

[o]nce this rule becomes effective, the requirement to comply with this rule will supersede the conditions in public utilities' market-based rate authorizations, and failure to comply with the requirements of this rule will subject public utilities to the same consequences they would face for not satisfying the conditions in their rate authorizations, including possible revocation of their authority to make wholesale power sales at market-based rates.<sup>3</sup>

5. Pursuant to these requirements, the Commission has revoked the market-based rate tariffs of several market-based rate sellers that failed to submit their Electric Quarterly Reports.<sup>4</sup>

6. As noted above, Commission staff's review of the Electric Quarterly Report submittals identified two public utilities with authority to sell power at market-based rates that failed to file Electric Quarterly Reports through the first quarter of 2009. Commission staff contacted these entities to remind them of their regulatory obligations.<sup>5</sup> None of the public utilities listed in the caption of this order has met those obligations.<sup>6</sup> Accordingly, this order notifies these public utilities that their market-based rate authorizations will be revoked unless they comply with the Commission's requirements within 15 days of the issuance of this order.

7. In the event that any of the above-captioned market-based rate sellers has already filed its Electric Quarterly Report in compliance with the Commission's requirements, its inclusion herein is inadvertent. Such market-based rate seller is directed, within 15 days of the date of issuance of this order, to make a filing with the Commission identifying itself and providing details about its prior filings that establish that it complied with the Commission's Electric Quarterly Report filing requirements.

8. If any of the above-captioned market-based rate sellers do not wish to continue having market-based rate authority, they may file a notice of cancellation with the Commission pursuant to section 205 of the FPA to cancel their market-based rate tariff.

*The Commission orders:*

(A) Within 15 days of the date of issuance of this order, each public

utility listed in the caption of this order shall file with the Commission all delinquent Electric Quarterly Reports. If a public utility fails to make this filing, the Commission will revoke that public utility's authority to sell power at market-based rates and will terminate its electric market-based rate tariff. The Secretary is hereby directed, upon expiration of the filing deadline in this order, to promptly issue a notice, effective on the date of issuance, listing the public utilities whose tariffs have been revoked for failure to comply with the requirements of this order and the Commission's Electric Quarterly Report filing requirements.

(B) The Secretary is hereby directed to publish this order in the **Federal Register**.

By the Commission.

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

*Deputy Secretary.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8910-2]

### Science Advisory Board Staff Office; Notification of Two Public Teleconferences of the Science Advisory Board Radiation Advisory Committee Augmented for the Review of EPA's Radiogenic Cancer Risk Assessment

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

**ACTION:** Notice.

**SUMMARY:** The EPA Science Advisory Board (SAB) Staff Office announces two public teleconferences of the SAB Radiation Advisory Committee (RAC) to discuss its draft review report of EPA's draft document entitled "EPA Radiogenic Cancer Risk Models and Projections for the U.S. Population," December 2008.

**DATES:** The teleconference dates are Thursday, June 18, 2009 from 1 p.m. to 4 p.m. (Eastern Daylight Time) and Wednesday, July 22, 2009, from 1 p.m. to 4 p.m. (Eastern Daylight Time).

**ADDRESSES:** The teleconferences will be conducted by telephone only.

**FOR FURTHER INFORMATION CONTACT:** Members of the public who wish to obtain the call-in number and access code for the public teleconference may contact Dr. K. Jack Kooyoomjian, Designated Federal Officer (DFO), by mail at the EPA SAB Staff Office (1400F), U.S. EPA, 1200 Pennsylvania

Avenue, NW., Washington, DC 20460; by telephone at (202) 343-9984; by fax at (202) 233-0643; or by e-mail at: [kooyoomjian.jack@epa.gov](mailto:kooyoomjian.jack@epa.gov). General information concerning the SAB can be found on the SAB Web site at <http://www.epa.gov/sab>.

