

12:30 p.m.—Adjourn.

[FR Doc. E9-15421 Filed 6-29-09; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8924-5]

### Proposed CERCLA Section 122(g) Administrative Agreement for De Minimis Settlement for the Consolidated Iron and Metal Co. Superfund Site, City of Newburgh, Orange County, NY

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

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

**SUMMARY:** In accordance with section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (“CERCLA”), 42 U.S.C. 9622(i), notice is hereby given by the U.S. Environmental Protection Agency (“EPA”), Region 2, of a proposed *de minimis* administrative agreement pursuant to section 122(g) of CERCLA, 42 U.S.C. 9622(g), between EPA and the Town of Rhinebeck (“the Town”), Dutchess County, New York, pertaining to the Consolidated Iron and Metal Co. Superfund Site (“Site”) located in the City of Newburgh, Orange County, New York. Under the settlement, the Town will pay \$49,907.23 to the EPA Hazardous Substance Superfund Consolidated Iron and Metal Co. Site Special Account, which is considered to be its fair share of past and future cleanup costs, plus a “premium” for uncertainties associated with the Site. The settlement includes a covenant not to sue pursuant to sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, relating to the Site, and protection from contribution actions or claims as provided by sections 113(f)(2) and 122(g)(5) of CERCLA, 42 U.S.C. 9613(f)(2) and 9622(g)(5). EPA will receive written comments relating to the settlement for thirty (30) days following publication of this notice. EPA will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations that indicate that the proposed settlement is inappropriate, improper, or inadequate. EPA’s response to any comments received will be available for public inspection at EPA Region 2, 290 Broadway, New York, New York 10007-1866.

**DATES:** Comments must be submitted on or before July 30, 2009.

**ADDRESSES:** The proposed settlement is available for public inspection at EPA Region 2 offices at 290 Broadway, New York, New York 10007-1866. Comments should reference the Consolidated Iron and Metal Co. Superfund Site, Index No. CERCLA-02-2009-2001. To request a copy of the proposed settlement agreement, please contact the individual identified below.

**FOR FURTHER INFORMATION CONTACT:**

Carol Y. Berns, Assistant Regional Counsel, New York/Caribbean Superfund Branch, Office of Regional Counsel, EPA Region 2, 17th Floor, 290 Broadway, New York, New York 10007-1866. Telephone: 212-637-3177.

Dated: June 17, 2009.

**Walter Mugdan,**

*Director, Emergency and Remedial Response Division, Region 2.*

[FR Doc. E9-15419 Filed 6-29-09; 8:45 am]

BILLING CODE 6560-60-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8924-8]

### Proposed Settlement Agreement

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

**ACTION:** Notice of proposed settlement agreement; 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 settlement agreement to address a lawsuit filed by the Alliance of Automobile Manufacturers (“Alliance”) in the United States Court of Appeals for the District of Columbia Circuit: *Alliance of Automobile Manufacturers v. EPA*, No. 08-1109 (DC Cir.). On or about March 10, 2008, the Alliance filed a petition for review challenging regulations promulgated by EPA in a final rule entitled “National Emission Standards for Hazardous Air Pollutants for Source Categories: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities, and Gasoline Dispensing Facilities,” 73 FR 1916 (Jan. 10, 2008), published at 40 CFR part 63, subpartsBBBBBB and CCCCCC (the “Gasoline Distribution NESHAP”). Under the terms of the proposed settlement agreement, EPA will sign and submit for publication in the **Federal Register** a notice of proposed rulemaking to amend the Gasoline Distribution NESHAP that contains amendments that are substantially the same in substance as

set forth in Attachment A to this Agreement as expeditiously as practicable after entry of this Agreement. If EPA signs and submits for publication in the **Federal Register** a notice of final rulemaking to amend the Gasoline Distribution NESHAP that contains amendments that are substantially the same in substance as set forth in Attachment A to this Agreement, the Alliance and EPA will file a joint motion for dismissal with prejudice in accordance with Rule 42(b) of the Federal Rules of Appellate Procedure.

