

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: August 23, 2006.

**Angela C. Arrington,**

*IC Clearance Official, Regulatory Information Management Services, Office of Management.*

### Office of Special Education and Rehabilitative Services

*Type of Review:* Revision.

*Title:* Annual State Application Under Part C of the IDEA as Amended in 2004.

*Frequency:* Annually.

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

*Reporting and Recordkeeping Hour Burden:*

*Responses:* 56.

*Burden Hours:* 560.

*Abstract:* The Individuals with Disabilities Education Improvement Act of 2004, signed on December 3, 2004, became PL 108-446. In order to be eligible for a grant under 20 U.S.C. 1433, a State shall provide assurance to the Secretary that the State has adopted a policy that appropriate early intervention services are available to all infants and toddlers with disabilities in the State and their families, including Indian infants and toddlers with disabilities and their families residing on a reservation geographically located in the State, infants and toddlers with disabilities who are homeless children and their families, and has in effect a statewide system that meets the requirements of 20 U.S.C. 1435. Information Collection 1820-0550 is being revised so that a State can provide assurances that it either has or does not have in effect policies, procedures, methods, descriptions, and assurances that meet the application requirements of part C of the Act as found in Pub. L. 108-446.

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 3172. 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., Potomac Center, 9th Floor, Washington, DC 20202-4700. Requests may also be electronically mailed to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov) or faxed to 202-245-6623. 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). Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

[FR Doc. E6-14303 Filed 8-28-06; 8:45 am]

**BILLING CODE 4000-01-P**

### DEPARTMENT OF EDUCATION

#### Submission for OMB Review; Comment Request

**AGENCY:** Department of Education.

**SUMMARY:** The IC Clearance Official, Regulatory Information Management Services, Office of Management invites comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995.

**DATES:** Interested persons are invited to submit comments on or before September 28, 2006.

**ADDRESSES:** Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Rachel Potter, Desk Officer, Department of Education, Office of Management and Budget, 725 17th Street, NW., Room 10222, New Executive Office Building, Washington, DC 20503 or faxed to (202) 395-6974.

**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 IC Clearance Official, 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.

Dated: August 23, 2006.

**Angela C. Arrington,**

*IC Clearance Official, Regulatory Information Management Services, Office of Management.*

### Office of Postsecondary Education

*Type of Review:* New.

*Title:* Annual Performance Report for the Student Support Services Program.

*Frequency:* Annually.

*Affected Public:* Not-for-profit institutions; State, Local, or Tribal Gov't, SEAs or LEAs.

*Reporting and Recordkeeping Hour Burden:*

*Responses:* 960.

*Burden Hours:* 5,760.

*Abstract:* Student Support Services Program grantees must submit the report annually. The reports are used to evaluate grantees' performance, and to award prior experience points at the end of each project (budget) period. The Department also aggregates the data to provide descriptive information on the projects and to analyze the impact of the Student Support Services Program on the academic progress of participating students.

Requests for copies of the information collection submission for OMB review may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 3001. 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., Potomac Center, 9th Floor, Washington, DC 20202-4700. Requests may also be electronically mailed to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov) or faxed to 202-245-6623. 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). Individuals who use a telecommunications device for the deaf (TDD) may call the Federal

Information Relay Service (FIRS) at 1-800-877-8339.

[FR Doc. E6-14305 Filed 8-28-06; 8:45 am]

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## DEPARTMENT OF EDUCATION

[CFDA No. 84.938H]

### Correction; Notice Announcing Availability of Funds and Application Deadline for Hurricane Education Recovery Awards; Correction

**AGENCY:** Office of Postsecondary Education, Department of Education.

**ACTION:** Notice.

**SUPPLEMENTARY INFORMATION:** On August 18, 2006, we published a notice in the *Federal Register* (71 FR 47785) announcing the availability of funds and application deadline for Hurricane Education Recovery Awards under Title II of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror and Hurricane Recovery, 2006 (Pub. L. 109-234). On page 47786 of that notice, under the *Pre-Application Requirements* section, the last sentence of that section indicates that after submission of the pre-application, "Institutions will then have until September 12, 2006 to submit their application and budget through the e-Application system." This date is corrected to read "September 19, 2006".

