

*Docket Numbers:* ER10-1282-000.

*Applicants:* Progress Energy, Inc.

*Description:* Carolina Power & Light Co. et al. submits Third Revised Sheet 210 et al. to FERC Electric Tariff, Fourth Revised Volume 3 for inclusion in their Joint Open Access Transmission Tariff.

*Filed Date:* 05/20/2010.

*Accession Number:* 20100520-0207.

*Comment Date:* 5 p.m. Eastern Time on Thursday, June 10, 2010.

Any person desiring to intervene or to protest in any of the above proceedings 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) on or before 5 p.m. Eastern time on the specified comment date. It is not necessary to separately intervene again in a subocket related to a compliance filing if you have previously intervened in the same docket. 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. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. In reference to filings initiating a new proceeding, interventions or protests submitted on or before the comment deadline need not be served on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 14 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First St., NE., Washington, DC 20426.

The filings in the above proceedings are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also 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.

**Nathaniel J. Davis, Sr.,**

*Deputy Secretary.*

[FR Doc. 2010-12983 Filed 5-28-10; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 1888-027]

### York Haven Power Company, LLC; Notice of Dispute Resolution Panel Meeting and Technical Conference

May 24, 2010.

On May 19, 2010, Commission staff, in response to the filing of a notice of study dispute by the Pennsylvania Department of Environmental Protection on April 29, 2010, convened a single three-person Dispute Resolution Panel (Panel) pursuant to 18 CFR 5.14(d).

The Panel will hold a technical conference at the time and place noted below. The technical conference will address a dispute pertaining to the study of resident fish passage at the York Haven East Channel Fishway.

The purpose of the technical session is for the disputing agencies, applicants, and Commission to provide the Panel with additional information necessary to evaluate the disputed study. All local, State, and Federal agencies, Indian Tribes, and other interested parties are invited to attend the meeting as observers. The Panel may also request information or clarification on written submissions as necessary to understand the matters in dispute. The Panel will limit all input that it receives to the specific studies or information in dispute and will focus on the applicability of such studies or information to the study criteria stipulated in 18 CFR 5.9(b). If the number of participants wishing to speak creates time constraints, the Panel may, at their discretion, limit the speaking time for each participant.

### Technical Conference

*Date:* Monday, June 14, 2010.

*Time:* 1 p.m.-5 p.m. (EDT)

*Place:* Harrisburg Holiday Inn and Conference Center, I-83 & PA Turnpike, Exit 242, New Cumberland, PA.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. 2010-12992 Filed 5-28-10; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RM07-10-002]

### Transparency Provisions of Section 23 of the Natural Gas Act; Notice of Extension of Time

May 24, 2010.

In comments following the March 25, 2010 Technical Conference in the above-referenced proceeding, the Natural Gas Supply Association, Shell Producers,<sup>1</sup> Process Gas Consumers Group, and Independent Petroleum Association of America (Commenters) requested that the Commission extend the deadline for filing the 2009 Form No. 552 for an additional 60 to 90 days from the current deadline of July 1, 2010. The Commenters contend that the additional time will allow filers to prepare the Form No. 552 based on any additional guidance that the Commission will provide in the future.

Upon consideration, notice is hereby given that all natural gas market participants are granted an extension of time until September 1, 2010 to file their Form No. 552 for calendar year 2009.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. 2010-12995 Filed 5-28-10; 8:45 am]

**BILLING CODE 6717-01-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9156-8]

### Approval of a Petition for Exemption from Hazardous Waste Disposal Injection Restrictions to Cabot Corporation Tuscola, Tuscola, IL

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of final decision on petition.

**SUMMARY:** Notice is hereby given by the United States Environmental Protection Agency (EPA) that an exemption to the land disposal restrictions under the 1984 Hazardous and Solid Waste Amendments (HSWA) to the Resource Conservation and Recovery Act (RCRA) has been granted to Cabot Corporation Tuscola Plant (Cabot Corporation) of Tuscola, Illinois, for two Class I injection wells located in Tuscola, Illinois. As required by 40 CFR part 148,

<sup>1</sup> Shell Gulf of Mexico, Shell Offshore Inc., and SWEPI LP.

Cabot Corporation has demonstrated, to a reasonable degree of certainty, that there will be no migration of hazardous constituents out of the injection zone or into an underground source of drinking water (USDW) for at least 10,000 years. This final decision allows the continued underground injection by Cabot Corporation of specific restricted wastes from the silica production processes (codes D002, F003, and F039 under 40 CFR part 261), into two Class I hazardous waste injection wells specifically identified as Injection Wells No. 2 and No. 3 at the Tuscola facility. This decision constitutes a final EPA action for which there is no Administrative Appeal.

**DATES:** This action is effective as of June 1, 2010.

**FOR FURTHER INFORMATION CONTACT:**

Dana Rzeznik, Lead Petition Reviewer, EPA, Region V, telephone (312) 353-6492. Copies of the petition and all pertinent information relating thereto are on file and are part of the Administrative Record. It is recommended that you contact the lead reviewer prior to reviewing the Administrative Record.

