

has requested that its preliminary permit be terminated. The permit was issued on January 21, 2004, and would have expired on December 31, 2006.<sup>1</sup> The project would have been located on the Aqua Fria River in Maricopa and Yavapai Counties, Arizona.

The permittee filed the request on February 17, 2005, and the preliminary permit for Project No. 11872 shall remain in effect through the thirtieth day after issuance of this notice unless that day is a Saturday, Sunday, part-day holiday that affects the Commission, or legal holiday as described in section 18 CFR 385.2007, in which case the effective date is the first business day following that day. New applications involving this project site, to the extent provided for under 18 CFR Part 4, may be filed on the next business day.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. E5-1150 Filed 3-15-05; 8:45 am]

BILLING CODE 6717-01-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7884-6]

### 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 decree, to address a lawsuit filed by the American Lung Association of Metropolitan Chicago, Citizens Against Ruining the Environment, the Environmental Law & Policy Center, the Illinois Public Interest Research Group, the Lake County Conservation Alliance, the Little Village Environmental Justice Organization and the Sierra Club (collectively "Plaintiffs"): *American Lung Association of Metropolitan Chicago, et al. v. Johnson*, No. 04-C-5966 (N.D. Ill.), consolidated with *Lake County Conservation Alliance v. Leavitt*, No. 04-5967 and *Citizens Against Ruining the Environment v. Leavitt*, No. 04-5968. On or about September 13, 2004, Plaintiffs filed deadline suits to compel the Administrator to respond to petitions seeking EPA's objection to Title V operating permits issued by the Illinois Environmental Protection Agency for five electrical generating

stations of the Midwest Generation Company known as the Fisk Generating Station, the Crawford Generating Station, the Joliet Generating Station, the Will County Generating Station, and the Waukegan Generating Station in the State of Illinois. Under the terms of the proposed consent decree, three deadlines are established for responding to Title V veto petitions ranging from March 25, 2005 to September 23, 2005.

**DATES:** Written comments on the proposed consent decree must be received by April 15, 2005.

**ADDRESSES:** Submit your comments, identified by docket ID number OGC-2005-0003, online at <http://www.epa.gov/edocket> (EPA's preferred method); by e-mail to [oei.docket@epa.gov](mailto: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:

Padmini Singh, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460. telephone: (202) 564-5641.

#### SUPPLEMENTARY INFORMATION:

#### I. Additional Information About the Proposed Consent Decree

Plaintiffs submitted administrative petitions to the Administrator of the Environmental Protection Agency requesting that he object to Title V operating permits issued by the Illinois Environmental Protection Agency for five electrical generating stations in the State of Illinois. The Consent Decree establishes three deadlines for responding to the petitions. The Decree, which is subject to CAA section 113(g), provides the following schedule for EPA's responses to the five title V petitions. EPA must sign an order responding to each petition no later than the dates listed: March 25, 2005 for Fisk Generating Station and Crawford Generating Station; by June 24, 2005 for Will County Generating Station and Joliet Generating Station; and by September 23, 2005 for Waukegan Generating Station. If EPA fulfills its

obligations as described in the decree, the Consent Decree shall terminate and the case shall be dismissed with prejudice.

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-2005-0003 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.

It is important to note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing in EPA's electronic public docket as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or

<sup>1</sup> 106 FERC ¶ 62,042.

other information whose disclosure is restricted by statute. Information claimed as CBI and other information whose disclosure is restricted by statute is not included in the official public docket or in EPA's electronic public docket. EPA's policy is that copyrighted material, including copyrighted material contained in a public comment, will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the EPA Docket Center.

