

continues to grow, information generated from these activities will help guide these agencies to promote responsible development of this potential energy resource.

The Methane Hydrate Research and Development Act of 2000 (Pub. L. 106–193) authorized the expenditure of \$43 million over 5 years and directed the U.S. Department of Energy (DOE), in consultation with USGS, MMS, the National Science Foundation, the Department of Defense, and the Department of Commerce, to commence basic and applied research to identify, explore, assess, and develop methane hydrate resources as a source of energy. Under this Act, DOE funded laboratory and field research on both Arctic and marine gas hydrate resources. The Energy Policy Act of 2005 renews the Methane Hydrate Research and Development Act. In addition, the Energy Policy Act of 2005 provides the Secretary of the Interior with the authority to create incentives through royalty relief for gas hydrate production. Such incentives may encourage new technology and advance the timing of recovery.

### III. Description of Information Requested

We are committed to carrying out the provisions of the Energy Policy Act of 2005. The potential for natural gas production from gas hydrate resources exists but has not yet been demonstrated to be technically feasible. Until exploration, development and production technologies are better determined, a rule providing for a flexible case-by-case assessment of each gas hydrate application for royalty relief would appear to be the most logical approach.

The gas hydrate production incentive aims to promote natural gas production from gas hydrate resources by providing a royalty suspension volume of up to 30 billion cubic feet (Bcf) per eligible lease, the maximum amount authorized under the statute. If the Secretary determines, pursuant to Section 353(b)(3) of the Energy Policy Act of 2005, that royalty relief would encourage production of natural gas from gas hydrate resources, and adopts a regulation providing for such relief, a lease may be eligible for this royalty relief if it is:

- A lease under the Outer Continental Shelf (OCS) Lands Act; or
- An oil and gas lease for onshore Federal lands in Alaska;
- Issued prior to January 1, 2016, that commences natural gas production from gas hydrate resources prior to January 1, 2018.

Section 353(d)(2) requires that any final rule must define gas hydrate resources as both the natural gas content of gas hydrates within the hydrate stability zone and free natural gas trapped by and beneath the hydrate stability zone. The royalty relief, if authorized under a final rule and approved for a lease, would apply only to production occurring on or after the date of publication of this advance notice of proposed rulemaking, as provided by Section 353(b)(3) of the EPAct. While relief is retroactive to the date of this advance notice of proposed rulemaking, lessees must pay royalty on production that occurs before publication of a final rule but may request a refund after a final rule is published. In addition, pursuant to Section 353(b)(4) of the EPAct, the royalty relief may be conditioned on the market price of natural gas, and so may be subject to a natural gas price threshold or other market based limitations.

We are interested in receiving comments regarding incentive provisions that would encourage production of natural gas hydrate resources. Topics we are considering for the proposed regulations include, but are not limited to, the following:

1. If the Secretary determines that incentives are warranted, does a case-specific assessment approach for gas hydrate resources provide the appropriate framework for the intended incentives?

2. How should the assessment be structured with regard to determining whether royalty relief is needed? Is it reasonable to expect that such assessments can be consistently and reliably completed for a wide variety of projects? If the Secretary determines that relief is warranted, how should the amount of relief be calculated? What information should be required?

3. Given that the technologies needed to produce this hydrate resource are still in the early stages of development, should incentives be structured to adapt to changes in technology and project economics? If yes, how?

4. Should the relief awarded be conditioned on market price? If yes, how?

5. If an approach other than a case-specific approach is advocated, what decision criteria should be used? What methodology should be used? What information should be required? How would this approach address the evolution of the technologies and operational processes? Should the process be the same for onshore leases and offshore leases?

6. Are there other incentives that could be offered to encourage development of gas hydrate resources production?

7. How should royalty relief be structured for production of gas hydrate resources? How should royalty relief for production of gas hydrate resources relate to other royalty relief?

