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Any person desiring to intervene or to protest this filing 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). 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. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed in accordance with the provisions of Section 154.210 of the Commission's regulations (18 CFR 154.210). Anyone filing an intervention or protest must serve a copy of that document on the Applicant. Anyone filing an intervention or protest on or before the intervention or protest date need not serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission,

888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is 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 email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. E5-3704 Filed 7-12-05; 8:45 am]

**BILLING CODE 6717-01-P**

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Project No. 12053-001]

**West Valley Hydroelectric Project; Notice of Extension of Time To Submit Scoping Comments**

July 6, 2005.

The Commission has extended the scoping comment period for the West

Valley Project, to allow time for all interested parties to review the transcripts for the scoping meetings held on June 15, 2005. The deadline for filing scoping comments is now July 25, 2005.

All documents (original and eight copies) should be filed with: Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. Scoping comments may be filed electronically via the Internet in lieu of paper. The Commission strongly encourages electronic filings. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site (<http://www.ferc.gov>) through the Commission's eLibrary using the "Documents & Filing" link.

Procedural schedule: The application will be processed according to the following schedule. Revisions to the schedule may be made as appropriate.

Major milestone	Target date
Scoping Comments due .....	July 25, 2005.
Additional Information Request (AIR) .....	August 2005.
AIR Response due from Applicant .....	November 2005.
Notice that application is ready for environmental analysis .....	November 2005.
Comments, Terms and Conditions due .....	January 2006.
Reply Comments due .....	March 2006.
Environmental Assessment Issued .....	April 2006.
Ready for Commission's decision on the application .....	June 2006.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. E5-3699 Filed 7-12-05; 8:45 am]

**BILLING CODE 6717-01-P**

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Docket No. EL05-109-000]

**Tax Deduction for Manufacturing Activities Under the American Jobs Creation Act of 2004; Errata Notice**

July 6, 2005.

On June 2, 2005, the Commission issued a Guidance Order<sup>1</sup> on the Tax

Deduction for Manufacturing Activities under the American Jobs Creation Act of 2004.<sup>2</sup>

The last sentence of paragraph number 2 is revised as follows: (1) The phrase "equivalent of reducing" is replaced by the phrase "9 percent of qualified production activity income and could reduce," and (2) the phrase "from 35 percent to 32 percent" is eliminated.

By direction of the Commission.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. E5-3696 Filed 7-12-05; 8:45 am]

**BILLING CODE 6717-01-P**

**ENVIRONMENTAL PROTECTION AGENCY**

[OAR-2005-0135 FRL-7937-8]

**Agency Information Collection Activities: Proposed Collection; Comment Request; Recordkeeping and Reporting for the Performance-Based Qualification of Test Methods for Diesel Fuel, EPA ICR Number 2180.02, OMB Control Number 2060-0566**

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit a

<sup>1</sup> 111 FERC ¶ 61,351 (2005) (June 2 Order).

<sup>2</sup> Pub. L. 108-357, 118 Stat. 1418 (2004) (adding additional section 199 to the Internal Revenue Code, 26 U.S.C. 1 *et seq.* (2000)).

proposed Information Collection Request (ICR) to the Office of Management and Budget (OMB). This is a request to renew an existing, approved "emergency" collection. This ICR is scheduled to expire on September 30, 2005. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below.

**DATES:** Comments must be submitted on or before September 12, 2005.

**ADDRESSES:** Submit your comments, referencing docket ID number OAR-2005-0135, to EPA online using EDOCKET (our preferred method), by e-mail to [a-and-r-docket@epa.gov](mailto:a-and-r-docket@epa.gov), or by mail to: EPA Docket Center, Environmental Protection Agency, Air and Radiation Docket (6102T), 1200 Pennsylvania Ave., NW., Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** Anne Pastorkovich, Attorney/Advisor, Environmental Protection Agency, Transportation & Regional Programs Division (6406J), 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: 202-343-9623; fax number: 202-343-2801; e-mail address: [pastorkovich.anne-marie@epa.gov](mailto:pastorkovich.anne-marie@epa.gov).

