

*Draft*) (EPA/600/R-07/093aB and EPA/600/R-07/903bB, March 2008) should be directed to Dr. Dennis Kotchmar, ORD (by telephone: (919) 541-4158, or e-mail: *Kotchmar.dennis@epa.gov*). Any questions concerning EPA's *Risk and Exposure Assessment to Support the Review of the NO<sub>2</sub> Primary National Ambient Air Quality Standard: First Draft and Risk and Exposure Assessment to Support the Review of the NO<sub>2</sub> Primary National Ambient Air Quality Standard: Draft Technical Support Document (TSD)* should be directed to Dr. Scott Jenkins, OAR (by telephone: (919) 541-1167, or e-mail: *jenkins.scott@epa.gov*).

**Availability of Meeting Materials:** EPA-ORD's *Integrated Science Assessment for Oxides of Nitrogen—Health Criteria (Second External Review Draft)* can be accessed on EPA's National Center for Environmental Assessment Web site at: <http://cfpub.epa.gov/ncea/cfm/recordisplay.cfm?deid=189147>. EPA-OAR's *Risk and Exposure Assessment to Support the Review of the NO<sub>2</sub> Primary National Ambient Air Quality Standard: First Draft and Risk and Exposure Assessment to Support the Review of the NO<sub>2</sub> Primary National Ambient Air Quality Standard: Technical Support Document (TSD)* will be accessible via the Agency's Office of Air Quality Planning and Standards Web site at: [http://www.epa.gov/ttn/naaqs/standards/nox/s\\_nox\\_cr\\_rea.html](http://www.epa.gov/ttn/naaqs/standards/nox/s_nox_cr_rea.html). Agendas and materials in support of meeting and teleconference will be placed on the SAB Web site at: <http://www.epa.gov/casac> in advance.

**Procedures for Providing Public Input:** Interested members of the public may submit relevant written or oral information for the CASAC Panel to consider during the advisory process. **Oral Statements:** In general, individuals or groups requesting an oral presentation at a public meeting will be limited to five minutes per speaker, with no more than a total of one hour for all speakers. Interested parties should contact Dr. Angela Nugent, DFO, in writing (preferably via e-mail) by April 24, 2008 at the contact information noted above to be placed on the public speaker list for this meeting. To be placed on the public speaker list for the June 11, 2008 teleconference, interested parties should notify Mr. Fred Butterfield, DFO by e-mail no later than June 6, 2008. Oral presentations will be limited to a total of 30 minutes for all speakers.

**Written Statements:** Written statements for the public meeting should be received by Dr. Angela Nugent at the contact information above

by April 24, 2008, so that the information may be made available to the Panel for their consideration prior to this meeting. Written statements for the teleconference should be received by Mr. Fred Butterfield, DFO by June 6, 2008. Written statements should be supplied to the appropriate DFO by June 6, 2008. Written statements should be supplied to the appropriate DFO in the following formats: One hard copy with original signature (optional), and one electronic copy via e-mail (acceptable file format: Adobe Acrobat PDF, MS Word, MS PowerPoint, or Rich Text files in IBM-PC/Windows 98/2000/XP format).

**Accessibility:** For information on access or services for individuals with disabilities, please contact Dr. Nugent at the phone number or e-mail address noted above, preferably at least ten days prior to the meeting, to give EPA as much time as possible to process your request.

Dated: April 7, 2008.

**Anthony F. Maciorowski,**  
Deputy Director, EPA Science Advisory Board Staff Office.

[FR Doc. E8-7811 Filed 4-10-08; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8552-8]

