

filing may also be viewed on the web at <http://www.ferc.fed.us/online/rims.htm> (call 202-208-2222 for assistance). Comments, protests and interventions may be filed electronically via the internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site at <http://www.ferc.fed.us/efi/doorbell.htm>.

**Linwood A. Watson, Jr.,**

*Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP01-383-000]

#### Viking Gas Transmission Company; Notice of Tariff Filing

April 25, 2001.

Take notice that on April 20, 2001, Viking Gas Transmission Company (Viking) tendered for filing as part of its FERC Gas Tariff, First Revised Volume No. 1, Ninth Revised Sheet No. 82 to be effective on June 1, 2001.

Viking states that the purpose of this filing is to change Viking's tariff to expand the period during which requests for service may be made. Viking's tariff currently does not allow requests for service to be made more than ninety days prior to the proposed commencement date of service. Viking's proposed change would allow requests for service to be made up to eleven months prior to the proposed commencement date of service.

Viking states that copies of this filing have been served on all of Viking's jurisdictional customers and to affected state regulatory commissions.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with sections 385.214 or 385.211 of the Commission's Rules and Regulations. All such motions or protests must be filed in accordance with section 154.210 of the Commission's Regulations. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room. This filing may be viewed on the

web at <http://www.ferc.fed.us/online/rims.htm> (call 202-208-2222 for assistance). Comments, protests, and interventions may be filed electronically via the internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site at <http://www.ferc.fed.us/efi/doorbell.htm>.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Membership of Performance Review Board

April 26, 2001.

The Federal Energy Regulatory Commission hereby provides notice of the membership of its Performance Review Board (PRB). This action is undertaken in accordance with Title 5, U.S.C., Section 4314(c)(4). The Commission's PRB will be comprised of the following members:

Thomas R. Herlihy  
Daniel L. Larcamp  
Cynthia A. Marlette

**David P. Boergers,**

*Secretary.*

[FR Doc. 01-10781 Filed 4-30-01; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6971-9]

#### Proposed Settlement, Clean Air Act Citizen Suit

**AGENCY:** Environmental Protection Agency.

**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 which was lodged with the United States District Court for the Northern District of California by the United States Environmental Protection Agency ("EPA") on April 5, 2001 to address a lawsuit filed by the Bayview Hunters Point Community Advocates, Communities for a Better Environment, Latino Issues Forum, Sierra Club, Transportation Solutions Defense and Education Fund, Urban Habitat

Program, a Project of the Tides Center, and Our Children's Earth Foundation. This lawsuit, which was filed pursuant to section 304(a) of the Act, 42 U.S.C. 7604(a), addresses EPA's alleged failure to meet a mandatory deadline under section 110(k) of the Act, 42 U.S.C. 7410(k), to take final action to approve or disapprove the 1999 San Francisco Bay Area Ozone Attainment Plan. *Bayview Hunters Point Community Advocates et. al. v. EPA*, Civil No. C-01-0050 THE (N.D. Cal.).

**DATES:** Written comments on the proposed consent decree must be received by May 31, 2001.

**ADDRESSES:** Written comments should be sent to Jan Taradash, Office of Regional Counsel, U.S. Environmental Protection Agency Region 9, 75 Hawthorne Street, San Francisco, CA 94105. Copies of the proposed consent decree are available from Jan Taber, (415) 744-1341.

**SUPPLEMENTARY INFORMATION:** The Clean Air Act requires EPA to take action to approve or disapprove a State implementation plan revision within 12 months of a determination by the Administrator that such revision is complete. See section 110(k)(1)-(4), 42 U.S.C. 7410(k)(1)-(4). On August 13, 1999, the California Air Resources Board submitted to EPA the 1999 San Francisco Bay Area Ozone Attainment Plan ("1999 Plan") as a proposed revision to the California State Implementation Plan. EPA found the 1999 Plan to be complete pursuant to section 110(k)(1)(B), 42 U.S.C. 7410(k)(1)(B), on October 28, 1999. On March 30, 2001, EPA published a proposed rule on the plan. 66 FR 17379. The proposed consent decree provides that the Administrator or her delegatee shall sign no later than August 28, 2001, a notice for publication in the **Federal Register** taking final action pursuant to section 110(k) of the Act, 42 U.S.C. 7410(k), and shall submit the notice by September 4, 2001, to the Office of the Federal Register for publication.

For a period of thirty (30) days following the date of publication of this notice, EPA will receive written comments relating to the proposed consent decree from persons who were not named as parties to the litigation in question. EPA or the Department of Justice may withhold or withdraw consent to the proposed consent decree if the comments disclose facts or circumstances that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless EPA or the Department of Justice determines, following the comment period, that consent is inappropriate, the final consent decree will then be executed by the parties.