

spillway crest elevation will be reduced from 1,210 ft to 1,206 ft. This will allow raising the operating pool level of the lake to 1,206 ft.

1. This notice also consists of the following standard paragraphs: B, C1, and D2.

B. Comments, Protests, or Motions to Intervene—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

C1. Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTEST", OR "MOTION TO INTERVENE", as applicable, the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

D.2. Agency Comments—Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If any agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

**Lois D. Cashell,**

*Secretary.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-59206]

### Proposed Settlement; Municipal Solid Waste Landfills NSPS and EG Litigation

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

**ACTION:** Notice of proposed settlement; 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 settlement in *National Solid Wastes Management Association v. Browner, et al.*, No. 96-1152 (D.C. Cir). This case involves a challenge to EPA's rule entitled "Standards of Performance For New Stationary Sources and Guidelines for Control of Existing Sources: Municipal Solid Waste Landfills," issued on March 12, 1996. 61 FR 9905 (March 12, 1996). The major action the Environmental Protection Agency ("Agency") would take under this proposed settlement would be to propose a subpart-specific definition of the term "modification" for landfills. Under this definition, the term "modification" would be defined solely for landfills as any increase in the permitted volume design capacity of the landfill, by either vertical or horizontal expansion. EPA believes this definition is consistent with the existing definition of modification found at 40 CFR 60.14 and, in particular, is consistent with the exemption at 40 CFR 60.14(e) for modifications that do not require a capital expenditure. Other actions to be taken under the proposed settlement include a number of technical corrections and clarifications, including a clarification of the timing of Title V permitting obligations for sources subject to the rule.

For a period of thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the settlement from persons who were not named as parties to the litigation in question. The Agency or the Department of Justice may withhold or withdraw consent to the proposed settlement if the comments disclose facts or circumstances that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Copies of the settlement, which includes a draft rulemaking proposal as an attachment, are available from Samantha Hooks, Air And Radiation Division (2344), Office of General Counsel, U.S. Environmental Protection Agency, 401 M Street, S.W.,

Washington, D.C. 20460, (202) 260-3804. Written comments should be sent to Michael Goo, Air and Radiation Division, Office of General Counsel, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460 and must be submitted on or before December 15, 1997.

Copies of the settlement also are available through the Technology Transfer Network ("TTN"), which is an Agency electronic bulletin board that may be accessed by dialing (919) 541-5472 for up to a 14,400 baud modem; this service is free except for the cost of the phone call. The TTN is also available on the Internet (access: <http://ttnwww.rtpnc.epa.gov>). If more information on the TTN is needed, call the HELP line at (919) 541-5472.

Dated: November 6, 1997.

**Jonathan Z. Cannon,**

*General Counsel.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-5920-7]

### Agency Information Collection Activities; OMB Responses

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the Office of Management and Budget's (OMB) responses to Agency clearance requests, in compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR part 9 and 48 CFR Chapter 15.

**FOR FURTHER INFORMATION CONTACT:** Sandy Farmer (202) 260-2740, please refer to the appropriate EPA Information Collection Request (ICR) Number.

#### SUPPLEMENTARY INFORMATION:

### OMB Responses to Agency Clearance Requests

#### OMB Approvals

EPA ICR No. 0234.06; Performance Evaluation Studies on Water and Wastewater Laboratories; was approved 09/30/97; OMB No. 2080-0021; expires 09/30/2000.

EPA ICR No. 1791.01; Establishment of Drinking Water Intake No Discharge