

*Comments Due:* 5 p.m. ET 7/17/17.

*Docket Number:* PR17–51–000.

*Applicants:* Acacia Natural Gas, L.L.C.

*Description:* Tariff filing per 284.123(b),(e)/: Acacia Revisions to Update Corporate Address to be effective 6/28/2017.

*Filed Date:* 6/28/17.

*Accession Number:* 201706285175.

*Comments/Protests Due:* 5 p.m. ET 7/19/17.

*Docket Number:* PR17–52–000.

*Applicants:* Bridgeline Holdings, L.P.

*Description:* Tariff filing per 284.123(b),(e)/: Bridgeline Revisions to Update Corporate Address to be effective 6/28/2017.

*Filed Date:* 6/28/17.

*Accession Number:* 201706285176.

*Comments/Protests Due:* 5 p.m. ET 7/19/17.

*Docket Number:* PR17–53–000.

*Applicants:* Black Hills Gas Distribution LLC.

*Description:* Tariff filing per 284.123(b),(e)+(g): Revised Statement of Operating Conditions to be effective 6/1/2017.

*Filed Date:* 6/29/17.

*Accession Number:* 201706295176.

*Comments Due:* 5 p.m. ET 7/20/17.

*284.123(g) Protests Due:* 5 p.m. ET 8/28/17.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: July 5, 2017.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. 2017–14675 Filed 7–12–17; 8:45 am]

**BILLING CODE 6717–01–P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 4428–010]

#### Notice of Intent To File License Application, Filing of Pre-Application Document, Approving Use of the Traditional Licensing Process: Walden Hydro, LLC

a. *Type of Filing:* Notice of Intent to File License Application and Request to Use the Traditional Licensing Process.

b. *Project No.:* 4428–010.

c. *Date Filed:* May 31, 2017.

d. *Submitted By:* Walden Hydro, LLC.

e. *Name of Project:* Walden Hydroelectric Project.

f. *Location:* On the Wallkill River, in Orange County, New York. No federal lands are occupied by the project works or located within the project boundary.

g. *Filed Pursuant to:* 18 CFR 5.3 of the Commission's regulations.

h. *Potential Applicant Contact:* Kevin Webb, Enel Green Power North America, Inc., 100 Brickstone Square, Suite 300, Andover, MA 01810; (978) 935–6039; email—Kevin.Webb@enel.com.

i. *FERC Contact:* Jody Callihan at (202) 502–8278; or email at [jody.callihan@ferc.gov](mailto:jody.callihan@ferc.gov).

j. Walden Hydro, LLC filed its request to use the Traditional Licensing Process on May 31, 2017, and provided public notice of its request on June 6, 2017. In a letter dated July 6, 2017, the Director of the Division of Hydropower Licensing approved Walden Hydro, LLC's request to use the Traditional Licensing Process.

k. With this notice, we are initiating informal consultation with the U.S. Fish and Wildlife Service and NOAA Fisheries under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR, Part 402; and NOAA Fisheries under section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act and implementing regulations at 50 CFR 600.920. We are also initiating consultation with the New York State Historic Preservation Officer, as required by section 106, National Historic Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.

l. With this notice, we are designating Walden Hydro, LLC as the Commission's non-federal representative for carrying out informal consultation pursuant to section 7 of the Endangered Species Act and section 305(b) of the Magnuson-Stevens Fishery

Conservation and Management Act; and consultation pursuant to section 106 of the National Historic Preservation Act. m. Walden Hydro, LLC filed a Pre-Application Document (PAD; including a proposed process plan and schedule) with the Commission, pursuant to 18 CFR 5.6 of the Commission's regulations.

n. A copy of the PAD is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site (<http://www.ferc.gov>), using the "eLibrary" link. Enter the docket number, excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), (866) 208–3676 (toll free), or (202) 502–8659 (TTY). A copy is also available for inspection and reproduction at the address in paragraph h.

o. The licensee states its unequivocal intent to submit an application for a new license for Project No. 4428. Pursuant to 18 CFR 16.8, 16.9, and 16.10 each application for a new license and any competing license applications must be filed with the Commission at least 24 months prior to the expiration of the existing license. All applications for license for this project must be filed by May 31, 2020.

p. Register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filing and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

Dated: July 6, 2017.

