

Rate Schedule BCP-F7, Rate Order No. WAPA-120, became effective on October 1, 2005, for the period ending September 30, 2010.<sup>1</sup>

The base charge for fiscal year (FY) 2010 is \$72,394,809, the forecasted

energy rate is 9.95 mills per kilowatthour (mills/kWh), the forecasted capacity rate is \$1.80 per kilowattmonth (kWmonth), and the composite rate is 19.91 mills/kWh.

Under Rate Schedule BCP-F7, the proposed rates for BCP electric service will result in an overall composite rate increase of seven percent. The following table compares the current and proposed base charge and rates.

#### COMPARISON OF CURRENT AND PROPOSED BASE CHARGE AND RATES

	Current October 1, 2008 through September 30, 2009	Proposed October 1, 2009 through September 30, 2010	% Change
Composite Rate (mills/kWh) .....	18.62	19.91	7
Base Charge (\$) .....	70,213,497	72,394,809	3
Energy Rate (mills/kWh) .....	9.31	9.95	7
Capacity Rate (\$/kWmonth) .....	1.73	1.80	4

The increase in the proposed base charge and rates is due to increases in the annual operation and maintenance costs, visitor center costs, and the uprating program payments. Initial analysis of the projected financial data for FY 2010 reflects a slight decrease in overall annual costs and a slight increase in other revenues when compared to FY 2009. However, since there is no projected year-end carryover into FY 2010, the result is an overall increase in the base charge for FY 2010. Another factor contributing to the increase in the rates is the decrease in energy and capacity sales associated with continued poor hydrology in the region resulting in lower than normal Lake Mead water elevations.

#### Legal Authority

Western will hold both a public information forum and a public comment forum. After review of public comments, Western will take further action on the proposed base charge and rates consistent with 10 CFR parts 903 and 904.

Western is establishing an electric service base charge and rates for BCP under the Department of Energy Organization Act (42 U.S.C. 7152); the Reclamation Act of 1902 (ch. 32 Stat. 388), as amended and supplemented by subsequent laws, particularly section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)), and other acts that specifically apply to the project involved.

By Delegation Order No. 00-037.00, effective December 6, 2001, the Secretary of Energy delegated: (1) The authority to develop power and transmission rates to Western's Administrator; (2) the authority to confirm, approve, and place such rates into effect on an interim basis to the

Deputy Secretary of Energy; and (3) the authority to confirm, approve, and place into effect on a final basis, to remand or to disapprove such rates to FERC. Existing Department of Energy (DOE) procedures for public participation in power rate adjustments (10 CFR part 903) were published on September 18, 1985.

#### Availability of Information

All brochures, studies, comments, letters, memorandums, or other documents that Western initiates or uses to develop the proposed rates are available for inspection and copying at the Desert Southwest Customer Service Regional Office, Western Area Power Administration, 615 South 43rd Avenue, Phoenix, AZ. Many of these documents and supporting information are also available on Western's Web site at <http://www.wapa.gov/dsw/pwrmtkt/BCP/RateAdjust.htm>.

#### Ratemaking Procedure Requirements

##### Environmental Compliance

In compliance with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321, *et seq.*), the Council on Environmental Quality Regulations for implementing NEPA (40 CFR parts 1500-1508), and DOE NEPA Implementing Procedures and Guidelines (10 CFR part 1021), Western has determined this action is categorically excluded from preparing an environmental assessment or an environmental impact statement.

##### Determination Under Executive Order 12866

Western has an exemption from centralized regulatory review under Executive Order 12866, accordingly, no clearance of this notice by the Office of Management and Budget is required.

Dated: January 5, 2009.

**Timothy J. Meeks,**  
Administrator.

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#### DEPARTMENT OF HEALTH AND HUMAN SERVICES

#### Agency for Toxic Substances and Disease Registry

[ATSDR-252]

#### Availability of Final Toxicological Profiles

**AGENCY:** Agency for Toxic Substances and Disease Registry (ATSDR), Department of Health and Human Services (HHS).

**ACTION:** Notice of availability.

**SUMMARY:** This notice announces the availability of seven final toxicological profiles of priority hazardous substances. This is the 20th set of toxicological profiles that ATSDR has compiled. The profiles are available online at the ATSDR Web site: <http://www.atsdr.cdc.gov/toxpro2.html>.

**FOR FURTHER INFORMATION CONTACT:** Ms. Olga Dawkins, Division of Toxicology and Environmental Medicine, Agency for Toxic Substances and Disease Registry, Mailstop F-32, 1600 Clifton Road, NE., Atlanta, Georgia 30333, telephone (770) 488-3315.

