

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Docket No. RM03-8-001]

Quarterly Financial Reporting and Revisions to the Annual Reports; Notice

July 20, 2004.

The Federal Energy Regulatory Commission published in the **Federal Register** of February 26, 2004, Order No. 646, a Final Rule amending the Commission's financial reporting regulations establishing new quarterly financial reporting for respondents that currently file Annual Reports with the Commission.¹ These new quarterly financial reports are the FERC Form No. 3-Q, Quarterly Financial Report of Electric Companies, Licensees, and Natural Gas Companies, and the FERC Form No. 6-Q, Quarterly Financial Report of Oil Pipeline Companies.

The software provided by the Commission and used to file the FERC Forms No. 3-Q is now available on the Commission's Web site. It is also available to respondents through automatic updates to the FERC Form Nos. 1, and 2/2-A software. Respondents may contact FERCOnlineSupport@ferc.gov for questions concerning the use of the software. Questions concerning the financial data reported in the quarterly financial reports may be directed to Brian Holmes at (202) 502-6008 or sent by e-mail to brian.holmes@ferc.gov.

Linda Mitry,
Acting Secretary.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-7792-1]

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

¹ Quarterly Financial Reporting and Revisions to the Annual Reports, Order No. 646, 69 FR 9030 (Feb. 26, 2004), III FERC Stats. & Regs. ¶ 31,158 (Feb. 11, 2004).

decree, to address a lawsuit filed by Environmental Defense in the U.S. District Court for the Northern District of California: *Environmental Defense v. EPA*, No. C 03 5508 (N.D. CA). Environmental Defense filed a complaint pursuant to section 304(a) of the Act, 42 U.S.C. section 7604(a), which concerns the U.S. Environmental Protection Agency's (EPA's) alleged failure to meet a mandatory deadline under section 111(b) of the Act, 42 U.S.C. section 7411(b), by failing to promulgate a New Source Performance Standard for stationary Internal Combustion Engines. Under the proposed consent decree, rulemaking schedules will be provided to establish New Source Performance Standards for stationary internal combustion engines.

DATES: Written comments on the proposed consent decree must be received by August 23, 2004.

ADDRESSES: Submit your comments, identified by docket ID number OGC-2004-0007, online at <http://www.epa.gov/edocket> (EPA's preferred method); by e-mail to 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: Michael Horowitz, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460. Telephone: (202) 564-5583.

SUPPLEMENTARY INFORMATION:**I. Additional Information About the Proposed Consent Decree**

Section 111(b)(2) of the Clean Air Act (the Act) requires that EPA publish proposed regulations proposing federal new source performance standards for new sources in categories of stationary sources listed under section 112(b)(1) of the Act, and that EPA promulgate final regulations within one year after publication of the proposed regulations. In the above-captioned case, Environmental Defense alleges that EPA has failed to meet a mandatory deadline under the Act by failing to promulgate

a New Source Performance Standard for stationary Internal Combustion Engines.

The proposed consent decree provides a rulemaking schedule to establish New Source Performance Standards for stationary internal combustion engines, with separate schedules for proposal and promulgation of such standards for compression-ignition engines and for spark-ignition engines.

For a period of thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the proposed consent decree from persons who were not named as parties or interveners to the litigation in question. EPA or the Department of Justice may withdraw or withhold consent to the proposed consent decree if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless EPA or the Department of Justice determine, based on any comment which may be submitted, that consent to the consent decree should be withdrawn, the terms of the decree will be affirmed.

II. Additional Information About Commenting on the Proposed Consent Decree**A. How Can I Get a Copy of the Consent Decree?**

EPA has established an official public docket for this action under Docket ID No. OGC-2004-0007 which contains a copy of the consent decree. The official public docket is available for public viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center, EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OEI Docket is (202) 566-1752.

An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Once in the system, select "search," then key in the appropriate docket identification number.