**Nathaniel J. Davis, Sr.,**  
Deputy Secretary.

[FR Doc. 2017–14656 Filed 7–12–17; 8:45 am]

**BILLING CODE 6717–01–P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL–9964–85–Region 1]

### Notice of EPA's Action To Postpone the Effective Date of the EPA Region 1 Clean Water Act National Pollutant Discharge Elimination System General Permits for Stormwater Discharges From Small Municipal Separate Storm Sewer Systems in Massachusetts

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

**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency (EPA) is providing notice that it took action to postpone the effective



date of its Clean Water Act (CWA) National Pollutant Discharge Elimination System (NPDES) General Permits for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4s) in Massachusetts. By its action, EPA postponed the July 1, 2017 effective date of the permit for one year, to July 1, 2018. EPA's postponement is available at: [https://www3.epa.gov/region1/npdes/stormwater/MS4\\_MA.html](https://www3.epa.gov/region1/npdes/stormwater/MS4_MA.html).

**DATES:** Postponement date is June 29, 2017.

**FOR FURTHER INFORMATION CONTACT:** Thelma Murphy, Stormwater and Construction Permits Section OEP 06-4, Environmental Protection Agency, 5 Post Office Square—Suite 100, Boston, Massachusetts 02109-3912; 617.918.1615; email address: [murphy.thelma@epa.gov](mailto:murphy.thelma@epa.gov).

**SUPPLEMENTARY INFORMATION:** As stated in its postponement action, pursuant to section 705 of the Administrative Procedure Act (APA) (5 U.S.C. 705), and for the reasons stated below, the EPA postponed the effective date of the EPA-issued General Permits for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4s) in Massachusetts (Massachusetts permit) from July 1, 2017 to July 1, 2018.

## I. Background

EPA Region 1 issued the Massachusetts permit on April 4, 2016, with an effective date of July 1, 2017. Region 1 issued the previous general permit for Small MS4s in Massachusetts in 2003, which expired and was administratively continued for MS4s covered under that permit in 2008. EPA Region 1 issued the 2016 Massachusetts permit following issuance of the Commonwealth's CWA section 401 certification by the Massachusetts Department of Environmental Protection (MassDEP). The final 2016 permits were jointly issued by EPA and MassDEP, along with EPA's 632-page Response to Comments document.<sup>1</sup>

The Massachusetts Permit allows eligible small MS4s in Massachusetts to obtain NPDES permit coverage for their

stormwater discharges. Approximately 260 towns and other municipalities, which include a number of state and federally owned entities such as colleges, Veterans Administration hospitals, prisons and military bases in Massachusetts, are eligible to seek coverage under the permit.

Several parties filed petitions for review of the Massachusetts permit in the U.S. Court of Appeals for the D.C. Circuit. Petitioners are the Center for Regulatory Reasonableness (CRR), Conservation Law Foundation/Charles River Watershed Association, National Association of Homebuilders, the City of Lowell, and the Town of Franklin. The D.C. Circuit has consolidated these petitions. See *Center for Regulatory Reasonableness, et al. v. EPA*, No. 16-1246 (D.C. Circuit).

On April 21, 2017, the D.C. Circuit granted CRR's motion to indefinitely stay the briefing deadlines. Under the original briefing schedule, petitioners would have filed their opening briefs on May 8, 2017. CRR cited several justifications in its motion to stay the original briefing deadlines, including providing time for the New Hampshire small MS4 general permit's judicial review period to end, providing time to address certain questions about the administrative record, and deadlines that the petitioners were facing in non-related litigation. EPA did not oppose this motion. Motions to govern further proceedings are due July 20, 2017.

On May 26, 2017, three of the petitioners (the Massachusetts Coalition of Water Resources, the City of Lowell, and the Town of Franklin, hereafter the "Requestors") submitted a letter asking EPA Region 1 to postpone the July 1, 2017 effective date for one year pending judicial review under section 705 of the APA.

## II. Discussion

Upon consideration of the request, and for the reasons set forth below, EPA determined that justice requires postponement of the effective date.<sup>2</sup> Therefore, pursuant to APA section 705, EPA postponed the July 1, 2017 effective date for one year to July 1, 2018. EPA is providing notice of this postponement to the public, including all petitioners, all commenters, and all known potential permittees.