### B. How and To Whom Do I Submit Comments?

You may submit comments as provided in the **ADDRESSES** section. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

If you submit an electronic comment, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment and with any disk or CD ROM you submit. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. Any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

Your use of EPA's electronic public docket to submit comments to EPA electronically is EPA's preferred method for receiving comments. The electronic public docket system is an "anonymous access" system, which means EPA will not know your identity, e-mail address, or other contact information unless you provide it in the body of your comment. In contrast to EPA's electronic public docket, EPA's electronic mail (e-mail) system is not an "anonymous access" system. If you send an e-mail comment directly to the Docket without going through EPA's electronic public docket, your e-mail address is automatically captured and included as part of the comment that is placed in the official

public docket, and made available in EPA's electronic public docket.

Dated: March 10, 2005.

**Richard B. Ossias,**

*Acting Associate General Counsel, Air and Radiation Law Office, Office of General Counsel.*

[FR Doc. 05-5132 Filed 3-15-05; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[Docket Number ORD-2005-0005; FRL-7884-8]

### Board of Scientific Counselors, Ecological Research Subcommittee

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

**ACTION:** Notice of meetings.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act, Public Law 92-463, the Environmental Protection Agency, Office of Research and Development (ORD), announces a meeting of the Board of Scientific Counselors (BOSC) Ecological Research Subcommittee.

**DATES:** A teleconference call meeting will be held on Friday, April 1, 2005, from 5 p.m. to 7 p.m. All times noted are Eastern Standard Time. The meeting may adjourn early if all business is completed.

**ADDRESSES:** *Conference calls:*

Participation in the conference call will be by teleconference only—meeting rooms will not be used. Members of the public may obtain the call-in number and access code for the teleconference meeting from Greg Susanke, whose contact information is listed under the

**FOR FURTHER INFORMATION CONTACT** section of this notice.

### Document Availability

The draft agenda for the meeting is available from Greg Susanke, whose contact information is listed under the **FOR FURTHER INFORMATION CONTACT** section of this notice. Requests for the draft agenda will be accepted up to 2 business days prior to the conference call/meeting date. The draft agenda also can be viewed through EDOCKET, as provided in Unit I.A. of the **SUPPLEMENTARY INFORMATION** section.

Any member of the public interested in making an oral presentation during the conference call may contact Greg Susanke, whose contact information is listed under the **FOR FURTHER INFORMATION CONTACT** section of this notice. Requests for making oral presentations will be accepted up to 2

business days prior to each conference call/meeting date. In general, each individual making an oral presentation will be limited to a total of three minutes.

### Submitting Comments

Written comments may be submitted electronically, by mail, or through hand delivery/courier. Follow the detailed instructions as provided in Unit I.B. of this section. Written comments will be accepted up to 2 business days prior to the conference call/meeting date.

**FOR FURTHER INFORMATION CONTACT:** Greg Susanke, Designated Federal Officer, Environmental Protection Agency, Office of Research and Development, Mail Code 8104R, 1200 Pennsylvania Avenue NW., Washington, DC; telephone (202) 564-9945; fax (202) 565-2925; e-mail [susanke.greg@epa.gov](mailto:susanke.greg@epa.gov).

### SUPPLEMENTARY INFORMATION:

#### I. General Information

This notice announces a meeting of the BOSC Ecological Research Subcommittee. The purpose of the meeting is to evaluate EPA's Ecological Research Program. The proposed agenda item for the conference call includes, but is not limited to a discussion of the subcommittee's draft report. The conference call is open to the public.

Information on Services for the Handicapped: Individuals requiring special accommodations at this meeting should contact Greg Susanke, Designated Federal Officer, at (202) 564-9945 at least five business days prior to the meeting so that appropriate arrangements can be made to facilitate their participation.

#### A. How Can I Get Copies of Related Information?

1. *Docket.* EPA has established an official public docket for this action under Docket ID No. ORD-2005-0005. The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Documents in the official public docket are listed in the index in EPA's electronic public docket and comment system, EDOCKET. Documents are available either electronically or in hard copy. Electronic documents may be viewed through EDOCKET. Hard copies of the draft agenda may be viewed at the Board of Scientific Counselors, Ecological Research Subcommittee Docket in the EPA Docket Center (EPA/DC), 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.,