**SUPPLEMENTARY INFORMATION:** EPA has established a public docket for this ICR under Docket ID number OAR-2005-0135, which is available for public viewing at the Air and Radiation Docket in the EPA Docket Center (EPA/DC), 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 Reading Room is (202) 566-1744, and the telephone number for the Air and Radiation Docket is (202) 566-1742. An electronic version of the public docket is available through EPA Dockets (EDOCKET) at <http://www.epa.gov/edocket>. Use EDOCKET to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the 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 docket ID number identified above.

Any comments related to this ICR should be submitted to EPA within 60 days of this notice. EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing in EDOCKET as EPA receives them and without change, unless the comment

contains copyrighted material, CBI, or other information whose public disclosure is restricted by statute. When EPA identifies a comment containing copyrighted material, EPA will provide a reference to that material in the version of the comment that is placed in EDOCKET. The entire printed comment, including the copyrighted material, will be available in the public docket. Although identified as an item in the official docket, information claimed as CBI, or whose disclosure is otherwise restricted by statute, is not included in the official public docket, and will not be available for public viewing in EDOCKET. For further information about the electronic docket, see EPA's **Federal Register** notice describing the electronic docket at 67 FR 38102 (May 31, 2002), or go to <http://www.epa.gov/edocket>.

**Affected entities:** Entities potentially (with SIC Code/2002 NAICS Code) affected by this action are as follows: Refiners (2911/324110), importers (5172/424720), and laboratories (8734/541380).

**Title:** Recordkeeping and Reporting for the Performance-Based Qualification of Test Methods for Diesel Fuel

**Abstract:** With this information collection request (ICR), the Office of Air and Radiation (OAR) is seeking permission to continue to collect applications from refiners, importers, and independent laboratories in order to permit them to use performance-based test methods for measuring sulfur in diesel fuel and detecting the presence of a marker in diesel sold as heating oil. An emergency ICR is in effect through September 2005.

In the past, we would set up a designated test method for measuring compliance with various fuel parameters. Typically, this test method was an American Society for Testing and Materials (ASTM) procedure that our laboratory used. Regulated parties would have to use the same method. In certain circumstances, alternative test methods were named. If a regulated party used an alternative test method, all results would have to be correlated to the designated test method. Simply put, the party would have to develop and apply a correlation equation to all its results to bring them in line with the designated test method.

The recent regulations for diesel fuel incorporated a performance-based test method approach. See "Air Pollution Control; New Motor Vehicles and Engines; Nonroad Diesel Engines and Fuel; Emissions Standards," 69 FR 38957 (June 29, 2004). This approach sets up accuracy and precision criteria, but permits regulated parties to qualify

their laboratories to use their own test methods. Industry supports this approach and welcomes it as a first step to a more comprehensive performance-based approach to test method issues.

In order to be qualified to use a test method, a refiner's or importer's laboratory or an independent laboratory will have to submit certain information to us. Unfortunately, these reporting provisions were not included in the information collection request for that final rule. The first day by which regulated parties may comply was December 27, 2004 and many were waiting to submit applications, so we submitted an emergency ICR request to OMB to permit us to accept applications until September 2005. This supporting statement has been prepared to support our "regular" ICR request, to take us beyond the emergency clearance's expiration date.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations in 40 CFR are listed in 40 CFR part 9.

The EPA would like to solicit comments to:

(i) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;

(ii) Evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(iii) Enhance the quality, utility, and clarity of the information to be collected; and

(iv) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

**Burden Statement:** We estimate the total annual respondent burden associated with this proposed collection to be 46,500 hours and \$3,023,000 (of which \$0 is capital and maintenance cost or "O&M.") It is assumed that there will be 225 respondents, averaging one response each, and averaging 180 hours per response. We estimate an annual cost burden to the Agency of 659 hours and \$44,500. For a more detailed explanation of our assumptions and estimates, please refer to the draft supporting statement in the docket.

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, 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.

Dated: July 6, 2005.

**Jeffrey R. Holmstead,**

*Assistant Administrator, Office of Air and Radiation.*

[FR Doc. 05-13775 Filed 7-12-05; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[ORD-2005-0003, FRL-7937-9]

### Agency Information Collection Activities: Proposed Collection; Comment Request; Market-Based Stormwater Management in the Shepherd Creek Watershed in Cincinnati, OH; EPA ICR Number 2178.01, OMB Control Number

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit a proposed Information Collection Request (ICR) to the Office of Management and Budget (OMB). This is a request for a new collection. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below.