**DATES:** Written comments on the proposed settlement agreement must be received by *July 30, 2009*.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2009-0471, online at <http://www.regulations.gov> (EPA’s preferred method); by e-mail to [oei.docket@epa.gov](mailto:oei.docket@epa.gov); by mail 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 3334, 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 Word 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:**

Susan Stahle, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone: (202) 564-1272; fax number (202) 564-5603; e-mail address: [stahle.susan@epa.gov](mailto:stahle.susan@epa.gov).

**SUPPLEMENTARY INFORMATION:**

#### I. Additional Information About the Proposed Settlement Agreement

This proposed settlement agreement would resolve a petition for review filed by the Alliance challenging regulations promulgated by EPA in a final rule entitled “National Emission Standards for Hazardous Air Pollutants for Source Categories: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities, and Gasoline Dispensing Facilities,” 73 FR 1916 (Jan. 10, 2008), published at 40 CFR part 63, subpartsBBBBBB and CCCCCC (the “Gasoline Distribution NESHAP”). Specifically, the Alliance challenged the Gasoline Distribution NESHAP by raising three issues regarding: (1) Allegedly duplicative requirements under

Subparts BBBB and CCCCC; (2) application of the Gasoline Distribution NESHAP to engine testing facilities; and (3) application of the Gasoline Distribution NESHAP to tanks solely used to fuel emergency generators and fire pumps. Under the terms of the proposed settlement agreement, EPA will sign and submit for publication in the **Federal Register** a notice of proposed rulemaking to amend the Gasoline Distribution NESHAP that contains amendments that are substantially the same in substance as set forth in Attachment A to this Agreement as expeditiously as practicable after entry of this Agreement. If EPA signs and submits for publication in the **Federal Register** a notice of final rulemaking to amend the Gasoline Distribution NESHAP that contains amendments that are substantially the same in substance as set forth in Attachment A to this Agreement, the Alliance and EPA will file a joint motion for dismissal with prejudice in accordance with Rule 42(b) of the Federal Rules of Appellate Procedure.

For a period of thirty (30) days following the date of publication of this notice, the Agency will accept written comments relating to the proposed settlement agreement from persons who were not named as parties or intervenors to the litigation in question. EPA or the Department of Justice may withdraw or withhold consent to the proposed settlement agreement 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 determines, based on any comment submitted, that consent to this settlement agreement should be withdrawn, the terms of the agreement will be affirmed.

## II. Additional Information About Commenting on the Proposed Settlement Agreement

### A. How Can I Get A Copy of the Settlement Agreement?

The official public docket for this action (identified by Docket ID No. EPA-HQ-OGC-2009-0471) contains a copy of the proposed settlement agreement. 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 3334, 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 <http://www.regulations.gov>. You may use the <http://www.regulations.gov> 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 online at <http://www.regulations.gov> without change, unless the comment contains copyrighted material, CBI, or 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 the 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.

Use of the <http://www.regulations.gov> Web site 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 <http://www.regulations.gov>, 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: June 24, 2009.

**Richard B. Ossias,**

*Associate General Counsel.*

[FR Doc. E9-15418 Filed 6-29-09; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8924-6]

### Science Advisory Board Staff Office; Notification of Request for Nomination of Experts Clean Air Scientific Advisory Committee (CASAC) Carbon Monoxide Review Panel

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

**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency (EPA) Science Advisory Board (SAB) Staff Office is soliciting nominations of experts to augment the EPA's Clean Air Scientific Advisory Committee (CASAC) Carbon Monoxide Review Panel.

**DATES:** Nominations should be submitted by July 31, 2009.

**FOR FURTHER INFORMATION CONTACT:** Any member of the public who wants further information regarding this request may contact Dr. Ellen Rubin, 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) 343-9975 or e-mail at [rubin.ellen@epa.gov](mailto:rubin.ellen@epa.gov). General