

### III. Description of the Northern Tug Hill Glacial Aquifer, Sole Source Aquifer of the Jefferson, Lewis and Oswego Counties Area, Their Recharge Zone and Their Streamflow Source Zone

The Northern Tug Hill Glacial Aquifer is delineated by the crescent shaped glacial outwash and stratified drift deposits of sand and gravel along the west and southwest flanks of the Tug Hill Plateau, which covers approximately 21 miles from the Town of Adams in Jefferson County south into the Town in Richland in Oswego County, New York. The area in which Federal financially assisted projects will be subject to review is the portion of the Northern Tug Hill Glacial Aquifer in Jefferson, Lewis and Oswego Counties area, the recharge zone and the streamflow source zone.

For purposes of this designation, the Northern Tug Hill Glacial Aquifer is considered to include portions of eight towns in Jefferson County (Adams, Champion, Ellisburg, Lorraine, Rodman, Rutland, Watertown, and Worth), portions of towns in Lewis County (Denmark, Montague, and Pinckney), and portions of four towns in Oswego County (Boylston, Redfield, Richland, and Sandy Creek). The recharge zone is considered to be very permeable portions of the aquifer within Jefferson, and Oswego Counties. The streamflow source zone is that portion of the drainage basin composing the upstream headwaters area or watershed area for the losing streams that cross the Northern Tug Hill Glacial Aquifer for Jefferson, Lewis and Oswego Counties area.

### IV. Information Utilized in Determination

The information utilized in this determination included the petition, various U.S. Geological Survey reports, information contained in the U.S. Environmental Protection Agency files, and written and verbal comments from public. These materials are available to the public and may be inspected during normal business hours at the U.S. Environmental Protection Agency, Region II, Freshwater Protection Section, 290 Broadway, New York, New York 10007.

### V. Project Review

Publication of this determination requires that EPA review proposed projects with Federal financial assistance in order to ensure that such projects do not have the potential to contaminate the Northern Tug Hill Glacial Aquifer through its aquifer and streamflow source areas as to create a

significant hazard to public health. In many cases, those projects may also be analyzed in an Environmental Impact Statement (EIS) under the National Environmental Policy Act (NEPA), 42 U.S.C. 4332(2)(c). All EISs, as well as any other proposed Federal actions affecting the U.S. Environmental Protection Agency program, are required by Federal law (under the "NEPA/309" process) to be reviewed and commented upon by the EPA Administrator.

In order to streamline the U.S. Environmental Protection Agency reviews of the possible environmental impacts on designated sole source aquifers, when an action is to be analyzed in an EIS, the two reviews will be consolidated and both authorities cited. The EPA review under Section 1424(e) will be therefore included in the EPA review of the EIS (under NEPA).

### VI. Summary

Today's action affects the Northern Tug Hill Glacial Aquifer system located in Jefferson, Lewis and Oswego Counties, New York. Projects with Federal financial assistance proposed for portions within the Northern Tug Hill Glacial Aquifer will be reviewed to ensure that their activities will not endanger public health through contamination of the aquifer. A public notice was published in the Watertown Daily News on Sunday, July 9, 2006, one comment was received which is considered in support of the designation of the Northern Tug Hill Glacial Aquifer.

Dated: October 25, 2006.

**Alan J. Steinberg,**

*Regional Administrator, Region II.*

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### FEDERAL MARITIME COMMISSION

[Docket No. 06-10]

#### **Transport Express, Inc. and the Intermodal Carriers Conference, American Trucking Associations v. Sinotrans Container Lines, Co., Ltd. and Sinotrans Shipping Agency (NA), Inc.; Notice and Procedural Schedule**

Notice is given that a Complaint, Memorandum Facts and Arguments, and a Motion for Protective Order have been filed with the Federal Maritime Commission ("Commission") by Transport Express, Inc. and the Intermodal Motor Carriers Conference of the American Trucking Associations ("Complainants"), against Sinotrans Container Lines, Co. Ltd. and Sinotrans Shipping Agency (NA), Inc.,