<sup>2</sup> The Region 1 Regional Administrator is authorized to act on behalf of EPA in this matter pursuant to 40 CFR 124.19(l), which grants regional administrators the authority to issue final NPDES permit decisions, which includes determining when a permit will take effect.

### A. The Request

The Requestors' May 26 letter asked EPA to postpone the July 1, 2017 effective date of the Massachusetts permit in the "interests of justice" because, the Requestors asserted, (1) the permit represents a significant expansion of EPA's CWA authority and the court must decide, among other things, whether EPA acted within its bounds by requiring that discharges meet water quality standards in addition to meeting the Maximum Extent Practicable ("MEP") standard; (2) it will align the Massachusetts permit's effective date with the effective date of the virtually identical New Hampshire small MS4 general permit, which was issued in January 2017, raises the same legal issues, and has also been challenged in the D.C. Circuit (as well as the 1st Circuit); and (3) although irreparable harm is not required for EPA to postpone the effective date under APA section 705, without it the towns will suffer irreparable harm by immediately expending resources that may ultimately prove to be unnecessary and wasted to avoid non-compliance and risk of enforcement.

### B. Analysis

In postponing the effective date of the Massachusetts permit, EPA stated in its findings that justice requires postponing the July 1, 2017 effective date of the Massachusetts permit for one year pending judicial review. EPA would like to explore the use of alternative dispute resolution (ADR) in this case in order to engage with the various petitioners and jointly see if there might be a resolution that could avoid the need for litigation. EPA believes that it is fair to postpone the effective date of the permit so that eligible MS4s in Massachusetts that could seek coverage under the permit would not be subject to enforceable permit terms and conditions under the Massachusetts permit that could change as a result of ADR. Postponing the effective date for one year pending judicial review should give EPA ample time to determine what, if any, changes are appropriate in the permit and to determine next steps.

Pending any such decision by the Agency, postponing the effective date of the permit for one year will postpone certain obligations—and the associated costs—that would otherwise be incurred in the first year's implementation of the Massachusetts permit. Such costs would include monetary and staff time for preparation and submittal of a Notice of Intent (NOI) to be covered by the permit. Also in the first year, in the absence of the postponement of the permit's

<sup>1</sup> Although the Region issues NPDES permits in Massachusetts, the Commonwealth maintains separate permitting authority under Massachusetts law. See Mass. Gen. Laws ch. 21, § 43; Mass. Code Regs. tit. 314. When the Region issues an NPDES permit in Massachusetts, MassDEP typically jointly issues a permit under state law. See *In re City of Marlborough*, 12 E.A.D. 235, 236 n.3 (EAB 2005); *In re Westborough*, 10 E.A.D. 297, 300 n.2 (EAB 2002). EPA's action in postponing the effective date of the Massachusetts permit does not affect the requirements of the permit issued by MassDEP under Massachusetts law.

effective date, the MS4s would have to update portions of their existing Stormwater Management Plans. Given the status of the litigation, the possibility that the parties will engage in ADR and that the Agency may decide to make changes to the permit, the Agency believes it is reasonable to defer imposition of these obligations and costs for the period of the postponement.

Moreover, postponing the effective date by one year will have the benefit of matching the Massachusetts permit's effective date with the effective date of the New Hampshire small MS4 general permit, which EPA Region 1 issued on January 18, 2017 and will take effect on July 1, 2018. Various parties have filed petitions for review of the New Hampshire permit in the D.C. Circuit, as well as one petition in the U.S. Court of Appeals for the First Circuit. EPA is also interested in exploring the use of ADR in that case. EPA has filed a motion with the First Circuit to transfer the petition that was filed there to the D.C. Circuit so that all of the New Hampshire petitions may be consolidated. Aligning the effective dates could promote efficiency in the resolution of both cases by facilitating the development of a unified ADR process that would address those issues raised in both permit appeals.

### C. Conclusion

Based on the above, EPA concluded that justice requires postponement of the effective date. Thus EPA postponed the July 1, 2017 effective date of the Massachusetts permit for one year to July 1, 2018.

Dated: June 30, 2017.

