• Hawthorne, Nevada. Hawthorne Convention Center, 932 E. Street, November 13, 2007, from 4 to 7 p.m.

• Caliente, Nevada. Caliente Youth Center, U.S. Highway 93, November 15, 2007, from 5:30 to 8 p.m.

• Reno/Sparks, Nevada. Reno-Sparks Convention Center, 4590 S. Virginia Street, November 19, 2007, from 4 to 7 p.m.

• Town of Amargosa Valley, Nevada. Longstreet Inn & Casino, Highway 373, November 26, 2007, from 4 to 7 p.m.

• Goldfield, Nevada. Goldfield School Gymnasium, Hall & Euclid, November 27, 2007, from 4 to 7 p.m.

• Lone Pine, California. Statham Hall, 138 N. Jackson Street, November 29, 2007, from 4 to 7 p.m.

• Las Vegas, Nevada. Cashman Center, 850 Las Vegas Blvd., December 3, 2007, from 4 to 7 p.m.

• Washington, DC Marriott at Metro Center, 775 12th Street, NW., December 5, 2007, from 2 to 5 p.m.

The public hearings will provide members of the public the opportunity to provide oral comments on the record. Members of the public who plan to present oral comments are asked to register in advance by calling 1–800–225–6972; speakers also may register upon arrival at the hearing location. The Department intends to allot five minutes to each individual wishing to provide oral comments so as to ensure that each registered individual has the opportunity to speak. If time permits, more than five minutes will be allotted by the hearing officer.

Prior to, and coincident with, the public hearings, members of the public are invited to engage DOE representatives in one-on-one discussions in an open-house format. Members of the public also may offer comments in writing or in person (orally) to a DOE representative in the presence of a court reporter during these discussions.

Comments on the Draft Repository SEIS, and/or Draft Nevada Rail Corridor SEIS and Draft Rail Alignment EIS may be provided in writing, by facsimile, or via the Internet to the EIS Office (see **ADDRESSES** above).

Public Reading Rooms

Documents referenced in this Notice of Availability and related information are available at the following locations: Esmeralda County Yucca Mountain Oversight Office, 274 E. Crook Avenue, Goldfield, NV 89013, (775) 485–3419; Lincoln County Nuclear Waste Project Office, 100 Depot Avenue, Caliente, NV 89008, (775) 726–3511; Nye County Nuclear Waste Repository Project Office, 1210 E. Basin Road, Suite #6, Pahrump, NV 89060 (775) 727–7727; Pahrump Yucca Mountain Information Center, 2341 Postal Drive, Pahrump, NV 89048, (775) 751–7480; University of Nevada, Reno, The University of Nevada Libraries, Business and Government Information Center, M/S 322, 1664 N. Virginia Street, Reno, NV 89557, (775) 813–6496; and the U.S. Department of Energy Headquarters Office Public Reading Room, 1000 Independence Avenue, SW., Room 1E–190 (ME–74) FORS, Washington, DC 20585, 202–586–3142.

Issued in Washington, DC, on October 9, 2007.

Edward F. Sproat, III,

Director, Office of Civilian Radioactive Waste Management.

[FR Doc. E7–20135 Filed 10–11–07; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Western Area Power Administration

San Luis Rio Colorado Project (DOE/EIS–0395)

AGENCY: Western Area Power Administration, DOE.

ACTION: Notice of Record of Decision and Floodplain Statement of Findings.

SUMMARY: The Department of Energy (DOE) received applications from North Branch Resources, LLC (NBR) and Generadora del Desierto, S.A. de C.V. (GDD) to construct the proposed San Luis Rio Colorado Project in Yuma County, Arizona. NBR and GDD (collectively termed the Applicants) are each wholly owned subsidiaries of North Branch Holding, LLC. GDD applied to Office of Electricity Delivery and Energy Reliability (OE), an organizational unit within DOE, for a Presidential permit to construct, connect, operate, and maintain a double-circuit 500,000-volt (500-kilovolt [kV]) electric transmission line across the United States-Mexico international border. NBR submitted a request to Western Area Power Administration (Western), another organizational unit within DOE, to interconnect the double-circuit 500-kV electric transmission line to Western's existing Gila Substation. The Applicants proposed that Western construct, own, operate, and maintain the transmission components within the United States at the Applicants' expense. Western's decision is to allow the Applicants to interconnect with its transmission system at Gila Substation, and to construct the Agency Preferred Alternative upon completion of Western's Large Generator Interconnection Procedures (LGIP) process. Accordingly, Western intends to enter into interconnection and construction agreements with NBR, and to construct, own, operate, and maintain the transmission system additions in the United States that would allow the interconnection.