("Respondents"). In its Complaint and Memorandum of Facts and Arguments, Transport Express, Inc., asserts that it is a California corporation and a certified motor carrier under the laws of California. Intermodal Motor Carriers Conference asserts that it is an affiliated conference of the American Trucking Associations, Inc. ("ATA"), which is a non-profit trade organization for the trucking industry. Complainants allege that Respondent Sinotrans Container Lines is a vessel-owning ocean common carrier and is affiliated with the U.S. based Respondent, Sinotrans Shipping Agency. Complainants contend that both they and Respondents are participants in the Uniform Intermodal Interchange and Facilities Access Agreement ("UIIA") which is administered by the Intermodal Association of North America ("IANA"). Complainants assert that Respondents terminated Complainant Transport Express' UIIA motor carrier agreement in retaliation for a dispute over whether returned equipment had been damaged by Transport Express and related invoiced charges. In addition, Complainants allege that Respondents took actions and made misrepresentations that directly interfered with Transport Express' business relations with one of its customers and another motor carrier resulting in loss of business and damage to their reputation. Complainants contend that the actions of Respondents violate 10(b)(10) and 10(d)(1) of the Shipping Act of 1984 ("The Act") (46 U.S.C. 41104.10 and 41102(c)) by unreasonably refusing to deal and not observing just and reasonable practices.<sup>1</sup> Complainant prays the Commission: (a) Find that Respondents violated 10(b)(10) and 10(d)(1) of the Act; (b) direct Respondents to reinstate Complainant's interchange rights; (c) prohibit Respondents from terminating any agreement with any motor carrier in response to an assertion by that carrier of any right or defense the motor carrier may have as a party to the UIIA; (d) award Complainants \$2,102.00 in damages, plus interest, plus attorneys fees, plus any other sum the Commission deems appropriate, and that any further order or orders be made as the Commission determines to be proper.

As indicated above the Complainants have also filed a Motion for Protective Order with respect to portions of

<sup>1</sup> Citations to provision of the Shipping Act are as recodified into subtitle IV of U.S. Code Title 46, as enacted into positive law by Public Law 109-304 (October 6, 2006). See Public Law 109-304, section 18(c).

Exhibits X and Y to Complainants' Memorandum of Fact and Arguments.<sup>2</sup> Respondents shall file their response to the Complainants' Motion for Protective Order no later than November 13, 2006 (See 46 CFR 502.74). Respondents shall also advise whether they consent to this Complaint being processed under the shortened procedures of Subpart K (See 46 CFR 502.181–187). Should Respondents consent to the shortened procedure, Respondents' Answering Memorandum shall be served no later than twenty-five (25) days after the Administrative Law Judge issues his ruling on Complainants' Motion for Protective Order (See 46 CFR 502.183). Should Respondents not consent to the shortened procedure, Respondent shall file an answer to the Complaint pursuant to the Commission's Rules of Practice and Procedure, within twenty (20) days of the Administrative Law Judge's ruling on the Complainants' Motion for Protective Order (See 46 CFR 502.64).

This proceeding has been assigned to the Office of the Administrative Law Judges. Complainants have requested that their complaint be handled Pursuant to Subpart K—Shortened Procedure of the Commission's Rules (46 CFR 502.181–187). With the consent of the parties and with the approval of the presiding officer, this proceeding may be conducted under the shortened procedure without oral hearing, except that a hearing may be ordered by the presiding officer at the request of either party to the proceeding or at the presiding officer's discretion. If Respondents do not consent to this shortened procedure, the matter will be governed by Subpart E of the Commission's Rules. Pursuant to the further terms of 46 CFR 502.61, the initial decision of the presiding officer in this proceeding shall be issued by March 27, 2007, and the final decision of the Commission shall be issued by June 22, 2007.<sup>3</sup>

**Bryant L. VanBrakle,**  
Secretary.

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<sup>2</sup> As required by the Commission's Rules, Complainants also filed a "Public" redacted version of the Memorandum of Facts and Arguments which is being provided to the Respondents. The Confidential version may be made available pursuant to the Administrative Law Judges ruling on the Motion for Protective Order.

