

for the advisory meeting or teleconference. Submitters are requested to provide an unsigned version of each document because the SAB Staff Office does not publish documents with signatures on its Web sites. Members of the public should be aware that their personal contact information, if included in any written comments, may be posted to the CASAC Web site. Copyrighted material will not be posted without explicit permission of the copyright holder.

**Accessibility:** For information on access or services for individuals with disabilities, please contact Mr. Aaron Yeow at (202) 564-2050 or [yeow.aaron@epa.gov](mailto:yeow.aaron@epa.gov). To request accommodation of a disability, please contact Mr. Yeow preferably at least ten days prior to the public meeting and/or teleconference to give EPA as much time as possible to process your request.

Dated: March 6, 2012.

**Vanessa T. Vu,**

*Director, EPA Science Advisory Board Staff Office.*

[FR Doc. 2012-6029 Filed 3-12-12; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9645-7]

### Notice of Proposed Administrative Settlement Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act

**AGENCY:** Environmental Protection Agency.

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

**SUMMARY:** In accordance with Section 122 (i) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), 42 U.S.C. 9622(i), notice is hereby given of a proposed administrative settlement concerning the Arkansas Waste to Energy Superfund Site, located in Osceola, Mississippi County, Arkansas.

The settlement requires the six (6) settling parties to pay a total of \$118,503.00 as payment of response costs to the Hazardous Substances Superfund, as well as remove the remaining 708 drums still onsite. The settlement includes a covenant not to sue pursuant to Section 106 and 107 of CERCLA, 42, U.S.C. 9606 and 9607.

For thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating

to this notice and will receive written comments relating to the settlement. The Agency will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations which indicate that the settlement is inappropriate, improper, or inadequate. The Agency's response to any comments received will be available for public inspection at 1445 Ross Avenue, Dallas, Texas 75202-2733.

**DATES:** Comments must be submitted on or before April 12, 2012.

**ADDRESSES:** The proposed settlement and additional background information relating to the settlement are available for public inspection at 1445 Ross Avenue, Dallas, Texas 75202-2733. A copy of the proposed settlement may be obtained from Cynthia Brown at, 1445 Ross Avenue, Dallas, Texas 75202-2733 or by calling (214) 665-7480. Comments should reference the Arkansas Waste to Energy Superfund Site, located in Osceola, Mississippi County, Arkansas, and EPA Docket Number 06-11-08, and should be addressed to Cynthia Brown at the address listed above.

**FOR FURTHER INFORMATION CONTACT:** Cynthia Brown 1445 Ross Avenue, Dallas, Texas 75202-2733 or call (214) 665-7480.

Dated: February 29, 2012.

**Al Armendariz,**

*Regional Administrator.*

[FR Doc. 2012-6026 Filed 3-12-12; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9646-7]

### Proposed Consent Decree, Clean Air Act Citizen Suit

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

**ACTION:** Notice of proposed consent decree; request for public comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("CAA" or the "Act"), 42 U.S.C.

7413(g), notice is hereby given of a proposed consent decree to address a lawsuit filed by Kentucky Environmental Foundation in the United States District Court for the District of Columbia: *Kentucky Environmental Foundation v. Jackson*, No. 11-1253 (D.D.C.). Plaintiff filed a complaint and a first amended complaint alleging that EPA failed to take timely action to approve, disapprove, or approve in part and disapprove in part the State of

Kentucky's State Implementation Plan submittals or portions of submittals for: (1) The Kentucky portion of the Cincinnati-Hamilton area, submitted to EPA on or about December 3, 2008, with regard to the 1997 annual fine particular matter (PM<sub>2.5</sub>) National Ambient Air Quality Standard (NAAQS); and (2) the Kentucky portion of the Louisville area, submitted to EPA on or about December 3, 2008, with regard to the 1997 annual PM<sub>2.5</sub> NAAQS. The proposed consent decree establishes a deadline of October 1, 2012, for EPA to take action on the Louisville submittal.