#### SUPPLEMENTARY INFORMATION:

**Background:** Pursuant to the Federal Advisory Committee Act, 5 U.S.C., App. 2 (FACA), the SAB Staff Office hereby gives notice of two public teleconference meetings of the SAB Radiation Advisory Committee (RAC), to discuss its draft report regarding its review of EPA's radiogenic cancer risk assessment. The SAB was established pursuant to 42 U.S.C. 4365 to provide independent scientific and technical advice to the Administrator on the technical basis for Agency positions and regulations. The SAB is a Federal Advisory Committee chartered under FACA. The SAB will comply with the provisions of FACA and all appropriate SAB Staff Office procedural policies.

EPA's Office of Air and Radiation and Indoor Air (ORIA), has requested that the SAB Radiation Advisory Committee (RAC) provide advice to EPA on its most recent radiogenic cancer risk assessment, a draft document entitled *EPA Radiogenic Cancer Risk Models and Projections for the U.S. Population, December, 2008*. A public conference call was held on Friday, February 27, 2009 and a public face-to-face review meeting was held on March 23 to 25, 2009 in the Washington, DC metropolitan area.

**Availability of Meeting Materials:** The meeting agendas and the SAB public draft report which will be the subject of the discussions will be posted on the SAB Web site prior to the teleconferences.

The EPA draft document, "EPA Radiogenic Cancer Risk Models and Projections for the U.S. Population," December 2008 is available at <http://epa.gov/radiation/assessment/pubs.html>.

**Technical Contact:** For questions and information concerning the EPA's draft document being reviewed, please contact Dr. Mary E. Clark of the U.S. EPA, ORIA by telephone at (202) 343-9348, fax at (202) 243-2395, or e-mail at [clark.marye@epa.gov](mailto:clark.marye@epa.gov).

**Procedures for Providing Public Input:** Interested members of the public may submit relevant written or oral information for the SAB's RAC to consider during the review process. **Oral Statements:** In general, individuals or groups requesting an oral presentation at a public teleconference will be limited to three minutes per

<sup>3</sup> *Id.* P 223.

<sup>4</sup> See, e.g., *Electric Quarterly Reports*, 73 FR 31,460 (June 2, 2008); *Electric Quarterly Reports*, 115 FERC ¶ 61,073 (2006), *Electric Quarterly Reports*, 114 FERC ¶ 61,171 (2006).

<sup>5</sup> See *Knederger, LLC*, Docket No. ER06-250-000 (March 27, 2009) (unpublished letter order); *Westbank Energy Capital, LLC*, Docket No. ER05-294-000 (March 27, 2009) (unpublished letter order).

<sup>6</sup> According to the Commission's records, the companies subject to this order last filed their Electric Quarterly Reports for the 3rd quarter of 2008.

speaker with no more than a total of fifteen minutes for all speakers. Interested parties who wish to be placed on the public speaker list should contact the DFO, contact information provided above, in writing via e-mail seven days prior to the teleconference meeting date. For the Thursday, June 18, 2009 teleconference meeting, the deadline is Thursday, June 11, 2009. For the Wednesday, July 22, 2009 teleconference meeting, the deadline is Wednesday, July 15, 2009. *Written Statements:* Written statements should be received in the SAB Staff Office seven days prior to the teleconference meeting, so that the information may be made available to the SAB's augmented RAC for their consideration. For the Thursday, June 18, 2009 teleconference meeting, the deadline is Thursday, June 11, 2009; for the Wednesday, July 22, 2009 meeting the deadline is Wednesday, July 15, 2009. Written statements should be supplied to the DFO in the following formats: one hard copy with original signature, and one electronic copy via e-mail to [kooyoomjian.jack@epa.gov](mailto:kooyoomjian.jack@epa.gov) (acceptable file format: Adobe Acrobat PDF, WordPerfect, MS Word, MS PowerPoint, or Rich Text files in IBM-PC/Windows 98/2000/XP format). Submitters are asked to provide versions of each document submitted with and without signatures, because the SAB Staff Office does not publish documents with signatures on its Web sites.

*Meeting Accommodations:* For information on access or services for individuals with disabilities, please contact the DFO, contact information provided above. To request accommodation of a disability, please contact the DFO, preferably at least 10 days prior to the meeting, to give EPA as much time as possible to process your request.

Dated: May 9, 2009.

