

*programs/artd/air/title5/petitiondb/petitiondb.htm.*

**FOR FURTHER INFORMATION CONTACT:**

Pamela Blakley, Chief, Air Permits Section, Air Programs Branch, Air and Radiation Division, EPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, telephone (312) 886-4447.

**SUPPLEMENTARY INFORMATION:** The Act affords EPA a 45-day period to review, and object, as appropriate, to operating permits proposed by state permitting authorities. Section 505(b)(2) of the Act authorizes any person to petition the EPA Administrator within 60 days after the expiration of the EPA review period to object to a state operating permit if EPA has not done so. A petition must be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided by the state, unless the petitioner demonstrates that it was impracticable to raise issues during the comment period, or the grounds for the issues arose after this period.

On August 23, 2007, EPA received a petition from the Sierra Club requesting that EPA object to the Title V operating permit for Oak Creek. The Petitioner alleges that the permit is not in compliance with the requirements of the Act. Specifically, the Petitioner alleges that: (1) The permit must include a compliance schedule; (2) the permit application contains a false certification of compliance; (3) the permit application does not contain sufficient information to determine the applicability of the Prevention of Significant Deterioration program; (4) physical changes to the boilers at units 5 and 6 are subject to lower particulate matter (PM) emissions limits than are contained in the permit; (5) the permit must establish compliance demonstration requirements that ensure continuous compliance with emissions limits; (6) the facility's Compliance Assurance Monitoring (CAM) plan is deficient; (7) the facility's CAM plan ignores condensable PM; (8) the permit illegally exempts Oak Creek from applicable limits during start-up, shutdown, and malfunction; (9) plans referenced in the permit must be included in the permit and made available for public comment; and (10) the permit must require that the source submit all monitoring data and recordkeeping to the WDNR. On June 12, 2009, the Administrator issued an order granting the Oak Creek petition in part, and denying it in part. The order explains the reasons behind EPA's conclusion.

Dated: June 24, 2009.

**Walter W. Kovalick Jr.,**

*Acting Regional Administrator, Region 5.*

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**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-8926-8]

**Farm, Ranch, and Rural Communities Committee**

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

**ACTION:** Notice of cancellation of a meeting.

**SUMMARY:** The Environmental Protection Agency, Office of Cooperative Environmental Management, announces the cancellation of a meeting of the Farm, Ranch, and Rural Communities Committee (FRRCC). This meeting, a teleconference on July 13, 2009, was announced in a **Federal Register** Notice published on June 9, 2009 (74 FR 27316). The purpose of this meeting was for the FRRCC to discuss and approve various draft advice letters for submission to the EPA.

**FOR FURTHER INFORMATION CONTACT:**

Alicia Kaiser, Designated Federal Officer, *kaiser.alicia@epa.gov*, 202-564-7273, U.S. EPA, Office of the Administrator (1101A), 1200 Pennsylvania Avenue, NW., Washington, DC 20460, or Christopher Ashcraft, Junior Designated Federal Officer, *ashcraft.christopher@epa.gov*, 202-564-2432, U.S. EPA, Office of the Administrator (1601M), 1200 Pennsylvania Avenue, NW., Washington, DC 20460.

Dated: June 25, 2009.

**Alicia Kaiser,**

*Designated Federal Officer.*

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**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-8926-2]

**New York State Prohibition of Marine Discharges of Vessel Sewage; Receipt of Petition and Tentative Affirmative Determination**

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that a petition has been received from the State of New York requesting a

determination by the Regional Administrator, U.S. Environmental Protection Agency—Region 2, that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the South Shore Estuary Reserve, New York. The waters of the proposed No Discharge Zone fall within the jurisdictions of the Town of Southampton, the Town of Brookhaven, the Town of Islip, the Town of Babylon, the Town of Oyster Bay and the Town of Hempstead. The entities submitted an application prepared by the Peconic Baykeeper for the designation of a Vessel Waste No Discharge Zone. New York State Department of Environmental Conservation certified the need for greater protection of the water quality.

**DATES:** Comments regarding this tentative determination are due by August 5, 2009.

**ADDRESSES:** Submit your comments using one of the following methods:

*E-mail:* [chang.moses@epa.gov](mailto:chang.moses@epa.gov).

*Fax:* (212) 637-3891.

*Mail and hand delivery:* U.S.

Environmental Protection Agency—Region 2, 290 Broadway, 24th Floor, New York, NY 10007-1866. Deliveries are only accepted during the Regional Office's normal hours of operation (8 a.m.-5 p.m., Monday through Friday, excluding legal holidays), and special arrangements should be made for deliveries of boxed information.

**FOR FURTHER INFORMATION CONTACT:**

Moses Chang, U.S. Environmental Protection Agency—Region 2, 290 Broadway, 24th Floor, New York, NY 10007-1866. Telephone: (212) 637-3867, Fax number: (212) 637-3891; e-mail address: [chang.moses@epa.gov](mailto:chang.moses@epa.gov).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that a petition has been received from the State of New York requesting a determination by the Regional Administrator, U.S. Environmental Protection Agency—Region 2, pursuant to section 312(f)(3) of Public Law 92-500 as amended by Public Law 95-217 and Public Law 100-4, that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for South Shore Estuary Reserve (SSER) and its harbors, bays and creeks within the following boundaries:

East Rockaway Inlet, approach to Reynolds Channel, flashing green buoy (N "9")

N40°-35.5'

W73°-44.9'

Jones Inlet, Jones Inlet red buoy (N "8")

N40°-35.2'