8. Should royalty relief for the production of gas hydrate resources differentiate between instances that produce hydrate resources directly, and those that produce free natural gas trapped beneath the hydrate stability zone?

9. Are there other issues that should be considered?

As a result of comments received in response to this Advance Notice of Proposed Rulemaking, the Secretary may determine that a production royalty incentive is either unnecessary to promote gas hydrate production or is insufficient to encourage production of natural gas from gas hydrate resources. If a production royalty is insufficient to encourage production, other options for promoting gas hydrate resources production, possibly in combination with the options discussed above, may need to be analyzed instead. Therefore, the Secretary is not yet prepared to make the determination under Section 353(b)(3) of the Energy Policy Act that royalty relief would encourage production of natural gas from gas hydrate resources. However, pursuant to that subsection of the Energy Policy Act, if BLM and/or MMS adopt a royalty relief rule it would be applicable to any eligible production occurring on or after the publication date of this Advance Notice of Proposed Rulemaking in the **Federal Register**.

Dated: February 1, 2006.

**Johnnie Burton,**

*Acting Assistant Secretary of the Interior.*

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BILLING CODE 4310–MR–P; 4310–84–P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 50

[FRL–8042–1]

### Review of National Ambient Air Quality Standards for Lead

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

**ACTION:** Notice of review.

**SUMMARY:** This document describes EPA's plans and schedule for the review of the air quality criteria and national

ambient air quality standards (NAAQS) for lead. This review will take into account newly emerging research on the effects of airborne lead on human health and the environment. The schedule for this review incorporates Clean Air Scientific Advisory Committee (CASAC) review and is consistent with the recent decision made by the U.S. District Court, Eastern District of Missouri, Eastern Division that ordered completion of this lead review by September 1, 2008 (*Missouri Coalition for the Environment v. EPA*, Civil Action No. 4:04-CV-00660 (ERW) (E.D. Mo. Sept. 14, 2005)).

**DATES:** The target dates for major milestones in the lead NAAQS review are contained in a chart in

**SUPPLEMENTARY INFORMATION.**

**FOR FURTHER INFORMATION CONTACT:** Ms. Ginger Tennant, Office of Air Quality Planning and Standards (C504-06), with regard to review of the standard, or Dr. Lori White, National Center for Environmental Assessment (B243-01), with regard to the air quality criteria document, U.S. Environmental Protection Agency, Research Triangle Park, NC 27711; telephone: (919) 541-4072 for Ms. Tennant and (919) 541-3146 for Dr. White; e-mail: [Tennant.Ginger@epa.gov](mailto:Tennant.Ginger@epa.gov) and [White.Lori@epa.gov](mailto:White.Lori@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

On October 5, 1978, the EPA published a final rule setting primary (health-based) and secondary (welfare-based) NAAQS for lead under section 109 of the Clean Air Act (CAA), each set at 1.5 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ), maximum arithmetic daily mean averaged over a calendar quarter (43 FR 46258). During the 1980s, EPA conducted an extensive review of the air quality criteria and NAAQS for lead under section 109(d)(1) of the CAA. With full involvement of CASAC and

the public, this review led to publication of a revised air quality criteria document (1986), several supplemental documents covering important new studies (1986, 1990), an exposure analysis (1989), and a staff paper (1990). After consideration of these documents, EPA chose not to propose revision of the NAAQS.

On November 9, 2004 (69 FR 64926), EPA formally announced the beginning of the current lead NAAQS review and the start of the development of an updated AQCD by requesting the submission of recent scientific information on specified topics. The release of the first external review draft of the AQCD and the opening of a public comment period for this document was announced on December 2, 2005 (70 FR 72300).

**Review Plans and Schedule**

The EPA's plan to review the criteria and standards for lead are outlined in the table below, together with target dates for key milestones. As with all NAAQS reviews, the purpose is to update the criteria and to determine whether it is appropriate to retain or revise the standards in light of new scientific and technical information.