**Anthony F. Maciorowski,**

*Deputy Director, EPA Science Advisory Board Staff Office.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8910-1]

### Science Advisory Board Staff Office; Notification of a Public Teleconference of the Clean Air Scientific Advisory Committee (CASAC)

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

**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency (EPA) Science Advisory Board (SAB) Staff Office announces a public teleconference of the Clean Air Scientific Advisory Committee to review and approve the draft report of the CASAC Carbon Monoxide Review Panel regarding the review of EPA's *Integrated Science Assessment for Carbon Monoxide: First External Review Draft* (March 2009).

**DATES:** The public teleconference will be held on Wednesday, June 17, 2009 from 9 a.m. to 11 a.m. (Eastern Time).

**FOR FURTHER INFORMATION CONTACT:** Any member of the public who wants further information concerning the CASAC public teleconference may contact Dr. Holly Stallworth, Designated Federal Officer (DFO), EPA Science Advisory Board (1400F), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; via telephone/voice mail (202) 343-9867 or e-mail at [stallworth.holly@epa.gov](mailto:stallworth.holly@epa.gov). General information concerning the CASAC can be found on the EPA Web site at <http://www.epa.gov/casac>.

#### SUPPLEMENTARY INFORMATION:

*Background:* The Clean Air Scientific Advisory Committee (CASAC) was established under section 109(d)(2) of the Clean Air Act (CAA or Act) (42 U.S.C. 7409) as an independent scientific advisory committee. CASAC provides advice, information and recommendations on the scientific and technical aspects of air quality criteria and National Ambient Air Quality Standards (NAAQS) under sections 108 and 109 of the Act. The CASAC is a Federal advisory committee chartered under the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C., App 2. The CASAC will comply with the provisions of FACA and all appropriate SAB Staff Office procedural policies.

Section 109(d)(1) of the CAA requires that the Agency periodically review and revise, as appropriate, the air quality criteria and the National Ambient Air Quality Standards (NAAQS) for the six "criteria" air pollutants, including carbon monoxide (CO). The CASAC CO Review Panel reviewed EPA's *Integrated Science Assessment for Carbon Monoxide* (First External Review Draft, March 2009) at a public meeting on May 12-13, 2009 in Chapel Hill, North Carolina (announced in 74 FR 15265-15266). The chartered CASAC will consider the draft report of the CASAC CO Review Panel for approval on the June 17, 2009 teleconference.

*Technical Contacts:* Any questions concerning EPA's *Integrated Science Assessment for Carbon Monoxide*

should be directed to Dr. Tom Long at [long.tom@epa.gov](mailto:long.tom@epa.gov) at (919) 541-1880.

*Availability of Meeting Materials:* A meeting agenda, the CASAC draft report and other materials for the meeting will be placed on the CASAC Web site at <http://www.epa.gov/casac>. The *Integrated Science Assessment for Carbon Monoxide: First External Review Draft* (March 2009) is available at <http://cfpub.epa.gov/ncea/cfm/recordisplay.cfm?deid=203935>.

*Procedures for Providing Public Input:* Interested members of the public may submit relevant written or oral information for consideration on the topics included in this advisory activity. *Oral Statements:* To be placed on the public speaker list for the June 17, 2009 meeting, interested parties should notify Dr. Holly Stallworth, DFO, by e-mail no later than June 12, 2009. Individuals making oral statements will be limited to three minutes per speaker. *Written Statements:* Written statements for the June 17, 2009 meeting should be received in the SAB Staff Office by June 12, 2009, so that the information may be made available to the CASAC Panel for its consideration prior to this meeting. Written statements should be supplied to the DFO in the following formats: One hard copy with original signature and one electronic copy via e-mail (acceptable file format: Adobe Acrobat PDF, MS Word, WordPerfect, MS PowerPoint, or Rich Text files in IBM-PC/Windows 98/2000/XP format). Submitters are asked to provide versions of each document submitted with and without signatures, because the SAB Staff Office does not publish documents with signatures on its Web sites.

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

Dated: May 19, 2009.

**Anthony F. Maciorowski,**

*Deputy Director, EPA Science Advisory Board Staff Office.*

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