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Kimberly D. Bose,
Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. ER06-615-000; ER07-1257-000; ER08-1178-000; EL08-88-000]

California Independent System Operator Corporation; Notice of FERC Staff Attendance

May 14, 2009.

The Federal Energy Regulatory Commission (Commission) hereby gives notice that on May 15, 2009, members of its staff will attend a California Independent System Operator (CAISO) stakeholder conference call on Exceptional Dispatch. The agenda and other documents for the teleconference are available on the CAISO's Web site, <http://www.caiso.com>.

Sponsored by the CAISO, the teleconference is open to all market participants, and Commission staff's attendance is part of the Commission's ongoing outreach efforts. The teleconference may discuss matters at issue in the above captioned dockets.

For further information, contact Saeed Farrokhpay at saeed.farrokhpay@ferc.gov; (916) 294-0322 or Maury Kruth at maury.kruth@ferc.gov; (916) 294-0275.

Kimberly D. Bose,
Secretary.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-8908-8]

Approval of Proposed Interpollutant Trading Request; Pennsylvania; Control of Fine Particulate Matter: Notice of Availability

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Availability.

SUMMARY: This action announces the availability of EPA's approval of a request submitted by the Commonwealth of Pennsylvania to approve the use of sulfur dioxide (SO₂) emission reduction credits to offset increased emissions of fine particulate matter (PM_{2.5}) in the York County PM_{2.5} nonattainment area. EPA is approving this request in accordance with the Clean Air Act (CAA).

FOR FURTHER INFORMATION CONTACT: Gerallyn Duke, Air Permits Branch (3AP11), Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103; telephone number: (215) 814-2084; e-mail address: duke.gerallyn@epa.gov.

SUPPLEMENTARY INFORMATION:

I. How Can I Get Copies of This Document and Other Related Information?

All documents for this action are available either electronically through <http://www.epa.gov/reg3artd/index.htm> or in hard copy for public inspection during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103.

II. Background

Under section 173 of the CAA, all major sources and major modifications at existing major sources within a nonattainment area must obtain emissions reductions to offset any emissions increases resulting from the project in an amount that is at least equal to the emissions increase, and that is consistent with reasonable further

progress toward attainment. A final rule published on May 16, 2008, in the **Federal Register** entitled "Implementation of the New Source Review (NSR) Program for PM_{2.5}" (72 FR 28349) established, among other things, the offset ratios, *i.e.*, the amount of emissions reductions required to offset the emissions increase, for direct emissions of PM_{2.5} as well as its precursors. The rule also allows limited interpollutant (precursor) trading for the purpose of PM_{2.5} offsets based on pollutant-specific trading ratios if such offsets are established as part of the State Implementation Plan (SIP) or if they comply with an interprecursor trading hierarchy and ratio approved by the Administrator. EPA previously conducted a technical assessment to develop preferred interpollutant trading ratios to be used for the purposes of PM_{2.5} offsets. The preferred ratios were published in the preamble to the May 16, 2008 rule and set a 40:1 ratio of SO₂ reductions to offset PM_{2.5} emission increases. The modeling used to derive the preferred ratio is described in a technical memo to the docket for the May 16, 2008 final rule and is included in the docket for this action.

States, such as Pennsylvania, that will need to update their State Implementation Plans (SIPs) to implement NSR for PM_{2.5} in nonattainment areas, must implement a transitional NSR permitting program for PM_{2.5} pursuant to appendix S to 40 CFR part 51. Appendix S at Section IV.G.5 allows the offset requirements for direct PM_{2.5} emissions to be satisfied by reductions of SO₂, a PM_{2.5} precursor, if such offsets are approved by the Administrator.

On January 20, 2009, the Pennsylvania Department of Environmental Protection (PADEP) submitted a request to EPA to allow interpollutant trading for offsets required for the construction and operation of the Conectiv Mid-Merit LLC's proposed natural gas-fired plant in Peach Bottom Township, Pennsylvania. This request was submitted pursuant to Pennsylvania's transitional NSR program under Appendix S for NSR permitting in PM_{2.5} nonattainment areas. The Commonwealth specifically requested approval to use EPA's preferred trading ratio of 40 tons of SO₂ reductions to offset every ton of PM_{2.5} emission increases. The new facility is to be located in the York County nonattainment area for PM_{2.5}.

On February 23, 2009, EPA published in *The York Dispatch* and *York Daily Record* a notice of intent to approve PADEP's Proposed Interpollutant