

considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commenters will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commenters will not be required to serve copies of filed documents on all other parties. However, the non-party commenters will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

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 the original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

Comment Date: December 23, 2008.

Kimberly D. Bose,

Secretary.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-8748-6]

Clean Water Act Section 303(d): Availability of Los Cerritos Channel Total Maximum Daily Loads (TMDLs)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability.

SUMMARY: This action announces the availability of EPA proposed total maximum daily loads (TMDLs) for the freshwater portion of Los Cerritos Channel to address elevated metals concentrations pursuant to Clean Water Act section 303(d)(1), and requests public comment. Section 303(d)(1) requires that states submit water quality planning documents called total maximum daily loads for impaired waters for which existing technology-based pollution controls are not stringent enough to attain or maintain state water quality standards. EPA must approve or disapprove the State's submitted TMDLs.

EPA is providing the public the opportunity to review proposed TMDLs for Los Cerritos Channel metals. EPA is establishing these TMDLs in lieu of California because of deadlines associated with the consent decree described under **SUPPLEMENTARY INFORMATION**. EPA will prepare a responsiveness summary that demonstrates how public comments were considered in the final TMDL decisions. The responsiveness document will be available when the TMDLs are established.

DATES: Comments must be submitted to EPA on or before January 22, 2009.

ADDRESSES: Comments on the proposed decisions should be sent to Karen Irwin, Water Division (WTR-2), U.S. Environmental Protection Agency Region IX, 75 Hawthorne Street, San Francisco, CA 94105, telephone (415) 947-4116, facsimile (415) 947-3537, email irwin.karen@epa.gov. Oral comments will not be considered. Copies of the proposed TMDLs for Los Cerritos Channel will be available on EPA Region 9's Web site at <http://www.epa.gov/region9/water/tmdl/303d.html> or by writing or calling Karen Irwin. Underlying documentation comprising the record for these TMDLs is available for public inspection at the above address.

FOR FURTHER INFORMATION CONTACT:

Karen Irwin at (415) 947-4116 or irwin.karen@epa.gov.

SUPPLEMENTARY INFORMATION: Section 303(d) of the Clean Water Act requires states to identify water bodies that do not meet water quality standards and then to establish TMDLs for each water body for each pollutant of concern. TMDLs identify the maximum amount of pollutants that can be discharged to water bodies without causing violations of water quality standards. Los Cerritos Channel is included on the State of California's section 303(d) list of polluted waters due to water quality impacts associated with discharges of

metals. EPA will establish TMDLs for metals in Los Cerritos Channel by March 2012 because of deadlines under a consent decree (*Heal the Bay Inc., et al. v. Browner* C 98-4825 SBA, entered March 24, 1999).

Dated: November 28, 2008.

Alexis Strauss,

Director, Water Division, Region IX.

[FR Doc. E8-28981 Filed 12-5-08; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OAR-2006-0922; FRL-8748-5]

Final Risk and Exposure Assessment Report for Nitrogen Dioxide (NO₂)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability of final report.

SUMMARY: On November 21, 2008, the Office of Air Quality Planning and Standards (OAQPS) of EPA made available a final report titled, *Risk and Exposure Assessment to Support the Review of the NO₂ Primary National Ambient Air Quality Standard: Final Report*. This final report has two primary purposes. The first is to convey the approaches taken to characterize human exposures and health risks associated with ambient NO₂ and to present the results of these analyses. The second is to present a discussion of the NO₂ scientific evidence and the exposure- and risk-based information specifically as it relates to the current and potential alternative NO₂ standards.

FOR FURTHER INFORMATION CONTACT: Dr. Scott Jenkins, Office of Air Quality Planning and Standards (Mail Code C504-06), U.S. Environmental Protection Agency, Research Triangle Park, NC 27711; e-mail: Jenkins.scott@epa.gov; telephone: 919-541-1167; fax: 919-541-0237.

SUPPLEMENTARY INFORMATION:

General Information

A. How Can I Get Copies of This Document and Other Related Information

1. *Docket.* EPA has established a docket for this action under Docket ID No. EPA-HQ-OAR-2006-0922. Publicly available docket materials are available either electronically through <http://www.regulations.gov> or in hard copy at the EPA Docket Center (EPA/DC), EPA West, Room 3334, 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 Office of Air and Radiation Docket is (202) 566-1742.

2. **Electronic Access.** You may access this **Federal Register** document electronically through the EPA Internet under the **Federal Register** listings at <http://www.epa.gov/fedrgstr/>.

