

U.S.C. 824(e), 825(e) and 825(h), PJM Interconnection, L.L.C. (PJM or Complainant) filed a formal complaint against the Midwest Independent Transmission System Operator, Inc. (Midwest ISO or Respondent) alleging that the Midwest ISO violated their, Midwest ISO and PJM, Joint Operating Agreement (JOA), through its practice of initiating the JOA market-to-market process for “substitute” or “proxy” flowgates.

The Complainant states that a copy of the complaint has been served on the Respondent.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission’s Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. The Respondent’s answer and all interventions, or protests must be filed on or before the comment date. The Respondent’s answer, motions to intervene, and protests must be served on the Complainants.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the “eFiling” link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the “eLibrary” link and is available for review in the Commission’s Public Reference Room in Washington, DC. There is an “eSubscription” link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

*Comment Date:* 5 p.m. Eastern Time on May 03, 2010.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. 2010-8996 Filed 4-19-10; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. CP07-62-000 and CP07-63-000]

#### AES Sparrows Point LNG, LLC and Mid-Atlantic Express, LLC; Notice of Final General Conformity Determination for Pennsylvania for the Proposed Sparrows Point LNG Terminal and Pipeline Project

April 13, 2010.

On March 1, 2010, the staff of the Federal Energy Regulatory Commission (FERC or Commission) issued a revised draft Final General Conformity Determination (GCD) for Pennsylvania to assess the potential air quality impacts associated with the construction and operation of a liquefied natural gas (LNG) import terminal and natural gas pipeline proposed by AES Sparrows Point LNG, LLC and Mid-Atlantic Express, LLC, in the above-referenced dockets. In accordance with the General Conformity Regulations under the Code of Federal Regulations chapter 40 section 51.856 the draft Final GCD was issued for a 30-day public comment period. No comments were received on the draft Final GCD for Pennsylvania; therefore, the Commission staff is issuing this notice to announce the draft Final GCD is now the Final GCD for Pennsylvania.

The GCD was prepared to satisfy the requirements of the Clean Air Act. The FERC staff concludes that the Project will achieve conformity in Pennsylvania. On December 29, 2009, a separate Final General Conformity Determination was issued for Maryland concluding that the Project will achieve conformity in Maryland as well.

Copies of the revised draft Final GCD were previously mailed to the U.S. Environmental Protection Agency, Region III, the Maryland Department of Natural Resources, the Maryland Department of Environment, the Pennsylvania Department of Environmental Protection, and the Virginia Department of Environmental Quality.

The GCD for Pennsylvania addresses the potential air quality impacts from the construction and operation of the following LNG terminal and natural gas pipeline facilities:

- A ship unloading facility, with two berths, capable of receiving LNG ships with capacities up to 217,000 m<sup>3</sup>;
- Three 160,000 m<sup>3</sup> (net capacity) full-containment LNG storage tanks;
- A closed-loop shell and tube heat exchanger vaporization system;

- Various ancillary facilities including administrative offices, warehouse, main control room, security building, and a platform control room;
- Meter and regulation (M&R) station within the LNG Terminal site; and
- Approximately 88 miles of 30-inch-diameter natural gas pipeline (48 miles in Maryland and 40 miles in Pennsylvania), a pig launcher and receiver facility at the beginning and ending of the pipeline, 10 mainline valves, and three M&R stations, one at each of three interconnection sites at the end of the pipeline.

The Final GCD is the revised draft Final GCD which was placed in the public files of the FERC on March 1, 2010 and is available for public viewing on the FERC’s Web site at <http://www.ferc.gov> using the eLibrary link. A limited number of copies of the revised draft Final GCD are available for distribution and public inspection at: Federal Energy Regulatory Commission, Public Reference Room, 888 First Street, NE., Room 2A, Washington, DC 20426, (202) 502-8371.

Additional information about the project is available from the Commission’s Office of External Affairs at (866) 208-FERC. The administrative public record for this proceeding to date is on the FERC Web site <http://www.ferc.gov>. Go to Documents & Filings and choose the eLibrary link. Under eLibrary, click on “General Search,” and enter the docket number excluding the last three digits in the Docket Number field (e.g., CP07-62). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at: [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at (866) 208-3676, or for TTY call (202) 502-8659. The eLibrary link on the FERC Web site also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. 2010-8998 Filed 4-19-10; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. PR10-15-000]

#### Bay Gas Storage Company, Ltd.; Notice of Petition for Rate Approval

April 13, 2010.