The lead NAAQS review, as with other NAAQS reviews, includes a rigorous assessment of relevant scientific information that will be presented in an AQCD prepared by EPA's National Center for Environmental Assessment. The development of the AQCD involves substantial external peer review through public workshops involving the scientific community at large and through iterative reviews of successive drafts by CASAC and the public. The final AQCD will reflect input received through these reviews and will serve to evaluate and integrate this scientific information to ensure that the review of the standards is based on sound science.

The EPA's Office of Air Quality Planning and Standards will also prepare a Staff Paper (SP) for the Administrator, drawing on information in the AQCD. The SP will evaluate the policy implications of the key studies and scientific information contained in the AQCD and identify critical elements that EPA staff believes should be considered in reviewing the standards. The SP is intended to bridge the gap between the scientific review in the AQCD and the public health and welfare policy judgments required of the Administrator in reviewing the lead NAAQS. For that purpose, the SP will present technical analyses including air quality analyses and assessments of human health risks and environmental effects, other factors relevant to the evaluation of the lead NAAQS, as well as staff conclusions and recommendations of options for the Administrator's consideration. The SP will also be reviewed by CASAC and the public, and the final SP will reflect the input received through these reviews.

The court-ordered schedule requires EPA to complete the initial draft of the AQCD no later than December 1, 2005; finalize the AQCD no later than October 1, 2006; prepare an initial draft of the SP no later than January 1, 2007; finalize the SP no later than November 1, 2007; have the proposed rulemaking notice signed no later than May 1, 2008; and have a final rulemaking concerning any revisions to the lead NAAQS signed no later than September 1, 2008. In order to meet this schedule for final rulemaking, EPA has advanced the target dates for some of these milestones. The schedule below represents EPA's best judgment of the target dates necessary for meeting the court-ordered deadlines. Accordingly, EPA intends to adhere closely to this schedule.

**MAJOR MILESTONES IN LEAD NAAQS REVIEW**

Major milestones	Completed/future target date(s)
Call for Information .....	November 9, 2004.
CASAC Teleconsultation on AQCD Development Plan .....	March 28, 2005.
Peer Review Workshops for AQCD .....	August 4-5 and 16-19, 2005.
First Draft AQCD for CASAC and Public Comment .....	December 1, 2005.
CASAC Meeting on First Draft AQCD .....	February 28 and March 1, 2006.
Plan for Human Health and Ecological Risk Assessments for CASAC and Public Comment .....	Late April 2006.
CASAC Consultation on Plan for Human Health and Ecological Risk Assessments .....	Late May 2006.
Second Draft AQCD for CASAC and Public Comment .....	Late May 2006.
CASAC Meeting on Second Draft AQCD .....	July 2006.
Complete Final AQCD .....	October 1, 2006.
First Draft SP and First Draft Human Health and Ecological Risk Assessment Reports for CASAC and Public Comment .....	Late November 2006.
CASAC Meeting on First Draft SP and First Draft Human Health and Ecological Risk Assessment Reports .....	Late January 2007.

## MAJOR MILESTONES IN LEAD NAAQS REVIEW—Continued

Major milestones	Completed/future target date(s)
Second Draft SP and Second Draft Human Health and Ecological Risk Assessment Reports for CASAC and Public Comment.	Mid-June 2007.
CASAC Meeting on Second Draft SP and Second Draft Human Health and Ecological Risk Assessment Reports.	Late July 2007.
Complete Final SP and Final Human Health and Ecological Risk Assessment Reports .....	Late September 2007.
Publish Proposal Notice in FEDERAL REGISTER .....	Late February 2008.
Final Promulgation Notice Signed by Administrator .....	September 1, 2008.

**List of Subjects in 40 CFR Part 50**

Environmental protection, Air pollution control, Carbon monoxide, Lead, Nitrogen dioxide, Ozone, Particulate matter, Sulfur oxides.

Dated: February 23, 2006.