**SUPPLEMENTARY INFORMATION:** The Superfund Amendments and Reauthorization Act of 1986 (SARA) (42 U.S.C. 9601 *et seq.*) amended the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA or Superfund) (42 U.S.C. 9601 *et seq.*) by establishing

<sup>1</sup> FERC confirmed and approved Rate Order No. WAPA-120 in Docket EF05-5091-000. See *United*

certain requirements for ATSDR and for the U.S. Environmental Protection Agency (EPA) with regard to hazardous substances most commonly found at facilities on the CERCLA National Priorities List (NPL). One such requirement directs the ATSDR Administrator to prepare toxicological profiles for each substance included on the priority lists of hazardous substances. These lists identify 275 hazardous substances determined by ATSDR and by U.S. EPA to pose the most significant potential threat to human health. The availability of the revised lists of the 275 priority substances was announced in the **Federal Register** on March 6, 2008 (73 FR 12178). For previous versions of the lists of substances, see **Federal Register** notices dated April 17, 1987 (52 FR 12866); October 20, 1988 (53 FR 41280); October 26, 1989 (54 FR 43619); October 17, 1990 (55 FR 42067); October 17, 1991 (56 FR 52166); October 28, 1992

(57 FR 48801); February 28, 1994 (59 FR 9486); April 29, 1996 (61 FR 18744); November 17, 1997 (62 FR 61332); October 21, 1999 (64 FR 56792); October 25, 2001 (66 FR 54014); November 7, 2003 (68 FR 63098) and December 7, 2005 (70 FR 72840).

Notice of the availability of toxicological profile drafts for public review and comment was published in the **Federal Register** on October 18, 2006, (71 FR 61471), with notice of a 90-day public comment period for each profile, starting from the actual release date. Following the close of the comment period, chemical-specific comments were addressed, and, where appropriate, changes were incorporated into each profile. The public comments and other data submitted in response to the **Federal Register** notices carry the docket control number ATSDR-225. This material is available for public inspection at the Division of Toxicology and Environmental Medicine, Agency

for Toxic Substances and Disease Registry, 4700 Buford Highway, Building 106, Second Floor, Chamblee, Georgia 30341 between 8 a.m. and 4:30 p.m., Monday through Friday, except legal holidays.

**Availability**

This notice announces the availability of seven toxicological profiles of priority hazardous substances: six updated final toxicological profiles and one new final toxicological profile. This is the 20th set of toxicological profiles that ATSDR has compiled.

The following toxicological profiles are now available through the U.S. Department of Commerce, National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, Virginia 22161, telephone 1-800-553-6847. These profiles are available for a fee as determined by NTIS.

Twentieth Set:

Toxicological profile	NTIS order No.	CAS No.
1. Aluminum (Update) .....	PB2009-100001	007429-90-5
2. Cresols (Update) .....	PB2009-100002	001319-77-3
3. Diazinon (Update) .....	PB2009-100003	000333-41-5
4. Dichloropropenes (UPDATE) .....	PB2009-100004	000563-58-6 000563-54-2 000563-57-5 000078-88-6 010061-01-5 010061-02-6 000542-75-6
5. Guthion* .....	PB2009-100005	000086-50-0
6. Phenols (Update) .....	PB2009-100007	000108-95-2
7. 1,1,2,2-Tetrachloroethane (Update) .....	PB2009-100008	000079-34-5

\* Denotes new profile.

Dated: January 28, 2009.

**Ken Rose,**

Director, Office of Policy, Planning and Evaluation, National Center for Environmental Health/Agency for Toxic Substances and Disease Registry.

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**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Centers for Disease Control and Prevention**

**Advisory Board on Radiation and Worker Health (ABRWH or Advisory Board), National Institute for Occupational Safety and Health (NIOSH)**

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), and pursuant to the requirements of 42 CFR 83.15(a), the Centers for Disease Control and

Prevention (CDC), announces the following meeting of the aforementioned committee:

*Board Meeting Times and Dates:*

1 p.m.-5:30 p.m., February 17, 2009.

9 a.m.-5 p.m., February 18, 2009.

9 a.m.-4:30 p.m., February 19, 2009.

*Public Comment Times and Dates:*

6 p.m.-7 p.m., February 17, 2009.

7 p.m.-8 p.m., February 18, 2009.

*Place:* Doubletree Hotel Albuquerque, 201 Marquette Avenue Northwest, Albuquerque, NM 87102, Phone: 505-247-3344; Fax: 505-247-7025. Audio Conference Call via FTS Conferencing. The USA toll free dial in number is 1-866-659-0537 with a pass code of 9933701.

*Status:* Open to the public, limited only by the space available. The meeting space accommodates approximately 100 people.

*Background:* The Advisory Board was established under the Energy Employees Occupational Illness Compensation Program (EEOICP) Act of 2000 to advise

the President on a variety of policy and technical functions required to implement and effectively manage the new compensation program. Key functions of the Advisory Board include providing advice on the development of probability of causation guidelines which have been promulgated by the Department of Health and Human Services (HHS) as a final rule, advice on methods of dose reconstruction which have also been promulgated by HHS as a final rule, advice on the scientific validity and quality of dose estimation and reconstruction efforts being performed for purposes of the compensation program, and advice on petitions to add classes of workers to the Special Exposure Cohort (SEC).

In December 2000, the President delegated responsibility for funding, staffing, and operating the Advisory Board to HHS, which subsequently delegated this authority to the CDC. NIOSH implements this responsibility for CDC. The charter was issued on