**Ken Moraff,**

*Acting Deputy Regional Administrator, EPA Region 1.*

[FR Doc. 2017-14731 Filed 7-12-17; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9964-00-Region 10]

### Public Water Supply Supervision Program; Program Revision for the State of Alaska

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

**ACTION:** Notice of tentative approval.

**SUMMARY:** Notice is hereby given that the State of Alaska has revised its approved State Public Water Supply Supervision Primacy Program. Alaska has adopted regulations analogous to

the Environmental Protection Agency's Revised Total Coliform Rule. EPA has determined that these revisions are no less stringent than the corresponding federal regulations. Therefore, EPA intends to approve these State program revisions. By approving these rules, EPA does not intend to affect the rights of federally recognized Indian tribes within "Indian country," nor does it intend to limit existing rights of the State of Alaska.

**DATES:** All interested parties may request a public hearing. A request for a public hearing must be submitted by August 14, 2017 to the Acting Regional Administrator at the EPA address shown below. Frivolous or insubstantial requests for a hearing may be denied by the Acting Regional Administrator. However, if a substantial request for a public hearing is made by August 14, 2017, a public hearing will be held. If no timely and appropriate request for a hearing is received and the Acting Regional Administrator does not elect to hold a hearing on his own motion, this determination shall become final and effective on August 14, 2017. Any request for a public hearing shall include the following information: (1) The name, address, and telephone number of the individual, organization, or other entity requesting a hearing; (2) a brief statement of the requesting person's interest in the Acting Regional Administrator's determination and a brief statement of the information that the requesting person intends to submit at such hearing; (3) the signature of the individual making the request, or, if the request is made on behalf of an organization or other entity, the signature of a responsible official of the organization or other entity.

**ADDRESSES:** All documents relating to this determination are available for inspection between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, at the Alaska Department of Environmental Conservation, Drinking Water Program, 555 Cordova Street, Anchorage, Alaska 99501 and between the hours of 9:00 a.m.-12:00 p.m. and 1:00-4:00 p.m. at the EPA Region 10 Library, 1200 Sixth Avenue, Seattle, Washington 98101. Copies of the documents which explain the rule can also be obtained at EPA's Web site at: <https://www.federalregister.gov/articles/2013/02/13/2012-31205/national-primary-drinking-water-regulations-revisions-to-the-total-coliform-rule> and <https://www.federalregister.gov/articles/2014/02/26/2014-04173/national-primary-drinking-water-regulations-minor-corrections-to-the-revisions-to-the-total-coliform>, or by writing or

calling Ricardi Duvil, Ph.D., at the address below.

**FOR FURTHER INFORMATION CONTACT:** Ricardi Duvil, Ph.D., EPA Region 10, Drinking Water Unit, 1200 Sixth Avenue, Suite 900, OWW-193, Seattle, Washington 98101, telephone (206) 553-2578, email at [duvil.ricardi@epa.gov](mailto:duvil.ricardi@epa.gov).

### SUPPLEMENTARY INFORMATION:

**Authority:** Section 1413 of the Safe Drinking Water Act, as amended (1996), and 40 CFR part 142 of the National Primary Drinking Water Regulations.

Dated: June 12, 2017.

**Michelle L. Pirzadeh,**

*Acting Regional Administrator, Region 10.*

[FR Doc. 2017-14758 Filed 7-12-17; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9964-68-OE1]

### Privacy Act of 1974; System of Records

**AGENCY:** Office of Environmental Information, Environmental Protection Agency (EPA).

**ACTION:** Notice of a Modified System of Records.

**SUMMARY:** Pursuant to the provisions of the Privacy Act of 1974, the Environmental Protection Agency (EPA) is giving notice that it is amending the system of record for the National Enforcement Training Institute (NETI) Online learning management system. The SORN is being amended to change the system name from NETI Online to the NETI eLearning Center and to change the system location from the Office of Criminal Enforcement to NETI in the Office of Compliance (the NETI division). The NETI eLearning Center is used by Federal, State, Local, and Tribal environmental enforcement and compliance personnel for online distance learning. The NETI eLearning Center maintains registration information of internal and external users and records of training attendance and completion.

**DATES:** Persons wishing to comment on this system of records notice must do so by August 14, 2017.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-OE1-2015-0201, by one of the following methods:

- [www.regulations.gov](http://www.regulations.gov): Follow the online instructions for submitting comments.
- Email: [oei.docket@epa.gov](mailto:oei.docket@epa.gov).