**Jeffrey S. Clark,**

*Acting Director, Office of Air Quality Planning and Standards.*

[FR Doc. E6-3225 Filed 3-7-06; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52**

[PA-4091; FRL-8042-4]

**Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; VOC and NO<sub>x</sub> RACT Determinations for Twenty-Six Individual Sources; Partial Withdrawal of Proposed Rule for Three Sources**

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

**ACTION:** Partial withdrawal of proposed rule.

**SUMMARY:** On April 18, 2000, EPA published a proposed rule (65 FR 20788) to approve reasonably available control technology (RACT) determinations submitted by the Pennsylvania Department of Environmental Protection (DEP) for twenty-six major sources of nitrogen oxides (NO<sub>x</sub>) and/or volatile organic compounds (VOC). In separate final rules, EPA has already approved the RACT determinations for ten of the twenty-six sources covered by the April 18, 2000 proposed rule. In the rules portion of today's **Federal Register**, EPA is approving the RACT determinations for an additional thirteen of twenty-six sources covered by the April 18, 2000 proposed rule. EPA is hereby withdrawing its April 18, 2000 proposed rule with regard to the remaining three sources. The April 18, 2000 (65 FR 20788) proposed rule is being withdrawn with regard to Doverspike Brothers Coal Co., Hedstrom

Corporation, and the thermal coal dryers at EME Homer City, LP. These three formerly RACT-subject sources have been permanently shut down and the Pennsylvania DEP has indicated to EPA that no RACT need be approved for them.

**DATES: Effective Date:** The proposed rule for Doverspike Brothers Coal Co., Hedstrom Corporation, and the thermal coal dryers at EME Homer City published at 65 FR 20788 is withdrawn as of March 8, 2006.

**FOR FURTHER INFORMATION CONTACT:** Marcia L. Spink, (215) 814-2104, or by e-mail at [spink.marcia@epa.gov](mailto:spink.marcia@epa.gov).

**SUPPLEMENTARY INFORMATION:** See the information provided in the proposed rule located in the Proposed Rules section of the April 18, 2000 **Federal Register** (65 FR 20788). EPA is withdrawing the proposed rule for only three sources, namely, Doverspike Brothers Coal Co., Hedstrom Corporation and the thermal coal dryers at EME Homer City, LP. These formerly RACT-subject sources have been permanently shut down and the Pennsylvania DEP has indicated to EPA that no RACT need be approved for them. The other actions in the April 18, 2000 **Federal Register** are not affected.

**List of Subjects in 40 CFR Part 52**

Environmental protection, Air pollution control, Incorporation by reference, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: February 28, 2006.

**William Early,**

*Acting Regional Administrator, Region III.*

[FR Doc. 06-2149 Filed 3-7-06; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 180**

[EPA-HQ-OPP-2005-0325; FRL-7750-8]

**Ethylenediaminetetraacetic Acid Chemicals: Exemptions from the Requirement of a Tolerance**

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

**ACTION:** Proposed rule.

**SUMMARY:** The Agency is proposing to establish 16 new and amend three existing exemptions from the requirement of a tolerance for residues of various ethylenediaminetetraacetic acid (EDTA) chemicals in or on raw agricultural commodities when used as inert ingredients in pesticide formulations applied to growing crops or to raw agricultural commodities after harvest under the Federal Food, Drug, and Cosmetic Act (FFDCA), as amended by the Food Quality Protection Act of 1996 (FQPA). This regulation eliminates the need to establish a maximum permissible level for residues of these EDTA chemicals.

**DATES:** Comments, identified by docket identification (ID) number EPA-HQ-OPP-2005-0325, must be received on or before May 8, 2006.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2005-0325, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov/>. Follow the on-line instructions for submitting comments.

- *Agency Website:* EDOCKET, EPA's electronic public and comment system was replaced on November 25, 2005, by an enhanced federal-wide electronic docket management and comment system located at <http://www.regulations.gov/>. Follow the on-line instructions.

- *Mail:* Public Information and Records Integrity Branch (PIRIB) (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW.,