

The settlement agreement resolves among the signatories all issues associated with issuance of an original license for the project regarding construction and operation, including fish and wildlife, aquatic resources and water quality, recreation and public safety, crabbing and fishing, terrestrial resources, and cultural resources. The signatories request that the Commission: (1) Accept the Agreement as an Offer of Settlement; (2) issue an original license for a term of 35 years; and (3) incorporate in their entirety and without modification as enforceable conditions of the license, OPT's obligations under the following terms, which include specific protection, mitigation, and enhancement measures and study and adaptive management requirements: (a) Section 3.3 and Exhibit B—Adaptive Management; (b) Section 3.6—Fish or Wildlife Emergency Circumstance; (c) Section 4.2—Committees; (d) Section 4.3—Inspection, Notice and Site Visit; (e) Appendix A—Aquatic Resources and Water Quality Plan; (f) Appendix B—Recreation and Public Safety Plan; (g) Appendix C—Crabbing and Fishing Plan; (h) Appendix D—Terrestrial and Cultural Resources Plan; and (i) OPT's license application including the project description, Operations and Maintenance Plan, Spill Prevention Control and Countermeasure Plan, and Emergency Response/Recovery Plan.

1. A copy of the settlement agreement is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov>, using the "e-Library" 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. A copy is also available for inspection and reproduction at the address in item h above.

You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via e-mail of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-9191-4]

Proposed Cercla Administrative Order On Consent for the Kerber Creek Site, Saguache County, CO

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice and request for public comment.

SUMMARY: In accordance with the requirements of section 122 (i) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), 42 USC 9622(i), notice is hereby given of a proposed Administrative Order on Consent ("AOC") under sections 104, 106, 107, and 122 of CERCLA, 42 U.S.C. 9604, 9606, 9607, and 9622, between EPA and Trout Unlimited, Inc. ("Trout Unlimited") regarding the Kerber Creek Site located in the Rio Grande Basin near Villa Grove, Saguache County, Colorado. The property which is the subject of this proposed AOC is all areas to which hazardous substances and/or pollutants or contaminants, have come to be located along the approximately 17 miles of Kerber Creek stretching from the Bonanza town site, below the Forest Service boundary, and extending to the town of Villa Grove. This AOC requires that Trout Unlimited perform the following activities: Develop a watershed plan, remove tailings with elevated concentrations of metals from the streamside, perform phytostabilization, revegetate sites, stabilize stream banks, and monitor sinuosity, width, depth, density of macroinvertebrates and fishery, upland vegetation cover, stability of stream banks concentration of metals, and habitat trends, all with respect to Kerber Creek. The performance of this work shall be approved and monitored by EPA.

Opportunity for Comment: For thirty (30) days following the date of publication of this notice, the Agency will consider all comments received on the AOC and may modify or withdraw its consent to the AOC, if comments received disclose facts or considerations which indicate that the settlement is inappropriate, improper, or inadequate. The Agency's response to any comments received will be available for public inspection at the EPA Superfund Record Center, 1595 Wynkoop Street, 2nd Floor, in Denver, Colorado.

DATES: Comments must be submitted on or before September 20, 2010.

ADDRESSES: The proposed settlement and additional background information

relating to the settlement are available for public inspection at the EPA Superfund Records Center, 1595 Wynkoop Street, 2nd Floor, in Denver, Colorado. Comments and requests for a copy of the proposed settlement should be addressed to William G. Ross, Enforcement Specialist/SEE (8ENF-RC), Technical Enforcement Program, U.S. Environmental Protection Agency, 1595 Wynkoop Street, Denver, Colorado 80202-1129, and should reference the Kerber Creek Site AOC in Saguache County, Colorado.

FOR FURTHER INFORMATION CONTACT: William G. Ross, Enforcement Specialist/SEE (8ENF-RC), Technical Enforcement Program, U.S. Environmental Protection Agency, 1595 Wynkoop Street, Denver, Colorado 80202-1129, (303) 312-6208.

Dated: August 12, 2010.

Sharon Kercher,

Acting Assistant Regional Administrator, Office of Enforcement, Compliance and Environmental Justice, Region 8.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-9191-2]

Proposed Consent Decree, Clean Air Act Citizen Suit

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed consent decree; request for public comment.

SUMMARY: In accordance with section 113(g) of the Clean Air Act, as amended ("CAA" or the "Act"), 42 U.S.C. 7413(g), notice is hereby given of a proposed consent decree to address a lawsuit filed by American Bottom Conservancy in the United States District Court for the Southern District of Illinois: *American Bottom Conservancy v. Jackson*, No. 10-292-GPM (S.D. IL). Plaintiff filed a deadline suit to compel the Administrator to respond to an administrative petition seeking EPA's objection to a CAA Title V operating permit issued by the Illinois Environmental Protection Agency to U.S. Steel Corporation's Granite City Works facility. Under the terms of the proposed consent decree, EPA has agreed to respond to the petition by December 17, 2010, or within 30 days of the entry date of this Consent Decree, whichever is later.

DATES: Written comments on the proposed consent decree must be received by *September 20, 2010*.