

Dated: November 30, 2012.

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

*Deputy Secretary.*

[FR Doc. 2012-29581 Filed 12-6-12; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. EL13-27-000; QF86-613-007]

#### Western Power and Steam, Inc.; Notice of Petition for Declaratory Order

Take notice that on November 30, 2012, pursuant to section 292.205(c) of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure implementing the Public Utility Regulatory Policies Act of 1978, as amended, 18 CFR 292.205(c), Western Power and Steam, Inc. (Western) filed a petition for declaratory order requesting a limited waiver, for calendar year 2012, of the qualifying facility operating and efficiency standards set forth in sections 292.205(a)(1) and 292.205 (a)(2)(i)(B) of the Commission's regulations for the topping-cycle cogeneration facility owned and operated by Western located at Bakersfield, California.

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. Such notices, motions, or protests must be filed on or before the comment date. On or before the comment date, it is not necessary to 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 email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

*Comment Date:* 5:00 p.m. Eastern Time on December 31, 2012.

Dated: December 3, 2012.

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

*Deputy Secretary.*

[FR Doc. 2012-29578 Filed 12-6-12; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-9006-4]

### Environmental Impacts Statements; Notice of Availability

*Responsible Agency:* Office of Federal Activities, General Information (202) 564-7146 or <http://www.epa.gov/compliance/nepa/>.

Weekly receipt of Environmental Impact Statements.

Filed 11/26/2012 Through 11/30/2012. Pursuant to 40 CFR 1506.9.

#### Notice

Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: <http://www.epa.gov/compliance/nepa/eisdata.html>.

*Supplementary Information:* As of October 1, 2012, EPA will not accept paper copies or CDs of EISs for filing purposes; all submissions on or after October 1, 2012 must be made through e-NEPA.

While this system eliminates the need to submit paper or CD copies to EPA to meet filing requirements, electronic submission does not change requirements for distribution of EISs for public review and comment. To begin using e-NEPA, you must first register with EPA's electronic reporting site—[https://cdx.epa.gov/epa\\_home.asp](https://cdx.epa.gov/epa_home.asp).

*EIS No. 20120374, Draft EIS, NOAA, 00,*

Amendment 5 to the Consolidated Atlantic Highly Migratory Species Fishery Management Plan, Atlantic Ocean, Caribbean Sea, and Gulf of Mexico, Comment Period Ends: 02/12/2013, Contact: Peter Cooper 301-427-8503. Due to an oversight, the above document should have appeared in the 11/23/2012 FR Notice.

*EIS No. 20120375, Draft EIS, FHWA, FL,* U.S. 301 (State Road 200) CR 227 to

CR 233, Improvements, Bradford County, FL, Comment Period Ends: 01/22/2013, Contact: Joseph Sullivan 850-553-2248.

*EIS No. 20120376, Draft EIS, USFWS, AZ,* Pima County Multi-Species Conservation Plan, Pima County, AZ, Comment Period Ends: 03/15/2013, Contact: Jeff Servoss 520-670-6150, ext. 231

*EIS No. 20120377, Draft EIS, RUS, ND,* Antelope Valley Station to Neset Transmission Project, Mercer, Dunn, Billings, Williams, McKenzie, and Mountrail Counties, ND, Comment Period Ends: 01/22/2013, Contact: Dennis Rankin 202-720-1953.

*EIS No. 20120378, Draft EIS, USACE, OK,* Eufaula Lake Shoreline Management Plan Revision and Master Plan Supplement, Pittsburg, McIntosh, Haskell, Latimer, Muskogee, and Okmulgee Counties, OK, Comment Period Ends: 01/22/2013, Contact: Jeff Knack 918-669-7666.

#### Amended Notices

*EIS No. 20120320, Draft EIS, FTA, MN,* Southwest Transitway Construction and Operation Light Rail Transit, Hennepin County, MN, Comment Period Ends: 12/31/2012, Contact: Marisol Simon 312-353-2789.

Revision to FR Notice Published 10/12/2012; Extending Comment Period from 12/11/2012 to 12/31/2012.

Dated: December 4, 2012.

**Cliff Rader,**

*Director, NEPA Compliance Division, Office of Federal Activities.*

[FR Doc. 2012-29685 Filed 12-6-12; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9759-2]

### 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"), notice is hereby given of a proposed consent decree to address a lawsuit filed by Sierra Club in the United States District Court for the District of Columbia: *Sierra Club v. Jackson*, No. 1:08-cv-00424 RWR (D. DC). Sierra Club filed a complaint alleging that EPA failed to meet its obligations under section 112(e)(1)(E) of