FOR FURTHER INFORMATION CONTACT: Mr. John Holt, Environmental Manager, Desert Southwest Customer Service Region, Western Area Power Administration, P.O. Box 6457, Phoenix, AZ 85005, telephone (602) 605–2592; e-mail *holt@wapa.gov.* Copies of the EIS are available from Mr. Holt. For information about the DOE National Environmental Policy Act (NEPA) process, contact Ms. Carol M. Borgstrom, Director, Office of NEPA Policy and Compliance, GC–20, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585, telephone (800) 472–2756. For information on the Presidential permit process, contact Dr. Jerry Pell, Office of Electricity Delivery and Energy Reliability, OE–20, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585, telephone (202) 586–3362; e-mail *jerry.pell@hq.doe.gov.*

SUPPLEMENTARY INFORMATION: DOE received applications from NBR and GDD to construct the portions of the San Luis Rio Colorado Project located in Yuma County, Arizona. GDD applied to OE, an organizational unit within DOE, for a Presidential permit to construct, connect, operate, and maintain a double-circuit, 500-kV electric transmission line across the United States-Mexico international border. NBR submitted a request to Western, another organizational unit within DOE, to interconnect the double-circuit 500-kV electric transmission line to Western's existing Gila Substation. The Applicants propose that Western construct, own, operate, and maintain the transmission components within the United States at the Applicants' expense.

Western and OE are the lead agencies for the San Luis Rio Colorado Environmental Impact Statement (EIS). The U.S. Department of the Navy (Navy), acting through the U.S. Marine Corps Air Station Yuma; U.S. Bureau of Land Management, (BLM); U.S. Bureau of Reclamation (Reclamation); and the City of Yuma are cooperating agencies. DOE's OE has authority over the connection of the electric transmission line at the United States-Mexico international border and will issue a separate Record of Decision (ROD) for that decision. Reclamation and the Navy will also make decisions regarding the

granting and use of rights-of-way (ROW) for the Proposed Project.

Alternatives Considered

Applicants' Proposed Action

The Applicants proposed that within the United States, Western would construct, own, operate, and maintain double-circuit 500-kV transmission components at the Applicants' expense. The transmission components under their proposal would consist of a double-circuit 500-kV transmission line between the Point of Change of Ownership near the international border and Western's existing Gila Substation; a 500/69-kV addition adjacent to the Gila Substation; and a double-circuit 500-kV transmission line between Gila Substation and Arizona Public Service's (APS') North Gila Substation. In addition, modifications would be made to APS' North Gila Substation based on an agreement between Western and APS and would remain under operational control of APS.

The Applicants proposed a transmission corridor that would commence at the international border near the Point of Change of Ownership located immediately north of the proposed San Luis Rio Colorado (SLRC) Power Center near the intersection of Avenue 1E and County 27th, then turn northeast to the intersection of Avenue 4E and County 24th. From the intersection of Avenue 4E and County 24th, the proposed corridor would proceed north parallel to Avenue 4E, the western boundary of the Barry M. Goldwater Range (BMGR), Western's existing Gila-Sonora Transmission Line, and a portion of the Area Service Highway (ASH) to a point north of County 19th. North of County 19th, the proposed transmission line corridor would proceed northeast roughly parallel to the ASH corridor across the northwestern portion of the BMGR. At Avenue 5½E, the proposed transmission line corridor would head north to the Yuma Mesa Irrigation and Drainage District's (YMIDDs) A Canal, then turn generally northeastward, parallel to the A Canal and Western's 69-kV transmission line, cross Interstate 8, and enter the west side of Gila Substation expansion area located north of the existing Gila Substation. Leaving the north side of Gila Substation, the proposed corridor would parallel the two existing transmission lines to the north, span the Gila River, and then turn northwest and into Arizona APS' North Gila Substation, still parallel to the existing transmission lines.

The Applicants' Proposed Action was not selected as the preferred alternative due to higher impacts on flat-tailed horned lizard habitat, increased engineering constraints, and increased impacts on residences as compared with the selected alternative.

Corridor Analysis

During the EIS process, Western took a broad look at the project area to determine if other viable and reasonable alternatives could be developed. Three regional corridors (West, Center, and East) were identified. These corridors were defined by two ''no-go'' areas—the City of Yuma high-density commercial and residential area and the adjacent Marine Corps Air Station Yuma/Yuma International Airport, and the Auxiliary Airfield No. 2 landing strip and approach zones on the BMGR. These two areas were not considered viable areas for routing a main transmission line because of unacceptably high human and environmental conflicts. The two areas defined a West Corridor, roughly parallel to the Colorado River and western Arizona-Mexico border, a Center Corridor east of Yuma and the airport and along the western boundary of the BMGR, and an East Corridor across the BMGR east of Auxiliary Airfield No. 2 and west of the Gila Mountains.

The West and East corridors were not found to be feasible. The West Corridor would result in a transmission line nearly twice as long as a Center Corridor option, with an attendant increase in environmental impacts based on length alone. The West Corridor would cross three times more irrigated cropland, impact a number of residences, and require two crossings of the Colorado River. Routing opportunities were severely constrained by residential and other development, including Yucca Powerplant and associated transmission lines, near the Colorado River west of the City of Yuma. Finally, the cost of constructing nearly twice as much transmission line, and of acquiring ROW, would make the Proposed Project economically infeasible.

The East Corridor would also be considerably longer, with associated increases in environmental impacts, and would be economically infeasible. Any transmission line located in the East Corridor would be wholly incompatible with military operations on the BMGR, and obtaining a permit from the Navy to construct a transmission line in this area would not be possible.

Western proceeded to develop alternatives to the Applicants' Proposed Action within the Center Corridor by identifying routing constraints and opportunities, balancing potential impacts, and considering public, stakeholder, and agency comments. A number of routing segments were developed and presented to the public for comment.

Route Alternative

The Route Alternative was developed by combining the routing segments that best utilized line routing opportunities, minimized environmental impacts, and considered public and agency comments received. The transmission system components would be identical to those of the Applicants' Proposed Action, but the transmission route was adjusted in response to information developed in the EIS process, comments, and potential issues identified with the Applicants' Proposed Action.

The Route Alternative would commence at the international border near the Point of Change of Ownership located immediately north of the proposed SLRC Power Center near the intersection of Avenue 1E and County 27th, the corridor would then turn northeast for approximately 1.5 miles to the existing Gila-Sonora Transmission Line, located near the intersection of Avenue 2½E and County 26½. From this location, the corridor would proceed north adjacent to the east side of the existing improved well field access road and Western's Gila-Sonora 69-kV transmission line toward the existing Sonora Substation. From Sonora Substation, the corridor would proceed northeast toward the intersection of Avenue 3E and County 23rd. From the intersection of Avenue 3E and County 23rd, the Route Alternative would proceed north adjacent to Avenue 3E to the intersection with County 19¼. From the intersection of Avenue 3E and County 19¼, the corridor would proceed northeast toward the intersection of Avenue 4E and County 18¾. From the intersection of Avenue 4E and County 18¾, the corridor would proceed northeast parallel to the ASH corridor to the intersection with the A Canal, at which point it would proceed northeast parallel to the A Canal and the Gila-Sonora Transmission Line, cross Interstate 8, and enter the Gila Substation from the west. The Route Alternative would require the same modifications to Gila Substation as the Applicants' Proposed Action. Leaving the north side of Gila Substation, the proposed corridor would parallel the existing transmission lines to the north, span the Gila River, and proceed to the point of intersection of the existing transmission lines and Avenue 9E. From the intersection of the existing transmission lines and Avenue 9E, the

corridor would proceed north adjacent to Avenue 9E for approximately 0.5 miles, and then proceed west into APS' North Gila Substation. The Route Alternative would require the same modifications to North Gila Substation as the Applicants' Proposed Action.

Although the route identified in this alternative has fewer impacts than the Applicants' Proposed Action, this alternative was not selected in its entirety because it was determined that constructing the Proposed Project to 230-kV standards would meet the needs of the Proposed Project and result in less environmental impacts.

230-kV Alternative

The 230-kV Alternative was identified because it would meet the Proposed Project objectives for transporting electric power and creating additional transmission into the Yuma area, but would result in less environmental impacts than the Applicants' Proposed Action. Under the 230-kV Alternative, the transmission system components would be constructed to 230-kV standards as opposed to 500-kV. This alternative would require 25 percent less ROW area than that required for a project constructed to 500-kV, shorter and less massive structures than a project constructed to 500-kV, and substation modifications to 230-kV standards instead of 500-kV.

No Action Alternative

Under the No Action Alternative, Western would not approve an interconnection agreement; therefore, the proposed transmission lines, substation additions and modifications, and access roads within the United States would not be constructed, and the environmental impacts associated with their construction and operation would not occur.

Western believes that the selection of the No Action Alternative would not necessarily preclude development of the SLRC Power Center, as the Applicants could construct and operate interconnection transmission lines to a Comisión Federal de Electricidad (CFE) substation within Mexico, which would allow the SLRC Power Center to be constructed, maintained, and operated solely for the purpose of serving power needs within Mexico. In this scenario, impacts from the operation of the SLRC Power Center similar to those described in the EIS would occur in the United States. This scenario is not subject to United States regulation because all of the project-related activities would occur entirely within Mexico.

The No Action Alternative was not selected because it would not meet the needs defined in the EIS. The No Action Alternative would not have allowed Western to meet its obligations defined by its own Open Access Transmission Services Tariff, which was implemented to meet the intent of the Federal Energy Regulatory Commission (FERC) order to open transmission line access (FERC Order Nos. 888 and 888–A).

Agency Preferred Alternative

After reviewing impacts for each of the alternatives, DOE identified a combination of the Route Alternative and 230-kV Alternative as the Agency Preferred Alternative. With this approach, the Proposed Project would use the route from the Route Alternative as described in the EIS, and be constructed to 230-kV standards. This combined alternative is both the Environmentally Preferred and the Agency Preferred Alternative. The Agency Preferred Alternative would include:

1. A new 21.2-mile, double-circuit, 230-kV transmission line between a Point of Change of Ownership near the international border and Western's existing Gila Substation along the Route Alternative as defined in the EIS;
2. A new 230/69-kV addition adjacent to Gila Substation as identified in the 230-kV Alternative defined in the EIS;
3. A new 4.9-mile, double-circuit, 230-kV transmission line between Gila Substation and APS's North Gila Substation along the Route Alternative as defined in the EIS (the majority of this portion of the alignment will utilize a portion of existing ROW; Western anticipates that the existing double-circuit 69-kV line will be underbuilt);
4. Modifications to North Gila Substation necessary to interconnect the 230-kV transmission lines into the substation as identified in the 230-kV Alternative defined in the EIS (these modifications will be made through an agreement with APS); and
5. Associated access roads, as needed.

In addition to the transmission system additions located within the United States, the Proposed Project has other components that include the SLRC Power Center, natural gas pipelines, and electric transmission lines all located entirely within Mexico. Western does not have any jurisdiction over these components of the Proposed Project, as they are located entirely within Mexico. While the SLRC Power Center is not subject to the United States' regulatory requirements, Western evaluated impacts within the United States from its operation as part of the impact analysis and considered the environmental ramifications of the entire project in its decision making. Western has determined that the development of the Proposed Project components within Mexico will not have significant environmental impacts within the United States based on the analyses included in the EIS.

Additional comments were received during the Final EIS waiting period that expressed concerns about property values, visual impacts, lack of notification about the Proposed Project, and potential interference with AM and FM radio, television, and ''ham'' radio signal reception and transmission. Property value issues were fully addressed in the EIS; potential effects generally range from somewhat positive to a negative impact of up to 15 percent. Studies find that property value impacts can be quite different from case to case, and that perceptions of impacts on value vary depending on the individual. Further, the presence of a transmission line is generally not the major determining factor of property values, and any impact generally diminishes over time.

Visual impacts are also addressed in the EIS, and are closely linked to property value concerns. The Final EIS includes an entire underground construction study to address earlier comments to bury the proposed transmission line. Like perceptions of property value impacts, visual impacts are also highly variable depending on the individual. Western conducted a visual impact analysis using the BLM Visual Resource Management (VRM) system to determine the level of visual impact. The VRM system imposes a somewhat artificial structure on very subjective visual values, and looks at visual impacts from more of a societal view. The VRM system is the best and most widely accepted tool now available for impartial analysis of visual impacts. The analysis found that visual impacts would result from constructing the Proposed Project, but that they would not be significant. Western acknowledges that some residents will consider the impact of the Proposed Project on them to be significant.

Several comments were received from residents who had not previously heard about the project, and who felt they had not had the opportunity for meaningful input. Following the Notice of Intent (NOI), Western held 12 stakeholder meetings, four public scoping meetings, and two public hearings in the Proposed Project area. The public scoping meetings were announced in the **Federal Register**, paid advertisements in the *Yuma Sun* and *Bajo el Sol,* and direct newsletter/local NOI mailings in English and Spanish to the project mailing list. Additional paid

advertisements and direct mailings announced the public hearings. In addition, the *Yuma Sun* published several articles, editorials, and letters to the editor about the Proposed Project during the EIS process. The project mailing list included landowners one-half mile from the centerline of all identified alternative routes, as identified from the county assessor records. The mailing list was updated as new mailings were prepared. While Western regrets that some residents feel they were not effectively involved, it believes that its public outreach effort was more than adequate.

Potential interference to radio and television reception was also addressed in the EIS. Most cases of interference are directly related to spark gap discharges due to loose, worn, or defective transmission line hardware. Western operates about 17,000 miles of transmission lines, and interference issues are rarely reported. In the unlikely event an interference problem is encountered, Western will work with the affected party to eliminate the interference.

Mitigation Measures

All measures identified in the EIS to minimize impacts from the transmission system additions have been adopted. Sections 2.1.1.8 and 2.1.1.9 of the Draft EIS list Western's standard mitigation measures and additional mitigation measures included as part of the proposed action. Some of Western's standard measures include restricting vehicular traffic to existing access roads or public roads, recontouring and reseeding disturbed areas, environmental awareness training for all construction and supervisory personnel, and mitigation of radio and television interference generated by transmission lines. Additional measures identified for the Proposed Project include mitigation methods for projects within flat-tailed horned lizard habitat and measures identified in the Arizona Administrative Code pertaining to fugitive dust control to be employed during transmission line construction.

Western is the lead Federal agency for compliance with section 106 of the National Historic Preservation Act. Western's preferred form of mitigation is to avoid all identified sites. To the extent possible, cultural sites determined eligible for the National Register in consultation with the Arizona State Historic Preservation Office and interested tribes will be avoided by Proposed Project activities. Cultural sites that cannot be avoided will be mitigated in accordance with the Programmatic Agreement (PA) developed for the Proposed Project, which will govern all remaining activities necessary for section 106 compliance.

Western is also the lead Federal agency for compliance with section 7 of the Endangered Species Act, as amended. A biological assessment was prepared and submitted to the U.S. Fish and Wildlife Service (USFWS) with a determination that the Proposed Project ''may affect but is not likely to adversely affect'' any candidate, proposed, or listed species. In a letter dated March 26, 2007, USFWS concurred with this determination.

Floodplain Statement of Findings

In accordance with 10 CFR part 1022, Western considered the potential impacts of the Proposed Project on floodplains and wetlands. The Proposed Project area is located in an arid region of low annual precipitation (less than 4 inches annually) with relatively low runoff potential, currently consisting primarily of open desert and agriculture interspersed with residences. Construction of the Proposed Project would not substantially alter the normal drainage patterns or affect runoff rates because the Proposed Project area does not typically experience runoff following a heavy rainfall due to the soils and geology of the area.

All transmission system alternatives, including the selected alternative, would traverse the 100-year floodplain of the Gila River. The Proposed Project will be designed to span the width of the 100-year floodplain; therefore, no new structures are expected to be placed within the Gila River channel or associated 100-year floodplain. Structures located adjacent to the floodplain would be constructed with additional concrete reinforcement around the footing to withstand potential flood flow-rates. The footings would not present a barrier to flood flows if they should exceed the 100-year floodplain and reach these locations. If, after final project design, additional new structures are needed in the floodplain, they will be designed to conform to applicable Federal, State, and local floodplain protection standards. No wetlands would be affected by the Proposed Project.

A Waters of the United States delineation and characterization survey was completed for the Proposed Project and the report was submitted to the U.S. Army Corps of Engineers (USACE) for review. In a letter dated March 1, 2007, USACE determined that ''although the proposed project area does include jurisdictional waters, your proposed project does not discharge dredged or fill material into a water of the United States or adjacent wetland.'' Therefore, the Proposed Project will not require a section 404 permit or a section 401 water quality certification.

Mitigation Action Plan

A Mitigation Action Plan will be developed in accordance with 10 CFR 1021.331 that addresses mitigation commitments described above. The Mitigation Action Plan will explain how the mitigation will be planned and implemented and will be available upon request.

Decision

Western's decision is to allow the Applicants to interconnect with its transmission system at Gila Substation, and to construct the Agency Preferred Alternative. Western intends to enter into interconnection and construction agreements with NBR, and to construct, own, operate, and maintain the transmission system additions in the United States that would allow the interconnection. The costs of constructing, operating, and maintaining the transmission system additions would be borne by the Applicants. However, execution of the interconnection and construction agreements will not occur until the completion of Western's Large Generator Interconnection Procedures (LGIP) process. This process, which is compliant with FERC orders, takes a proposed project through feasibility studies, system impact studies, and a facilities plan, ultimately leading to identification and apportionment of costs. Assuming Western and NBR agree on the level and distribution of costs and responsibilities during the LGIP process, execution of the interconnection and construction agreements will finalize the decision described in this ROD. If for some reason Western and NBR fail to reach an accord, the no action alternative will result.

This decision is based on the information contained in the San Luis Rio Colorado Project EIS (DOE/EIS–0395; Draft EIS issued October 2006, and Final issued July 2007). This ROD has been prepared in accordance with Council on Environmental Quality regulations for implementing NEPA (40 CFR parts 1500–1508) and DOE Procedures for Implementing NEPA (10 Code of Federal Regulations [CFR] part 1021), and DOE's Floodplain/Wetland Review Requirements (10 CFR part 1022). Full implementation of this decision is contingent upon the Proposed Project obtaining all other required permits and approvals.

Dated: October 3, 2007.

Timothy J. Meeks,

Administrator.

[FR Doc. E7–20179 Filed 10–11–07; 8:45 am]

BILLING CODE 6450–01–P

ENVIRONMENTAL PROTECTION AGENCY

[Petition IV–2006–4; FRL–8481–1]

Clean Air Act Operating Permit Program; Petition for Objection to State Operating Permit for East Kentucky Power Cooperative—Hugh L. Spurlock Generating Station; Maysville (Mason County), KY

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final order on petition to object to a state operating permit.

SUMMARY: Pursuant to Clean Air Act Section 505(b)(2) and 40 CFR 70.8(d), the EPA Administrator signed an Order, dated August 30, 2007, partially granting and partially denying a petition to object to a state operating permit issued by the Kentucky Division for Air Quality (KDAQ) to East Kentucky Power Cooperative—Hugh L. Spurlock Generating Station (Spurlock Station) located in Maysville, Mason County, Kentucky. This Order constitutes final action on the petition submitted by Sierra Club (Petitioner). Pursuant to section 505(b)(2) of the Clean Air Act (the Act), any person may seek judicial review of the Order in the United States Court of Appeals for the appropriate circuit within 60 days of this notice under section 307(b) of the Act.

