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Exempt:

Docket No.	File date	Presenter or requester
1. P-2210-169	6-19-09	Allan Creamer. ¹
2. P-2210-169	6-11-09	Jeffrey Browning. ²
3. P-13283-000 ...	6-11-09	Hon. David Vitter.

¹ Record of telephone communication.

² E-mail correspondence re: exchange of information with Virginia DCR.

Kimberly D. Bose,
Secretary.

[FR Doc. E9-15450 Filed 6-29-09; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER02-2001-011, Docket No. ER06-250-000, Docket No. ER05-294-000]

Electric Quarterly Reports; Kenedery, LLC and Westbank Energy Capital, LLC; Notice of Revocation of Market-Based Rate Tariff

June 25, 2009.

On May 21, 2009, the Commission issued an order announcing its intent to revoke the market-based rate authority of the above captioned public utilities, which had failed to file their required Electric Quarterly Reports.¹ The Commission provided the utilities fifteen days in which to file their overdue Electric Quarterly Reports or face revocation of their market-based rate tariffs.

In Order No. 2001, the Commission revised its public utility filing requirements and established a requirement for public utilities, including power marketers, to file Electric Quarterly Reports summarizing the contractual terms and conditions in their agreements for all jurisdictional services (including market-based power sales, cost-based power sales, and transmission service) and providing transaction information (including rates) for short-term and long-term power

sales during the most recent calendar quarter.²

In the May 21 Order, the Commission directed Kenedery, LLC and Westbank Energy Capital, LLC to file the required Electric Quarterly Reports within 15 days of the date of issuance of the order or face revocation of their authority to sell power at market-based rates and termination of their electric market-based rate tariffs.³

The time period for compliance with the May 21 Order has elapsed. The companies identified in the May 21 Order (Kenedery, LLC and Westbank Energy Capital, LLC) have failed to file their delinquent Electric Quarterly Reports.

The Commission hereby revokes the market-based rate authority and terminates the electric market-based rate tariffs of the above captioned public utilities.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

[FR Doc. E9-15425 Filed 6-29-09; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-8924-3]

Notice of Meeting of the EPA's Children's Health Protection Advisory Committee (CHPAC)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of meeting.

SUMMARY: Pursuant to the provisions of the Federal Advisory Committee Act, Public Law 92-463, notice is hereby given that the next meeting of the Children's Health Protection Advisory Committee (CHPAC) will be held July 21 and 22, 2009 at the USEPA East Building, Room 1117A, 1201 Constitution Ave., Washington, DC. The CHPAC was created to advise the Environmental Protection Agency on science, regulations, and other issues relating to children's environmental health.

DATES: The CHPAC will meet July 21 and 22, 2009.

ADDRESSES: USEPA East Building, Room 1117A.

² Revised Public Utility Filing Requirements, Order No. 2001, 67 FR 31,043, FERC Stats. & Regs. ¶ 31,127, *reh'g denied*, Order No. 2001-A, 100 FERC ¶ 61,074, *reconsideration and clarification denied*, Order No. 2001-B, 100 FERC ¶ 61,342, *order directing filings*, Order No. 2001-C, 101 FERC ¶ 61,314 (2002), *order directing filing*, Order No. 2001-D, 102 FERC ¶ 61,334 (2003).

³ May 21 Order at Ordering Paragraph A.

FOR FURTHER INFORMATION CONTACT:

Martha Berger, Office of Children's Health Protection, USEPA, MC 1107A, 1200 Pennsylvania Avenue, NW., Washington, DC 20460, (202) 564-2191, berger.martha@epa.gov.

SUPPLEMENTARY INFORMATION: The meetings of the CHPAC are open to the public. The CHPAC will meet on Tuesday, July 21 from 8:30 a.m. to 5:30 p.m., and Wednesday, July 22 from 8:30 a.m. to 12:30 p.m. Agenda items include a discussion and a review of recommendations for the next edition of the America's Children and the Environment report, discussion on environmental health disparities, chemical management and air pollution.

Access and Accommodations: For information on access or services for individuals with disabilities, please contact Martha Berger at 202-564-2191 or berger.martha@epa.gov. To request accommodation of a disability, please contact Martha Berger, preferably at least 10 days prior to the meeting.

Dated: June 22, 2009.

Martha Berger,
Designated Federal Official.

CHPAC Draft Agenda

Tuesday, July 21, 2009

9-9:30 a.m.—Welcome, Introductions, Review Meeting Agenda, Review CHPAC Role and Group Expectations;
9:30-10 a.m.—Highlights of Recent OCHP Activities;
10-11 a.m.—ACE Indicators Draft Report and Letter;
11-11:15 a.m.—Break;
11:15 a.m.-12 p.m.—Air Quality and Children's Health Update;
12-1:15 p.m.—Lunch (*on your own*);
1:15-2:45 p.m.—Chemicals Management and Children's Health Panel;
2:45-3 p.m.—Break;
3-3:30 p.m.—Air Toxics Monitoring Initiative Update;
3:30-4 p.m.—Report From Climate Change Task Group;
4-4:45 p.m.—ACE Indicators Report and Draft Letter;
4:45 p.m.—Public Comment;
5 p.m.—Adjourn.

Wednesday, July 22, 2009

9-9:15 a.m.—Check in and Agenda Review;
9:15-9:45 a.m.—Report from School Siting Guidelines Task Group;
9:45-10:45 a.m.—ACE Indicators Report and Recommendation Letter;
10:45-11 a.m.—Break;
11 a.m.-12 p.m.—Children's Health and Environmental Health Disparities;
12-12:30 p.m.—Review Discussions, Decisions, and Possible Next Steps;

¹ *Electric Quarterly Reports*, 127 FERC ¶ 61,148 (2009) (May 21 Order).