Under section 108(a) of the Clean Air Act (CAA), the Administrator identifies and lists certain pollutants which "cause or contribute to air pollution which may reasonably be anticipated to endanger public health or welfare." The EPA then issues air quality criteria for listed pollutants, which are commonly referred to as "criteria pollutants." The air quality criteria are to "accurately reflect the latest scientific knowledge useful in indicating the kind and extent of all identifiable effects on public health or welfare which may be expected from the presence of [a] pollutant in the ambient air, in varying quantities." Under section 109 of the CAA, EPA establishes national ambient air quality standards (NAAQS) for each listed pollutant, with the NAAQS based on the air quality criteria. Section 109(d) of the CAA requires periodic review and, if appropriate, revision of existing air quality criteria. The revised air quality criteria reflect advances in scientific knowledge on the effects of the pollutant on public health or welfare. The EPA is also required to periodically review and revise the NAAQS, if appropriate, based on the revised criteria.

Air quality criteria have been established for the nitrogen oxides (NO_x) and NAAQS have been established for nitrogen dioxide (NO₂), an indicator for gaseous NO_x. Presently, EPA is in the process of reviewing the NAAQS for NO₂. As part of its review of the NAAQS, EPA prepared an assessment of exposures and health risks associated with ambient NO₂. A draft plan describing the proposed approaches to assessing exposures and risks is described in the draft document, *Nitrogen Dioxide Health Assessment Plan: Scope and Methods for Exposure and Risk Assessment*. This document was released for public review and comment in September, 2007 and was the subject of a consultation with the Clean Air Scientific Advisory Committee (CASAC) on October 24 and 25, 2007. Comments received from that consultation were considered in developing the document titled, *Risk and Exposure Assessment to Support the Review of the NO₂ Primary National*

Ambient Air Quality Standard: First Draft, which was released for public review and comment in April 2008. This document was the subject of a CASAC review on May 1 and 2, 2008. Comments received from that review were considered in developing the document titled, *Risk and Exposure Assessment to Support the Review of the NO₂ Primary National Ambient Air Quality Standard: Second Draft*, which was released for public review and comment in two parts, the first in August, 2008 and the second in October, 2008. This document was the subject of CASAC reviews on May 1 and 2, 2008 and on October 22, 2008. In preparing the final risk and exposure assessment report, EPA has considered comments received from the CASAC and the public at those meetings.

This final report has two primary purposes. The first is to convey the approaches taken to characterize human exposures and health risks associated with ambient NO₂ and to present the results of these analyses. The second is to present a discussion of the NO₂ scientific evidence and the exposure- and risk-based information specifically as it relates to the current and potential alternative NO₂ standards. This final document is available online at: http://www.epa.gov/ttn/naaqs/standards/nox/s_nox_cr_rea.html.

Dated: December 1, 2008.

Mary E. Henigin,

Acting Director, Office of Air Quality Planning and Standards.

[FR Doc. E8-28984 Filed 12-5-08; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-ORD-2008-0629; FRL-8748-8]

Human Studies Review Board (HSRB); Notification of a Public Teleconference To Review Its Draft Report From the October 21-22, 2008 HSRB Meeting

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The EPA Human Studies Review Board (HSRB) announces a public teleconference meeting to discuss its draft HSRB report from the October 21-22, 2008 HSRB meeting.

DATES: The teleconference will be held on December 18, 2008, from 2-5 p.m. (Eastern Time).

Location: The meeting will take place via telephone only.

Meeting Access: For information on access or services for individuals with

disabilities, please contact Paul Lewis prior to the meeting using the information under **FOR FURTHER INFORMATION CONTACT**, so that appropriate arrangements can be made.

Procedures for Providing Public Input: Interested members of the public may submit relevant written or oral comments for the HSRB to consider during the advisory process. Additional information concerning submission of relevant written or oral comments is provided in Unit I.D. of this notice.

FOR FURTHER INFORMATION CONTACT: Members of the public who wish to obtain the call-in number and access code to participate in the telephone conference, request a current draft copy of the Board's report or who wish further information may contact Paul Lewis, EPA, Office of the Science Advisor (8105), Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; or via telephone/voice mail at (202) 564-8381 or via e-mail at lewis.paul@epa.gov. General information concerning the EPA HSRB can be on the EPA Web site at <http://www.epa.gov/osa/hsrb/>.

ADDRESSES: Submit your written comments, identified by Docket ID No. EPA-HQ-ORD-2008-0629, by one of the following methods: <http://www.regulations.gov>: Follow the on-line instructions for submitting comments.

E-mail: ORD.Docket@epa.gov.

Mail: ORD Docket, Environmental Protection Agency, Mailcode: 28221T, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

Hand Delivery: EPA Docket Center (EPA/DC), Public Reading Room, Infoterra Room (Room Number 3334), EPA West Building, 1301 Constitution Avenue, NW., Washington, DC 20460, Attention Docket ID No. EPA-ORD-2008-0629. Deliveries are only accepted from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. Special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID No. EPA-HQ-ORD-2008-0629. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through [http://](http://www.regulations.gov)