

**ENVIRONMENTAL PROTECTION AGENCY**

[Regional Docket Nos. V-2005-5, FRL-8501-7]

**Clean Air Act Operating Permit Program; Petition for Objection to State Operating Permit for Walnut Street**

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

**ACTION:** Notice of final order on petition to object to Clean Air Act operating permit.

**SUMMARY:** This document announces that the EPA Administrator has responded to a petition asking EPA to object to a Clean Air Act (Act) operating permit issued by the Wisconsin Department of Natural Resources. Specifically, the Administrator granted in part and denied in part the petition submitted by the Sierra Club to object to the operating permit for Wisconsin Department of Administration's Walnut Street Heating Plant (Walnut Street).

Pursuant to section 505(b)(2) of the Act, a Petitioner may seek in the United States Court of Appeals for the appropriate circuit judicial review of those portions of a petition which EPA denied. Any petition for review shall be filed within 60 days from the date this notice appears in the **Federal Register**, pursuant to section 307 of the Act.

**ADDRESSES:** You may review copies of the final order, the petition, and other supporting information at the EPA, Region 5 Office, 77 West Jackson Boulevard, Chicago, Illinois 60604. If you wish to examine these documents, you should make an appointment at least 24 hours before visiting day. Additionally, the final order for the Walnut Street petition is available electronically at: <http://yosemite.epa.gov/r5/ardcorre.nsf/permits>.

**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 to as appropriate, 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 May 24, 2005, EPA received a petition from the Sierra Club requesting that EPA object to the Title V operating permit for Walnut Street. The petition raised issues regarding: (1) Conditions for monitoring air pollutants; (2) language related to credible evidence; (3) the practical enforceability of permit conditions; and, (4) limits marked not federally enforceable. The petitioner alleged that the proposed permit is legally inadequate because the permit: (1) fails to include conditions that meet the legal requirements for monitoring; (2) contains conditions that violate the requirements related to credible evidence; (3) contains conditions that violate EPA policy requiring a permit to be practically enforceable; and, (4) limits federal enforceability and illegally makes the limits not federally enforceable.

On November 5, 2007, the Administrator issued an order granting in part and denying in part the petition. The order explains the reasons behind EPA's conclusion.

Dated: November 20, 2007.

**Bharat Mathur,**

*Acting Regional Administrator, Region 5.*

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**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-8501-9 ; Docket ID No. EPA-HQ-ORD-2007-0920]

**Board of Scientific Counselors, Human Health Risk Assessment Subcommittee Meeting—December 2007**

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

**ACTION:** Notice of Meeting.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act, Public Law 92-463, the Environmental Protection Agency, Office of Research and Development (ORD), gives notice of one meeting of the Board of Scientific Counselors (BOSC) Human Health Risk Assessment Subcommittee.

**DATES:** The meeting (via teleconference) will be held on Thursday, December 20, 2007, from 11 a.m. to 1 p.m., Eastern Time. The meeting may adjourn early if all business is finished. Requests for the

draft agenda or for making oral presentations at the meeting will be accepted up to 1 business day before the meeting.

**ADDRESSES:** Participation in the conference call will be by teleconference only—a meeting room will not be used. Members of the public may obtain the call-in number and access code for the call from Joanna Foellmer, whose contact information is listed under the **FOR FURTHER INFORMATION CONTACT** section of this notice. Submit your comments, identified by Docket ID No. EPA-HQ-ORD-2007-0920, by one of the following methods:

- *http://www.regulations.gov:* Follow the on-line instructions for submitting comments.

- *E-mail:* Send comments by electronic mail (e-mail) to: [ORD.Docket@epa.gov](mailto:ORD.Docket@epa.gov), Attention: Docket ID No. EPA-HQ-ORD-2007-0920.

- *Fax:* Fax comments to: (202) 566-0224, Attention: Docket ID No. EPA-HQ-ORD-2007-0920.

- *Mail:* Send comments by mail to: Board of Scientific Counselors, Human Health Risk Assessment Subcommittee Meetings—Fall 2007 Docket, Mailcode: 2822T, 1200 Pennsylvania Ave., NW., Washington, DC 20460, Attention: Docket ID No. EPA-HQ-ORD-2007-0920.

- *Hand Delivery or Courier.* Deliver comments to: EPA Docket Center (EPA/DC), Room 3334, EPA West Building, 1301 Constitution Avenue, NW., Washington, DC, Attention: Docket ID No. EPA-HQ-ORD-2007-0920.

**Note:** This is not a mailing address. Such deliveries are only accepted during the docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

**Instructions:** Direct your comments to Docket ID No. EPA-HQ-ORD-2007-0920. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov> or e-mail. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly