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**Kimberly D. Bose,**  
Secretary.

[FR Doc. E9-11787 Filed 5-20-09; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. ER06-615-000; ER07-1257-000; ER08-1178-000; EL08-88-000]

#### California Independent System Operator Corporation; Notice of FERC Staff Attendance

May 14, 2009.

The Federal Energy Regulatory Commission (Commission) hereby gives notice that on May 15, 2009, members of its staff will attend a California Independent System Operator (CAISO) stakeholder conference call on Exceptional Dispatch. The agenda and other documents for the teleconference are available on the CAISO's Web site, <http://www.caiso.com>.

Sponsored by the CAISO, the teleconference is open to all market participants, and Commission staff's attendance is part of the Commission's ongoing outreach efforts. The teleconference may discuss matters at issue in the above captioned dockets.

For further information, contact Saeed Farrokhpay at [saeed.farrokhpay@ferc.gov](mailto:saeed.farrokhpay@ferc.gov); (916) 294-0322 or Maury Kruth at [maury.kruth@ferc.gov](mailto:maury.kruth@ferc.gov), (916) 294-0275.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. E9-11798 Filed 5-20-09; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8908-8]

### Approval of Proposed Interpollutant Trading Request; Pennsylvania; Control of Fine Particulate Matter: Notice of Availability

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

**ACTION:** Notice of Availability.

**SUMMARY:** This action announces the availability of EPA's approval of a request submitted by the Commonwealth of Pennsylvania to approve the use of sulfur dioxide (SO<sub>2</sub>) emission reduction credits to offset increased emissions of fine particulate matter (PM<sub>2.5</sub>) in the York County PM<sub>2.5</sub> nonattainment area. EPA is approving this request in accordance with the Clean Air Act (CAA).

**FOR FURTHER INFORMATION CONTACT:** Gerallyn Duke, Air Permits Branch (3AP11), Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103; telephone number: (215) 814-2084; e-mail address: [duke.gerallyn@epa.gov](mailto:duke.gerallyn@epa.gov).

#### SUPPLEMENTARY INFORMATION:

#### I. How Can I Get Copies of This Document and Other Related Information?

All documents for this action are available either electronically through <http://www.epa.gov/reg3artd/index.htm> or in hard copy for public inspection during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103.

#### II. Background

Under section 173 of the CAA, all major sources and major modifications at existing major sources within a nonattainment area must obtain emissions reductions to offset any emissions increases resulting from the project in an amount that is at least equal to the emissions increase, and that is consistent with reasonable further

progress toward attainment. A final rule published on May 16, 2008, in the **Federal Register** entitled "Implementation of the New Source Review (NSR) Program for PM<sub>2.5</sub>" (72 FR 28349) established, among other things, the offset ratios, *i.e.*, the amount of emissions reductions required to offset the emissions increase, for direct emissions of PM<sub>2.5</sub> as well as its precursors. The rule also allows limited interpollutant (precursor) trading for the purpose of PM<sub>2.5</sub> offsets based on pollutant-specific trading ratios if such offsets are established as part of the State Implementation Plan (SIP) or if they comply with an interprecursor trading hierarchy and ratio approved by the Administrator. EPA previously conducted a technical assessment to develop preferred interpollutant trading ratios to be used for the purposes of PM<sub>2.5</sub> offsets. The preferred ratios were published in the preamble to the May 16, 2008 rule and set a 40:1 ratio of SO<sub>2</sub> reductions to offset PM<sub>2.5</sub> emission increases. The modeling used to derive the preferred ratio is described in a technical memo to the docket for the May 16, 2008 final rule and is included in the docket for this action.

States, such as Pennsylvania, that will need to update their State Implementation Plans (SIPs) to implement NSR for PM<sub>2.5</sub> in nonattainment areas, must implement a transitional NSR permitting program for PM<sub>2.5</sub> pursuant to appendix S to 40 CFR part 51. Appendix S at Section IV.G.5 allows the offset requirements for direct PM<sub>2.5</sub> emissions to be satisfied by reductions of SO<sub>2</sub>, a PM<sub>2.5</sub> precursor, if such offsets are approved by the Administrator.

On January 20, 2009, the Pennsylvania Department of Environmental Protection (PADEP) submitted a request to EPA to allow interpollutant trading for offsets required for the construction and operation of the Conectiv Mid-Merit LLC's proposed natural gas-fired plant in Peach Bottom Township, Pennsylvania. This request was submitted pursuant to Pennsylvania's transitional NSR program under Appendix S for NSR permitting in PM<sub>2.5</sub> nonattainment areas. The Commonwealth specifically requested approval to use EPA's preferred trading ratio of 40 tons of SO<sub>2</sub> reductions to offset every ton of PM<sub>2.5</sub> emission increases. The new facility is to be located in the York County nonattainment area for PM<sub>2.5</sub>.

On February 23, 2009, EPA published in *The York Dispatch* and *York Daily Record* a notice of intent to approve PADEP's Proposed Interpollutant

Trading Request for York County, Pennsylvania. The notices of intent to approve announced EPA's pending approval of the PADEP's request to allow the use of SO<sub>2</sub> emission reduction credits to offset increased emissions of PM<sub>2.5</sub>, at a ratio of 40 tons SO<sub>2</sub> to one ton of PM<sub>2.5</sub> emissions, in the York County PM<sub>2.5</sub> nonattainment area. In these notices, EPA announced that comments would be received for 30 days. No comments were received in response to the notice. EPA approved PADEP's request to allow precursor trading for the purpose of PM<sub>2.5</sub> offsets on April 14, 2009.

### III. Judicial Review

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by July 20, 2009. Filing a petition for reconsideration by the Administrator of this approval does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

Dated: May 8, 2009.

**James W. Newsom,**

*Acting Regional Administrator, Region III.*

[FR Doc. E9-11911 Filed 5-20-09; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8908-5]

### Notice of Disclosure of Confidential Business Information Obtained Under the Comprehensive Environmental Response, Compensation and Liability Act to EPA Authorized Representative, Utah Department of Environmental Quality

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

**ACTION:** Notice; request for comment.

**SUMMARY:** EPA hereby complies with the requirements of 40 CFR 2.310(h)(3) for notice of disclosure to its authorized representative, the Utah Department of Environmental Quality ("UDEQ"), Superfund confidential business information ("CBI") which has been submitted to EPA Region 8, Office of Ecosystems Protection and Remediation.

**DATES:** Comments may be submitted until June 22, 2009.

**ADDRESSES:** Comments should be sent to: Kelcey Land (Mail Code 8ENF-RC), Environmental Protection Agency, Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129.

**FOR FURTHER INFORMATION CONTACT:** Kelcey Land (Mail Code 8ENF-RC), Environmental Protection Agency, Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129 (303) 312-6393.

*Notice of Required Determinations, Provisions, and Opportunity to Comment:* The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA"), as amended, (commonly known as "Superfund") requires the establishment of an administrative record upon which the President shall base the selection of a response action. CERCLA also requires the maintenance of many other records including those relevant to cost recovery. EPA has granted authorized representative status to the State of Utah Department of Environmental Quality. Pursuant to 40 CFR 2.310(h)(3), a state or local governmental agency which has duties or responsibilities under CERCLA, or under regulations which implement CERCLA, may be considered an authorized representative of the United States for purposes of disclosure of CBI and may be furnished such CBI upon the agency's written request, but only if:

(i) The agency has first furnished to the EPA office having custody of the information a written opinion from the agency's chief legal officer or counsel stating that under applicable state or local law the agency has the authority to compel a business which possesses such information to disclose it to the agency, or

(ii) Each affected business is informed of those disclosures under this paragraph (h)(3) which pertain to it, and the agency has shown to the satisfaction of an EPA legal office that the agency's use and disclosure of such information will be governed by state or local law and procedures which will provide adequate protection to the interests of affected businesses.

Pursuant to 40 CFR 2.310(h)(4), at the time any information is released to a state or local government pursuant to paragraph 2.310(h), EPA must notify the state or local government that the information may be entitled to confidential treatment and that any knowing and willful disclosure of the information may subject the state or local government and its employees to penalties in section 104(e)(2)(B) of CERCLA.

EPA has determined that UDEQ has satisfied the requirements of subparagraph 40 CFR 2.310(h)(3)(ii) that the agency demonstrate to the satisfaction of EPA that the agency's use and disclosure of such information will be governed by state or local law and procedures which will provide adequate protection to the interests of affected businesses.

EPA hereby advises affected parties that they are informed of potential disclosures to UDEQ under paragraph 40 CFR 2.310(h)(3), and that they have ten working days to comment pursuant to 40 CFR 2.301(h)(2)(iii), incorporated by reference into 40 CFR 2.310(h)(2).

*Comments should be sent to:* Environmental Protection Agency, Region 8, Kelcey Land (Mail Code 8ENF-RC), Environmental Protection Agency, Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129.

Dated: May 12, 2009.

**Carol Campbell,**

*Assistant Regional Administrator, Office of Ecosystems Protection and Remediation, EPA, Region 8.*

[FR Doc. E9-11922 Filed 5-20-09; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8908-9]

### Proposed Administrative Settlement Agreement Under Section 122 of the Comprehensive Environmental Response, Compensation, and Liability Act for the Barry Bronze Bearing Company Site, Located in Camden, Camden County, NJ

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

**ACTION:** Notice of Proposed Administrative Settlement and Opportunity for Public Comment.

**SUMMARY:** The United States Environmental Protection Agency ("EPA") is proposing to enter into an administrative settlement agreement ("Settlement Agreement") with Barry Bronze Bearing Company, Inc., Paul J. DeCoursey, Jr., and Clifford J. DeCoursey (the "Settling Parties") pursuant to Section 122 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9622. The Settlement Agreement provides for Settling Parties' payment of certain response costs incurred at the Barry Bronze Bearing Company Site located within the City of Camden, Camden County, New Jersey ("Site").

In accordance with Section 122(i) of CERCLA, 42 U.S.C. 9622(i), this notice