<sup>3</sup> Should this proceeding not be conducted pursuant to Subpart K, these dates will be adjusted.

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### National Committee on Vital and Health Statistics: Meeting

Pursuant to the Federal Advisory Committee Act, the Department of Health and Human Services (HHS) announces the following advisory committee meeting.

**Name:** National Committee on Vital and Health Statistics (NCVHS).

**Time and Date:** November 28, 2006, 9 a.m.–3:15 p.m. November 29, 2006, 9 a.m.–12 p.m.

**Place:** Hubert H. Humphrey Building, 200 Independence Avenue SW., Room 505A, Washington, DC 20201.

**Status:** Open.

**Purpose:** At this meeting the Committee will hear presentations and hold discussions on several health data policy topics. On the morning of the first day the Committee will hear updates and status reports from the Department on various topics including activities of the HHS Data Council, and updates on HIPAA implementation, clinical data standards, the E-Prescribing Final Rule, and Privacy Rule compliance. They will also work on letters to the HHS Secretary on the National Provider Identifier (NPI), and applications of the Consolidated Health Informatics Initiative (CHI) for disability information. In the afternoon the Committee will discuss the 8th report to Congress on HIPAA implementation and hear updates from Subcommittees. A briefing on secondary uses of health data by an industry group has also been scheduled.

On the morning of the second day the Committee will continue working on the NPI and CHI letters. They will also be briefed on the status of the Health Information Security Privacy Collaboration, a project designed to assess how organizational business policies, practices, and State laws regarding privacy and security affect health information exchanging on a national level. There will be an update from the National Center for Health Statistics's Board of Scientific Counselors and a discussion on International Classifications and related activities. Subcommittees will then have the opportunity to provide additional updates on their work and a short discussion of future agendas and the meeting will adjourn.

The times shown above are for the full Committee meeting. Subcommittee breakout sessions are scheduled for late in the afternoon of the first day and in the morning prior to the full Committee meeting on the second day. Agendas for

these breakout sessions will be posted on the NCVHS Web site (URL below) when available.

**Contact Person for More Information:** Substantive program information as well as summaries of meetings and a roster of committee members may be obtained from Marjorie S. Greenberg, Executive Secretary, NCVHS, National Center for Health Statistics, Centers for Disease Control and Prevention, 3311 Toledo Road, Room 2402, Hyattsville, Maryland 20782, telephone (301) 458–4245. Information also is available on the NCVHS home page of the HHS Web site: <http://www.ncvhs.hhs.gov/>, where further information including an agenda will be posted when available.

Should you require reasonable accommodation, please contact the CDC Office of Equal Employment Opportunity on (301) 458–4EE0 (4336) as soon as possible.

Dated: October 25, 2006.

**James Scanlon,**

*Deputy Assistant Secretary for Planning and Evaluation (OSDP), Office of the Assistant Secretary for Planning and Evaluation.*

[FR Doc. 06–9019 Filed 11–1–06; 8:45 am]

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Agency for Healthcare Research and Quality

#### Meeting of the National Advisory Council for Healthcare Research and Quality

**AGENCY:** Agency for Healthcare Research and Quality (AHRQ), HHS.

**ACTION:** Notice of public meeting.

**SUMMARY:** In accordance with section 10(a) of the Federal Advisory Committee Act, this notice announces a meeting of the National Advisory Council for Healthcare Research and Quality.

**DATES:** The meeting will be held on Thursday November 2, from 4 p.m. to 6 p.m., and from Friday, November 3, from 9 a.m. to 2 p.m., and is open to the public. The Notice will not be published 15 days prior to the meeting because it was regrettably delayed due to administrative difficulties.

**ADDRESSES:** The meeting will be held at the Courtyard by Marriott, Gaithersburg Washingtonian Center, 204 Boardwalk Place, Gaithersburg, Maryland.

**FOR FURTHER INFORMATION CONTACT:** Deborah Queenan, Coordinator of the Advisory Council, at the Agency for Healthcare Research and Quality, 540 Gaither Road, Rockville, Maryland, 20850, (301) 427–1330. For press-related