services Administration, (202) 501-0581.

**DATES:** Effective June 23, 2005.

Dated: June 13, 2005.

**Barbara M. Williams,**

*Standard and Optional Forms Management Officer, General Services Administration.*

[FR Doc. 05-12416 Filed 6-22-05; 8:45 am]

**BILLING CODE 6820-34-M**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Office of the Secretary

#### Office of Medicare Hearings and Appeals; Statement of Organization, Functions, and Delegations of Authority

Part A. Office of the Secretary, of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health and Human Services, Part A, as last amended at 69 FR 51679-51680, dated August 20, 2004, and Chapter AA, Immediate Office of the Secretary, as last amended at 69 FR 51679-51680, dated August 20, 2004, are being amended to establish a new Chapter AK, the Office of Medicare Hearings and Appeals (OMHA) within the Office of the Secretary. This new Chapter is being created as a result of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA), under which the functions of Administrative Law Judges (ALJs) responsible for hearing cases under title XVIII of the Social Security Act (and related provisions in title XI of such Act) are transferred from the Social Security Administration to the Department of Health and Human Services. The changes are as follows:

I. Under Part A, Chapter AA, Section AA, Section AA.10 Organization, insert the following: "Office of Medicare Hearings and Appeals (OMHA)"