**SUPPLEMENTARY INFORMATION:**

**Background**

Cabot Corporation submitted a petition for renewal of an existing exemption from the land disposal restrictions of hazardous waste on March 8, 2007. EPA personnel reviewed all data pertaining to the petition, including, but not limited to, well construction, well operations, regional and local geology, seismic activity, penetrations of the confining zone, and computational models of the injection zone. EPA has determined that the geologic setting at the site as well as the construction and operation of the well are adequate to prevent fluid migration out of the injection zone within 10,000 years, as required under 40 CFR part 148. The injection zone at this site is composed of the Upper Franconia, Potosi, Eminence and Oneota formations at depths between 4,442 feet and 5,400 feet below ground level. The confining zone is the Shakopee formation at depths between 4,101 feet and 4,442 feet below ground level. The confining zone is separated from the lowermost underground source of drinking water (at a depth of 2700 feet below ground level) by a sequence of permeable and less permeable sedimentary rocks, which provide additional protection from fluid migration into drinking water sources.

EPA issued a draft decision, which described the reasons for granting this

exemption in more detail, a fact sheet, which summarized these reasons, and a public notice on December 28, 2009, pursuant to 40 CFR 124.10. The public comment period expired on February 1, 2010. EPA received no comments on the proposed exemption granted to Cabot Corporation. A final exemption is therefore granted as proposed.

**Conditions**

This exemption is subject to the following conditions. Non-compliance with any of these conditions is grounds for termination of the exemption:

(1) All regulatory requirements in 40 CFR 148.23 and 148.24 are incorporated by reference;

(2) The exemption applies to two existing injection wells, Well #2 and Well #3 located at the Cabot Corporation facility at 700 E. U.S. Highway 36, in the City of Tuscola in Douglas County, Illinois;

(3) Injection is limited to that part of Upper Franconia, Potosi, Eminence and Oneota formations at depths between 4,442 and 5,400 feet;

(4) Only wastes denoted by the waste codes D002, F003 and F039 may be injected;

(5) The concentrations of constituents of the injected waste will not exceed the amounts listed in Table 1-1 in the petition document;

(6) The volume of wastes injected in any month through the wells must not exceed 17,280,000 gallons;

(7) This exemption is approved for the 21-year modeled injection period, which ends on December 31, 2027. Cabot Corporation may petition EPA for a reissuance of the exemption beyond that date, provided that a new and complete petition and no-migration demonstration is received at EPA, Region 5, by July 1, 2027;

(8) Cabot Corporation shall quarterly submit to EPA a report containing a fluid analysis of the injected waste which shall indicate the chemical and physical properties upon which the no-migration petition was based, including the physical and chemical properties listed in Conditions 5 and 6 of this exemption approval;

(9) Cabot Corporation shall annually submit to EPA a report containing the results of a bottom hole pressure survey (fall-off test) performed on Well #2 and Well #3 (alternating years). The survey shall be performed after shutting in the well for a period of time sufficient to allow the pressure in the injection interval to reach equilibrium, in accordance with 40 CFR 146.68(e)(1). The annual report shall include a comparison of reservoir parameters determined from the fall-off test with

parameters used in the approved no-migration petition;

(10) The petitioner shall fully comply with all requirements set forth in Underground Injection Control Permit UIC-011-CC issued by the Illinois Environmental Protection Agency; and

(11) Whenever EPA determines that the basis for approval of a petition may no longer be valid, EPA may terminate this exemption and will require a new demonstration in accordance with 40 CFR 148.20.

Dated: March 5, 2010.

**Tinka G. Hyde,**

*Director, Water Division, EPA Region 5.*

[FR Doc. 2010-13089 Filed 5-28-10; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-9157-2; Docket ID No. EPA-HQ-ORD-2009-0934]

**The Effects of Mountaintop Mines and Valley Fills on Aquatic Ecosystems of the Central Appalachian Coalfields and a Field-Based Aquatic Life Benchmark for Conductivity in Central Appalachian Streams**

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

**ACTION:** Extension of Public Comment Period to July 13, 2010.

**SUMMARY:** EPA is announcing an extension of the public comment period for two related draft documents: (1) "The Effects of Mountaintop Mines and Valley Fills on Aquatic Ecosystems of the Central Appalachian Coalfields" (EPA/600/R-09/138A) and (2) "A Field-based Aquatic Life Benchmark for Conductivity in Central Appalachian Streams" (EPA/600/R-10/023A). We are specifically extending the comment period to give the public an opportunity to evaluate the data used to derive a benchmark for conductivity. By following the link below, reviewers may download the initial data and EPA's derivative data sets that were used to calculate the conductivity benchmark. These reports were developed by the National Center for Environmental Assessment (NCEA) within EPA's Office of Research and Development as part of a set of actions taken by EPA to further clarify and strengthen environmental permitting requirements for Appalachian mountaintop removal and other surface coal mining projects, in coordination with Federal and State regulatory agencies (<http://www.epa.gov/owow/wetlands/guidance/mining.html>).