Take notice that on April 8, 2010, Bay Gas Storage Company, Ltd. (Bay Gas)

filed a petition for rate approval pursuant to section 284.123(b)(2) of the Commission's regulations. In addition to proposing increases to its firm and interruptible transportation rates on its Mainline and Whistler Spur facilities, Bay Gas proposes firm and interruptible transportation rates on its newly constructed Transco Lateral.

Any person desiring to participate in this rate proceeding must file a motion to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the date as indicated below. Anyone filing an intervention or protest must serve a copy of that document on the Applicant. Anyone filing an intervention or protest on or before the intervention or protest date need not serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

*Comment Date:* 5 p.m. Eastern Time April 26, 2010.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. 2010-8995 Filed 4-19-10; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9139-4]

### Notice of Availability of Draft National Pollutant Discharge Elimination System (NPDES) General Permit for Residually Designated Discharges in Milford, Bellingham and Franklin, MA; and Notice of Availability of Proposed Amendments to the Preliminary Residual Designation Issued by EPA on November 12, 2008

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

**ACTION:** Notice of Availability of draft NPDES general permit.

**SUMMARY:** The Director of the Office of Ecosystem Protection, Environmental Protection Agency-Region 1 (EPA), is issuing this Notice of Availability of a draft NPDES general permit for storm water discharges in the Charles River watershed within Milford, Bellingham, and Franklin, Massachusetts, from sites that are proposed for final designation for NPDES permitting pursuant to EPA's residual designation authority, so called, provided by Section 402(p)(2)(E) and (6) of the Clean Water Act (CWA) as implemented through regulatory provisions at 40 CFR 122.26(a)(9)(i)(C) and (D).

Those sections provide that in states where there is no approved state program, the EPA Regional Administrator may designate a storm water discharge as requiring an NPDES permit where he determines that: "\* \* \* (C) storm water controls are needed for the discharge based on wasteload allocations that are part of total maximum daily loads that address the pollutants of concern, or (D) the discharge, or category of discharges within a geographic area, contributes to a violation of a water quality standard or is a significant contributor of pollutants to waters of the United States." The storm water discharges subject to the draft permit are proposed for final designation for NPDES permitting because their control is necessary based on wasteload allocations in the Lower Charles River Phosphorus TMDL ("the TMDL") and because they are contributing to water quality standards violations.

On November 12, 2008, the Regional Administrator for EPA Region 1 made a preliminary determination that designated discharges, as defined in that preliminary designation determination and as described below, warranted NPDES permit coverage. That determination is documented in the EPA Region 1 Record of Decision (ROD)

dated November 12, 2008, that can be found on EPA Region 1's Web site at: <http://www.epa.gov/region1/npdes/stormwater>.

At the time of the preliminary determination, EPA invited comment on its decision until the close of the comment period on the permit discussed in this notice.

EPA is today proposing amendments, discussed below, to that Preliminary Residual Designation. EPA is also publishing a draft general permit that will cover those designated discharges. This draft NPDES general permit establishes Notice of Intent (NOI) requirements, prohibitions, and storm water management practices for storm water discharges from designated discharge sites. The draft general permit, appendices, and fact sheet are available at: <http://www.epa.gov/region1/npdes/stormwater>.

**DATES:** The public comment period is from April 20, 2010 to June 30, 2010. Interested persons may submit comments on the draft general permit to EPA-Region 1, at the address given below, no later than midnight June 30, 2010. Those comments will be placed in the administrative record for the designation and permit. The general permit shall be effective on the date specified in the **Federal Register** publication of the Notice of Availability of the final general permit. The final general permit will expire five years from its effective date.

**ADDRESSES:** Submit comments identified by Docket ID No. EPA-R01-OW-2010-0292 by one of the following methods:

- <http://www.regulations.gov>: Follow the on-line instructions for submitting comments.
- *E-mail:* [Voorhees.mark@epa.gov](mailto:Voorhees.mark@epa.gov).
- *Mail:* Mark Voorhees, US EPA—Region 1, 5 Post Office Square—Suite 100, Mail Code—OEP 06-4, Boston, MA 02109-3912.

No facsimiles (faxes) will be accepted.

The draft permit is based on an administrative record available for public review at EPA-Region 1, Office of Ecosystem Protection, 5 Post Office Square—Suite 100, Boston, Massachusetts 02109-3912. The following **SUPPLEMENTARY INFORMATION** section sets forth principal facts and the significant factual, legal, and policy questions considered in the development of the draft permit. A reasonable fee may be charged for copying requests.

*Public Meeting Information:* EPA—Region 1 will hold a public meeting to provide information on the draft general permit and its requirements. The public