12:30 p.m.—Adjourn.

[FR Doc. E9-15421 Filed 6-29-09; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-8924-5]

Proposed CERCLA Section 122(g) Administrative Agreement for De Minimis Settlement for the Consolidated Iron and Metal Co. Superfund Site, City of Newburgh, Orange County, NY

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice; request for public comment.

SUMMARY: In accordance with section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (“CERCLA”), 42 U.S.C. 9622(i), notice is hereby given by the U.S. Environmental Protection Agency (“EPA”), Region 2, of a proposed *de minimis* administrative agreement pursuant to section 122(g) of CERCLA, 42 U.S.C. 9622(g), between EPA and the Town of Rhinebeck (“the Town”), Dutchess County, New York, pertaining to the Consolidated Iron and Metal Co. Superfund Site (“Site”) located in the City of Newburgh, Orange County, New York. Under the settlement, the Town will pay \$49,907.23 to the EPA Hazardous Substance Superfund Consolidated Iron and Metal Co. Site Special Account, which is considered to be its fair share of past and future cleanup costs, plus a “premium” for uncertainties associated with the Site. The settlement includes a covenant not to sue pursuant to sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, relating to the Site, and protection from contribution actions or claims as provided by sections 113(f)(2) and 122(g)(5) of CERCLA, 42 U.S.C. 9613(f)(2) and 9622(g)(5). EPA will receive written comments relating to the settlement for thirty (30) days following publication of this notice. EPA will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations that indicate that the proposed settlement is inappropriate, improper, or inadequate. EPA’s response to any comments received will be available for public inspection at EPA Region 2, 290 Broadway, New York, New York 10007-1866.

DATES: Comments must be submitted on or before July 30, 2009.

ADDRESSES: The proposed settlement is available for public inspection at EPA Region 2 offices at 290 Broadway, New York, New York 10007-1866. Comments should reference the Consolidated Iron and Metal Co. Superfund Site, Index No. CERCLA-02-2009-2001. To request a copy of the proposed settlement agreement, please contact the individual identified below.

FOR FURTHER INFORMATION CONTACT:

Carol Y. Berns, Assistant Regional Counsel, New York/Caribbean Superfund Branch, Office of Regional Counsel, EPA Region 2, 17th Floor, 290 Broadway, New York, New York 10007-1866. Telephone: 212-637-3177.

Dated: June 17, 2009.

Walter Mugdan,

Director, Emergency and Remedial Response Division, Region 2.

[FR Doc. E9-15419 Filed 6-29-09; 8:45 am]

BILLING CODE 6560-60-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-8924-8]

Proposed Settlement Agreement

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed settlement agreement; Request for public comment.

SUMMARY: In accordance with section 113(g) of the Clean Air Act, as amended (“Act”), 42 U.S.C. 7413(g), notice is hereby given of a proposed settlement agreement to address a lawsuit filed by the Alliance of Automobile Manufacturers (“Alliance”) in the United States Court of Appeals for the District of Columbia Circuit: *Alliance of Automobile Manufacturers v. EPA*, No. 08-1109 (DC Cir.). On or about March 10, 2008, the Alliance filed a petition for review challenging regulations promulgated by EPA in a final rule entitled “National Emission Standards for Hazardous Air Pollutants for Source Categories: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities, and Gasoline Dispensing Facilities,” 73 FR 1916 (Jan. 10, 2008), published at 40 CFR part 63, subpartsBBBBBB and CCCCCC (the “Gasoline Distribution NESHAP”). Under the terms of the proposed settlement agreement, EPA will sign and submit for publication in the **Federal Register** a notice of proposed rulemaking to amend the Gasoline Distribution NESHAP that contains amendments that are substantially the same in substance as

set forth in Attachment A to this Agreement as expeditiously as practicable after entry of this Agreement. If EPA signs and submits for publication in the **Federal Register** a notice of final rulemaking to amend the Gasoline Distribution NESHAP that contains amendments that are substantially the same in substance as set forth in Attachment A to this Agreement, the Alliance and EPA will file a joint motion for dismissal with prejudice in accordance with Rule 42(b) of the Federal Rules of Appellate Procedure.

DATES: Written comments on the proposed settlement agreement must be received by *July 30, 2009*.

ADDRESSES: Submit your comments, identified by Docket ID number EPA-HQ-OGC-2009-0471, online at <http://www.regulations.gov> (EPA’s preferred method); by e-mail to oei.docket@epa.gov; by mail to EPA Docket Center, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; or by hand delivery or courier to EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC, between 8:30 a.m. and 4:30 p.m. Monday through Friday, excluding legal holidays. Comments on a disk or CD-ROM should be formatted in Word or ASCII file, avoiding the use of special characters and any form of encryption, and may be mailed to the mailing address above.

FOR FURTHER INFORMATION CONTACT:

Susan Stahle, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone: (202) 564-1272; fax number (202) 564-5603; e-mail address: stahle.susan@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Additional Information About the Proposed Settlement Agreement

This proposed settlement agreement would resolve a petition for review filed by the Alliance challenging regulations promulgated by EPA in a final rule entitled “National Emission Standards for Hazardous Air Pollutants for Source Categories: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities, and Gasoline Dispensing Facilities,” 73 FR 1916 (Jan. 10, 2008), published at 40 CFR part 63, subpartsBBBBBB and CCCCCC (the “Gasoline Distribution NESHAP”). Specifically, the Alliance challenged the Gasoline Distribution NESHAP by raising three issues regarding: (1) Allegedly duplicative requirements under