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## DEPARTMENT OF EDUCATION

### Notice of Proposed Information Collection Requests

**AGENCY:** Department of Education.

**SUMMARY:** The Acting Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1995.

**DATES:** Interested persons are invited to submit comments on or before February 22, 2010.

**SUPPLEMENTARY INFORMATION:** Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Acting Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g. new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment.

The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate

of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology.

Dated: December 16, 2009.

**James Hyler,**

*Acting Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management.*

### Office of Elementary and Secondary Education

*Type of Review:* Extension.

*Title:* Formula Grant EASIE

(Electronic Application System for Indian Education).

*Frequency:* Annually.

*Affected Public:* State, Local, or Tribal Gov't, SEAs or LEAs.

*Reporting and Recordkeeping Hour Burden:*

*Responses:* 11,270.

*Burden Hours:* 9,440.

*Abstract:* The Office of Indian Education (OIE) of the Department of Education (ED) requests clearance for the Indian Education Formula Grant Application authorized under Title VII, Part A, Subpart 1 of the Elementary and Secondary Education Act, as amended. The Indian Education Formula Grant (CFDA 84.060A), is not competitive or discretionary and requires the annual submission of the application from the local education agency and or tribe. The grant applications submitted for this program assist applicants to provide Indian students with the opportunity to meet the same challenging state standards as all other students and meet the unique educational and culturally related academic needs of American Indian and Alaska Native students. The amount of the award for each applicant is determined by a formula based on the reported number of American Indian/Alaska Native students identified in the application and the state per pupil expenditure.

Requests for copies of the proposed information collection request may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 4177. When you access the information collection, click on "Download Attachments" to view. Written requests for information should be addressed to U.S. Department of Education, 400 Maryland Avenue, SW., LBJ, Washington, DC 20202-4537. Requests may also be electronically mailed to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov) or faxed to 202-401-0920. Please specify the

complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be electronically mailed to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov) 202-401-0563. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

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## ENVIRONMENTAL PROTECTION AGENCY

[Petition IV-2008-4b; FRL-9094-4]

### Clean Air Act Operating Permit Program; Petition for Objection to State Operating Permit for East Kentucky Power Cooperative, Inc.—Hugh L. Spurlock Generating Station; Maysville (Mason County), KY

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

**ACTION:** Notice of final order on petition to object to a state operating permit.

**SUMMARY:** Pursuant to Clean Air Act (CAA) Section 505(b)(2) and 40 CFR 70.8(d), the EPA Administrator signed an Order, dated November 30, 2009, both granting and denying, in part, a petition to object to a merged prevention of significant deterioration (PSD) and state operating permit issued by the Kentucky Division for Air Quality (KDAQ) to East Kentucky Power Cooperative, Inc. (EKPC) for its Hugh L. Spurlock Generating Station located in Maysville, Mason County, Kentucky. This Order constitutes a final action on the remaining two issues raised in the petition submitted by Sierra Club (Petitioner) on April 28, 2008. Pursuant to section 505(b)(2) of the CAA, any person may seek judicial review of the Order in the United States Court of Appeals for the appropriate circuit within 60 days of this notice under section 307(b) of the Act.

**ADDRESSES:** Copies of the Order, the petition, and all pertinent information relating thereto are on file at the following location: EPA Region 4, Air, Pesticides and Toxics Management Division, 61 Forsyth Street, SW., Atlanta, Georgia 30303-8960. The Order is also available electronically at the following address: [http://www.epa.gov/region07/programs/artd/air/title5/petitiondb/petitions/spurlock\\_2nd\\_response2008.pdf](http://www.epa.gov/region07/programs/artd/air/title5/petitiondb/petitions/spurlock_2nd_response2008.pdf).

**FOR FURTHER INFORMATION CONTACT:** Art Hofmeister, Air Permits Section, EPA

Region 4, at (404) 562-9115 or [hofmeister.art@epa.gov](mailto:hofmeister.art@epa.gov).

**SUPPLEMENTARY INFORMATION:** The CAA affords EPA a 45-day period to review and, as appropriate, the authority to object to operating permits proposed by state permitting authorities under title V of the CAA, 42 U.S.C. 7661-7661f. Section 505(b)(2) of the CAA and 40 CFR 70.8(d) authorize any person to petition the EPA Administrator to object to a title V operating permit within 60 days after the expiration of EPA's 45-day review period if EPA has not objected on its own initiative. Petitions must be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided by the state, unless the petitioner demonstrates that it was impracticable to raise these issues during the comment period or the grounds for the issues arose after this period.