### Proposed Settlement Agreement, Clean Air Act

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

**ACTION:** Notice of proposed settlement agreement; request for public comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("Act"), 42 U.S.C. 7413(g), notice is hereby given of a proposed settlement agreement, to address a lawsuit filed by Coke Oven Environmental Task Force: *Coke Oven Environmental Task Force v. EPA*, Nos. 06-1131, 07-1321 (consolidated) (D.C. Cir.). On or about April 7, 2006, and August 13, 2007 respectively, Petitioner filed petitions for review challenging EPA's final rules entitled: (1) "Standards of Performance for Electric Utility Steam Generating Units for Which Construction Is Commenced After September 18, 1978; Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units; and Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units," 71 FR 9866 (February 27, 2006), and (2) "Standards

of Performance for Fossil-Fuel-Fired Steam Generators for Which Construction Is Commenced After August 17, 1971; Standards of Performance for Electric Utility Steam Generating Units for Which Construction Is Commenced After September 18, 1978; Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units; and Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units," 72 FR 32710 (June 13, 2007), (collectively, the "Steam Generating Unit NSPS"). Under the terms of the proposed settlement agreement, EPA shall sign a notice of proposed rulemaking or direct final rulemaking that contains amendments to the rules that are the same in substance as set forth in Attachment A to this settlement agreement by May 31, 2008, and take any necessary final action by November 30, 2008.

**DATES:** Written comments on the proposed settlement agreement must be received by *May 12, 2008*.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2008-0266, online at <http://www.regulations.gov> (EPA's preferred method); by e-mail to *oei.docket@epa.gov*; mailed 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:** Richard H. Vetter, c/o Cheryl Graham Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone: (919) 541-2127; fax number (919) 541-4991; e-mail address: *vetter.rick@epa.gov*.

### SUPPLEMENTARY INFORMATION:

#### I. Additional Information About the Proposed Settlement

Petitioner raised issues concerning the final rules entitled "Standards of Performance for Electric Utility Steam Generating Units for Which Construction Is Commenced After September 18, 1978; Standards of Performance for Industrial-Commercial-

Institutional Steam Generating Units; and Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units," 71 FR 9866 (February 27, 2006), and "Standards of Performance for Fossil-Fuel-Fired Steam Generators for Which Construction Is Commenced After August 17, 1971; Standards of Performance for Electric Utility Steam Generating Units for Which Construction Is Commenced After September 18, 1978; Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units; and Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units," 72 FR 32710 (June 13, 2007).

The settlement agreement provides that by May 31, 2008, EPA shall sign a notice of proposed rulemaking or direct final rulemaking that contains amendments to the rules that are the same in substance as set forth in Attachment A to this settlement agreement and by November 30, 2008, EPA shall take any necessary final action on the rules. If EPA signs a final rule that contains amendments to the rules that are substantially the same in substance as set forth in Attachment A, then publishes that final rule in the **Federal Register**, Petitioner and EPA shall file for dismissal of the consolidated Petitions for Review with prejudice in accordance with Rule 42(b) of the Federal Rules of Appellate Procedures.

For a period of thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the proposed settlement agreement 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 settlement agreement 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, based on any comment which may be submitted, that consent to the settlement agreement should be withdrawn, the terms of the agreement will be affirmed.

## II. Additional Information About Commenting on the Proposed Settlement Agreement

### A. How Can I Get a Copy of the Settlement Agreement?

Direct your comments to the official public docket for this action under Docket ID No. EPA-HQ-OGC-2008-

0226 which contains a copy of the settlement agreement. 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 <http://www.regulations.gov>. You may use the <http://www.regulations.gov> to view the settlement agreement, 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, select "search," then key in the appropriate docket identification number.

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 <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 e-mail 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 <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, e-mail 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 (e-mail) system is not an "anonymous access" system. If you send an e-mail comment directly to the Docket without going through <http://www.regulations.gov>, your e-mail 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: April 4, 2008.

**Richard B. Ossias,**

*Associate General Counsel.*

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-New England Region I—EPA-R01-OW-2008-0212; FRL-8553-4]

### Massachusetts Marine Sanitation Device Standard—Receipt of Petition

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

**ACTION:** Notice—Receipt of Petition.

**SUMMARY:** Notice is hereby given that a petition has been received from the State of Massachusetts requesting a determination by the Regional Administrator, U. S. Environmental Protection Agency, that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the waters of Scituate, Marshfield,