**DATES:** Comments must be submitted on or before September 12, 2005.

**ADDRESSES:** Submit your comments, referencing docket ID number ORD-2005-0003, to EPA online using EDOCKET (our preferred method), by e-mail to [ord.docket@epa.gov](mailto:ord.docket@epa.gov), or by mail to: EPA Docket Center, Environmental Protection Agency, ORD Docket, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** Hale W. Thurston, ORD, NRMRL, Mail Code 499, 26 W. Martin Luther King Jr. Drive, Cincinnati, OH, 45268; telephone number: 513.569.7627; fax number: 513.487.2511; e-mail address: [thurston.hale@epa.gov](mailto:thurston.hale@epa.gov).

**SUPPLEMENTARY INFORMATION:** EPA has established a public docket for this ICR under Docket ID number ORD-2005-0003, which is available for public viewing at the ORD Docket in the EPA Docket Center (EPA/DC), 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 Reading Room is (202) 566-1744, and the telephone number for the ORD Docket is (202) 566-0226. An electronic version of the public docket is available through EPA Dockets (EDOCKET) at <http://www.epa.gov/edocket>. Use EDOCKET to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the 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 docket ID number identified above.

Any comments related to this ICR should be submitted to EPA within 60 days of this notice. EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing in EDOCKET as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose public disclosure is restricted by statute. When EPA identifies a comment containing copyrighted material, EPA will provide a reference to that material in the version of the comment that is placed in EDOCKET. The entire printed comment, including the copyrighted material, will be available in the public docket. Although identified as an item in the official docket, information claimed as CBI, or whose disclosure is otherwise restricted by statute, is not included in the official public docket, and will not be available for public viewing in EDOCKET. For further information about the electronic docket, see EPA's **Federal Register** notice describing the electronic docket at 67 FR 38102 (May 31, 2002), or go to <http://www.epa.gov/edocket>.

**Affected entities:** Entities potentially affected by this action are residents of Mount-Airy/Shepherd Creek area of Cincinnati, OH.

**Title:** Market-based Stormwater Management in the Shepherd Creek Watershed in Cincinnati, Ohio.

**Abstract:** The Sustainable Technology Division (STD) of the National Risk Management Research Laboratory (NRMRL) in the Office of Research and Development (ORD) of the U.S. Environmental Protection Agency (EPA) is proposing to conduct a survey of individual property owners in the Shepherd Creek watershed in Cincinnati, OH. The survey will elicit how residents value the voluntary implementation of on-site, structural best management practices as part of a comprehensive stormwater runoff control policy. The focus will be on estimating the minimum monetary value the landowner would judge necessary to dedicate a portion of their property to implementation of best management practices that reduce runoff.

This data collection is motivated by the current stormwater-related problems within the United States in general, and in the greater Cincinnati metropolitan area in particular. Urban and suburban development changes the natural landscape making it more impervious to rain and snow. The resulting stormwater runoff is one of the most significant contributors to water quality degradation in the United States through larger and more frequent floods, increased erosion of stream beds and banks, disruption of natural habitat in receiving waters, and increased pollution loadings of metals, toxics, and nutrients. Precipitation falls over large geographic areas, and the resulting runoff will flow across a myriad of parcels with varying land uses, which are, in turn, under the control of numerous property owners. Perhaps in reaction to these conditions, stormwater control policies have concentrated on solutions that build centralized detention BMPs to temporarily hold excess runoff within the storm sewer system. An alternative, decentralized approach to stormwater control would be to distribute BMPs at terrestrial locations throughout the watershed, thus reducing runoff before it reaches the sewer system. This approach provides both hydrological benefits of reducing degradation of receiving waters, which would likely continue due to discharges from a centralized sewer conveyance system, as well as potential cost-savings in terms of meeting water quality standards, habitat renewal, and other environmental goals.

Although the installation, operation, and maintenance costs for best management practices are relatively well known, these are only a portion of