ADDRESSES: Copies of the final Order, the petition, and all pertinent information relating thereto are on file at the following location: EPA Region 4, Air, Pesticides and Toxics Management Division, 61 Forsyth Street, SW., Atlanta, Georgia 30303–8960. The final Order is also available electronically at the following address: *http://www.epa.gov/region07/programs/artd/air/title5/petitiondb/petitions/spurlock_decision2006.pdf.*

FOR FURTHER INFORMATION CONTACT: Art Hofmeister, Air Permits Section, EPA Region 4, at (404) 562–9115 or *hofmeister.art@epa.gov.*

SUPPLEMENTARY INFORMATION: The Act affords EPA a 45-day period to review and, as appropriate, to object to operating permits proposed by state permitting authorities under title V of the Act, 42 U.S.C. 7661–7661f. Section 505(b)(2) of the Act and 40 CFR 70.8(d) authorize any person to petition the EPA Administrator to object to a title V operating permit within 60 days after the expiration of EPA's 45-day review period if EPA has not objected on its own initiative. Petitions must be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided by the state, unless the petitioner demonstrates that it was impracticable to raise these issues during the comment period or the grounds for the issues arose after this period.

Petitioner submitted a petition on August 17, 2006, requesting that EPA object to a state title V operating permit issued by KDAQ to Spurlock Station. Petitioner alleges that the permit is inconsistent with the Act for the following reasons: (1) The permit does not specify whether continuous opacity monitoring data will be available (as credible evidence) to prove a violation of the opacity standard for Unit 1; (2) the permit does not include a heat rate input limit for Unit 2; (3) the permit does not contain a compliance schedule for bringing Unit 2 into compliance with prevention of significant deterioration requirements; (4) the permit improperly omits an applicable requirement to construct and operate Unit 3 consistent with and in accordance to the specifications provided in its permit application; (5) the permit contains erroneous best available control technology (BACT) limits at Unit 3 for several pollutants; (6) the permit contains unenforceable limits related to particulate matter and hazardous air pollutant emissions from Unit 3; and (7) the permit contains erroneous BACT limits for Unit 4.

On August 30, 2007, the Administrator issued an Order partially granting and partially denying the petition. The Order explains EPA's rationale for granting the petition with respect to Issue 2 (heat rate input limit) and Issue 7 (concerning the BACT determination for sulphur dioxide and low sulfur coal at Unit 4). The Order also provides the basis for denying the petition with respect to: Issue 1 (whether continuous opacity monitoring data will be available as credible evidence); Issue 3 (compliance schedule for Unit 2); Issue 4 (omission of an applicable requirement to construct and operate Unit 3); Issue 5 (BACT limits for several pollutants at Unit 3); Issue 6 (unenforceable limits related to particulate matter and hazardous air pollutants from Unit 3); and Issue 7 (concerning the BACT determination for sulfur dioxide and coal washing, particulate matter, mercury and beryllium, and consideration of Integrated Gasification Combined Cycle technology at Unit 4).

Dated: September 25, 2007.

J.I. Palmer, Jr.,

Regional Administrator, Region 4.

[FR Doc. E7–20173 Filed 10–11–07; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–8481–6]

Science Advisory Board (SAB) Staff Office; Clean Air Scientific Advisory Committee (CASAC) Carbon Monoxide Review Panel; Request for Nominations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The U.S. Environmental Protection Agency (EPA or Agency) Science Advisory Board (SAB) Staff Office is announcing the formation of the Clean Air Scientific Advisory Committee (CASAC) Carbon Monoxide Review Panel (or Panel). The Panel will provide advice to the EPA Administrator regarding the primary national ambient air quality standards (NAAQS) for carbon monoxide (CO). The SAB is hereby soliciting nominations of technical experts for Panel membership.

DATES: New nominations should be submitted by November 2, 2007.

FOR FURTHER INFORMATION CONTACT: Any member of the public wishing further information regarding this Request for Nominations may contact Ms. Kyndall Barry, Designated Federal Officer (DFO), EPA Science Advisory Board (1400F), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; via telephone/voice mail: (202) 343–9868; fax: (202) 233–0643; or e-mail at: *barry.kyndall@epa.gov.* General information concerning the CASAC or the EPA Science Advisory Board can be found on the EPA Web site at: *http://www.epa.gov/sab.*

SUPPLEMENTARY INFORMATION:

Background: The Clean Air Scientific Advisory Committee (CASAC) was established under section 109(d)(2) of the Clean Air Act (CAA or Act) (42 U.S.C. 7409) as an independent scientific advisory committee. The CASAC provides advice, information and recommendations on the scientific and technical aspects of air quality criteria and national ambient air quality standards (NAAQS) under sections 108 and 109 of the Act. The CASAC is a