**FOR FURTHER INFORMATION CONTACT:** David Johnson, Hurricane Education Recovery Awards, U.S. Department of Education, 1990 K Street, NW., room 6155, Washington, DC 20006-8544. Telephone: (202) 502-7516.

If you use a telecommunications device for the deaf (TDD), you may call the Federal Relay Service (FRS) at 1-800-877-8339.

Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audiotope, or computer diskette) on request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**.

*Electronic Access to This Document:* You may view this document, as well as other Department of Education documents published in the *Federal Register*, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: <http://www.ed.gov/news/fedregister>.

To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at

1-888-293-6498; or in the Washington, DC, area at (202) 512-1530.

**Note:** The official version of this document is the document published in the *Federal Register*. Free Internet access to the official edition of the *Federal Register* and the Code of Federal Regulations is available on GPO Access at: <http://www.gpoaccess.gov/nara/index.html>.

**Program Authority:** Division B, Title IV of Public Law 109-148; Title II of Public Law 109-234.

Dated: August 23, 2006.

**James F. Manning,**

*Acting Assistant Secretary for Postsecondary Education.*

[FR Doc. E6-14340 Filed 8-28-06; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8213-7]

### Proposed Consent Decree, Clean Air Act Citizen Suit

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

**ACTION:** Notice of proposed consent decree; 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 consent decree, to address a lawsuit filed by Kentuckians for the Commonwealth, Friends of the Chattahoochee and Sierra Club (collectively, "plaintiffs"); *Kentuckians for the Commonwealth, et al. v. Johnson*, No. 06CV00184 (RMU) (D. D.C.). Plaintiffs filed a complaint on February 2, 2006 and their First Amended Complaint on April 14, 2006, claiming that EPA had failed to perform non-discretionary duties under CAA section 111(b)(1)(B) to review and, if appropriate, revise the new source performance standards ("NSPS") for nonmetallic mineral processing plants (Subpart OOO) and for coal preparation plants (Subpart Y). Under the proposed consent decree, within 18 months from when the Court enters the consent decree, EPA would be required to sign, and promptly forward to the Office of Federal Register, one or a combination of the following for each NSPS: (a) A proposed or final determination that review of the NSPS is not appropriate in light of readily available information on the efficacy of such standard; (b) a proposed determination that based on a complete review of the NSPS, revision is not appropriate; or (c) a proposed rule containing revisions to the NSPS. Within 30 months from when the Court

enters the consent decree, EPA would be required to sign and promptly forward to the Office of Federal Register one or a combination of the following for each NSPS: (a) A final determination that review of the NSPS is not appropriate in light of readily available information on the efficacy of such standard; (b) a final determination that based on a complete review of the NSPS, revision is not appropriate; or (c) a final rule containing revisions to the NSPS.

**DATES:** Written comments on the proposed consent decree must be received by September 28, 2006.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2006-0727, online at <http://www.regulations.gov> (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:** Susan Stahle, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone: (202) 564-1272; fax number (202) 564-5603; e-mail address: [stahle.susan@epa.gov](mailto:stahle.susan@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Additional Information About the Proposed Consent Decree

Under the terms of the proposed consent decree, once the Court enters the decree EPA will begin its efforts involving NSPS Subparts OOO and Y to determine what is needed for each NSPS. Within eighteen (18) months of entry of the consent decree, the appropriate EPA official will sign and promptly forward to the Office of Federal Register one or a combination of the following for each NSPS: (a) A proposed or final determination that review of the NSPS is not appropriate in light of readily available information on the efficacy of such standard; (b) a proposed determination that based on a complete review of the NSPS, revision is not appropriate; or (c) a proposed rule containing revisions to the NSPS.