**DATES:** Written comments on the proposed consent decree must be received by April 12, 2012.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2012-0190, online at [www.regulations.gov](http://www.regulations.gov) (EPA's preferred method); by email 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:** Stephanie L. Hogan, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone: (202) 564-3244; fax number (202) 564-5603; email address:

[Hogan.stephanie@epa.gov](mailto:Hogan.stephanie@epa.gov).

#### SUPPLEMENTARY INFORMATION:

#### I. Additional Information About the Proposed Consent Decree

The proposed consent decree would resolve a lawsuit filed by Kentucky Environmental Foundation seeking to compel the Agency to take final action under sections 110(k)(2) and (3) of the CAA, 42 U.S.C. 7410(k)(2) and (3), on the State of Kentucky's State Implementation Plan (SIP) submittals dated December 3, 2008. Specifically, the lawsuit seeks to compel the Agency to take final action, pursuant to section 110(k) of the CAA, 42 U.S.C. 7410(k), on the 1997 P.M.<sub>2.5</sub> nonattainment area requirements, including the attainment demonstrations, contingency measures, emissions inventories, and reasonably

available control measures/reasonably available control technology requirements in the Cincinnati-Hamilton SIP and the Louisville SIP.

On March 9, 2011, and September 29, 2011, respectively, EPA determined that the Cincinnati-Hamilton and the Louisville areas had attained the 1997 annual PM<sub>2.5</sub> NAAQS. See 76 FR 12860; 76 FR 60373. On September 30, 2011, the State of Kentucky withdrew its previously submitted attainment demonstrations, contingency measures, and reasonably available control measures for the Cincinnati-Hamilton SIP and the Louisville SIP but did not withdraw any portions of its submittals for the Cincinnati-Hamilton SIP and the Louisville SIP that pertain to emissions inventories. On December 15, 2011, EPA approved the emissions inventory in the Cincinnati-Hamilton SIP. See 76 FR 77903.

The proposed consent decree requires that, no later than October 1, 2012, the appropriate EPA official shall sign a notice of final rulemaking approving, disapproving, or approving in part and disapproving in part the emissions inventory in the Louisville SIP. In addition, the proposed consent decree requires that, following signature, EPA shall expeditiously deliver the notice to the Office of the Federal Register for publication in the **Federal Register** and shall thereafter provide a copy of the notice to Plaintiff within ten (10) days. After EPA fulfills its obligations under the proposed consent decree, the consent decree may be terminated.

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 consent decree 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 consent decree 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 that consent to this consent decree should be withdrawn, the terms of the proposed consent decree will be affirmed.

## II. Additional Information About Commenting on the Proposed Consent Decree

### A. How can I get a copy of the consent decree?

The official public docket for this action (identified by Docket ID No. EPA-HQ-OGC-2012-0190) contains a

copy of the proposed consent decree. 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 [www.regulations.gov](http://www.regulations.gov). You may use [www.regulations.gov](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, key in the appropriate docket identification number then select "search".

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 [www.regulations.gov](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 email 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 [www.regulations.gov](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, email 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 (email) system is not an "anonymous access" system. If you send an email comment directly to the Docket without going through [www.regulations.gov](http://www.regulations.gov), your email 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: March 6, 2012.

**Patricia Embrey,**

*Acting Associate General Counsel.*

[FR Doc. 2012-6028 Filed 3-12-12; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9646-6]

### Proposed Consent Decree, Clean Air Act Citizen Suit

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

**ACTION:** Notice of Proposed Consent Decree; Request for Public Comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("CAA"), 42 U.S.C. 7413(g), notice is hereby given of a proposed consent decree to resolve a lawsuit filed by Midwest Environmental Defense Center, Inc., and Clean Water Action Council of Northeast Wisconsin ("Plaintiffs"), in the United States District Court for the District of Columbia: *Midwest Environmental Defense Center, Inc., et al. v. Jackson*, No. 11-cv-02137-BAH (D. D.C.). On July 23, 2011, Plaintiffs filed a deadline suit to compel the