Petitioner submitted a petition regarding the EKPC Spurlock Generating Station on April 28, 2008, requesting that EPA object to Revision 2 to the EKPC merged PSD and title V operating permit. Pursuant to a proposed Consent Decree, EPA agreed to address the issue regarding the lack of hazardous air pollutant emission limits under section 112(g) of the CAA in an order that was issued on September 21, 2009. The remaining two issues are addressed in this Order. The issues are: (1) The permit revision proposed by KDAQ fails to include the required heat input limit applicable to Unit 2 and unlawfully attempts to increase that limit without going through PSD (or any other CAA title I) permitting and (2) KDAQ's review of low-sulfur coal was not adequate.

On November 30, 2009, the Administrator issued an Order both granting and denying, in part, the petition with respect to the remaining two issues. The Order explains EPA's rationale for granting the petition with respect to issue 2 and denying the petition with respect to issue 1.

Dated: December 11, 2009.

**Beverly H. Banister,**

*Acting Regional Administrator, Region IV.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9094-6; Docket ID No. EPA-HQ-ORD-2009-0229]

### Draft Toxicological Review of Ethyl Tertiary Butyl Ether: In Support of the Summary Information in the Integrated Risk Information System (IRIS)

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

**ACTION:** Notice of Peer-Review Workshop.

**SUMMARY:** EPA is announcing that Eastern Research Group, Inc. (ERG), an EPA contractor for external scientific peer review, will convene an independent panel of experts and organize and conduct an external peer-review workshop to review the external review draft document titled, "Toxicological Review of Ethyl Tertiary Butyl Ether: In Support of Summary Information on the Integrated Risk Information System (IRIS)" (EPA/635/R-08/019A). The draft document was prepared by the National Center for Environmental Assessment (NCEA) within EPA's Office of Research and Development. EPA previously announced the 60-day public comment period (ending October 19, 2009) for the draft document in the **Federal Register** on August 20, 2009 (74 FR 42069). EPA will consider public comments and recommendations from the expert panel workshop as EPA finalizes the draft document.

The public comment period and the external peer-review workshop are separate processes that provide opportunities for all interested parties to comment on the document. EPA intends to forward public comments submitted in accordance with the August 20, 2009, **Federal Register** notice (74 FR 42069) to ERG for consideration by the external peer-review panel prior to the workshop.

EPA is releasing this draft document solely for the purpose of pre-dissemination peer review under applicable information quality guidelines. This document has not been formally disseminated by EPA. It does not represent and should not be construed to represent any Agency policy or determination.

ERG invites the public to register to attend this workshop as observers. In addition, ERG invites the public to give oral and/or provide written comments at the workshop regarding the draft document under review. Space is limited, and reservations will be accepted on a first-come, first-served basis. The draft document and EPA's

peer-review charge are available primarily via the Internet on NCEA's home page under the Recent Additions and Publications menus at <http://www.epa.gov/ncea>. In preparing a final report, EPA will consider ERG's report of the comments and recommendations from the external peer-review workshop and any public comments that EPA receives.

**DATES:** The peer-review panel workshop will held on Tuesday, January 26, 2010, starting at 8:30 a.m. and ending no later than 5 p.m.

**ADDRESSES:** The peer-review workshop will be held at the Holiday Inn Capitol, 550 C Street, SW., Washington, DC 20024; phone: 202-479-4000. The EPA contractor, ERG, is organizing, convening, and conducting the peer-review workshop. To attend the workshop as an observer, register by Tuesday, January 19, 2010, via the Internet at <https://www2.ergweb.com/projects/conferences/peerreview/register-etbeworkshop.htm>.

You may also register by e-mailing [meetings@erg.com](mailto:meetings@erg.com) (subject line: ETBE Workshop); by calling, phone: 781-674-7374 or toll free at 800-803-2833 (ask for the ETBE peer review coordinator, Laurie Waite); or by faxing a registration request to 781-674-2906 (please reference the "ETBE Workshop" and include your name, title, affiliation, full address, and contact information).

The draft "Toxicological Review of Ethyl Tertiary Butyl Ether: In Support of Summary Information on the Integrated Risk Information System (IRIS)" is available primarily via the Internet on the National Center for Environmental Assessment's home page under the Recent Additions and Publications menus at <http://www.epa.gov/ncea>. A limited number of paper copies are available from the Information Management Team, NCEA; telephone: 703-347-8561; facsimile: 703-347-8691. If you are requesting a paper copy, please provide your name, mailing address, and the document title, "Toxicological Review of Ethyl Tertiary Butyl Ether: In Support of Summary Information on the Integrated Risk Information System (IRIS)." Copies are not available from ERG.

**Information on Services for Individuals with Disabilities:** EPA welcomes public attendance at the Ethyl Tertiary Butyl Ether Peer-Review Workshop and will make every effort to accommodate persons with disabilities. For information on access or services for individuals with disabilities, please contact ERG, 110 Hartwell Avenue, Lexington, MA 02421-3136; telephone: 781-674-7374; facsimile: 781-674-