

grounds for the issues arose after this period.

On January 26, 2004, the EPA received from the Chicago Legal Clinic petitions requesting that EPA object to the proposed title V operating permits for the Midwest Generation Romeoville and Joliet stations. The petitions raise issues regarding the permit application, the permit issuance process, and the permits themselves. Chicago Legal Clinic asserts that the permits: (1) Fail to comply with State and Federal requirements; (2) allow excess emissions during startup and malfunction, contrary to U.S. EPA policy; (3) contain conditions that are not practically enforceable; (4) allow the plant to continue to operate in a manner which causes severe health impacts on the surrounding communities; (5) contain numerous typographical errors, mistakes, and omissions; (6) are legally inadequate because they do not impose enforceable schedules to remedy non-compliance; and (7) fail to address mercury and other hazardous air pollutants.

On June 24, 2005, the Administrator issued orders partially granting and partially denying the petitions. The orders explain the reasons behind EPA's conclusion that the IEPA must reopen the permits to: (1) Address Petitioner's significant comments; (2) include periodic monitoring in compliance with 40 CFR 70.6(a)(3)(i)(B); (3) remove the note stating that compliance with the carbon monoxide limit is inherent; (4) explain in the statement of basis how it determined in advance that the permittee had met the requirements of the Illinois State Implementation Plan (SIP) or to specify in the permit that continued operation during malfunction or breakdown will be authorized on a case-by-case basis if the source meets the SIP criteria; (5) remove language which is not required by the underlying applicable requirement or explain in the permit or statement of basis how this language implements the underlying applicable requirement; (6) remove "established startup procedures," include the startup procedures in the permit, or include minimum elements of the startup procedures that would "affirmatively demonstrate that all reasonable efforts have been made to minimize startup emissions, duration of individual startups and frequency of startups;" (7) require the owner or operator of the sources to report to the agency "immediately" or explain how the phrase "as soon as possible" meets the requirements of the SIP; (8) remove "reasonably" and "reasonable" from relevant permit terms or define or provide criteria to determine

"reasonably" and "reasonable" that meet the requirements of the SIP; (9) remove the term "reasonable" from the relevant permit conditions in accordance with the language in part 70, section 504 of the Clean Air Act or section 39.5 of the Illinois Environmental Protection Act; (10) remove the ability to waive the testing requirements or explain how such a waiver would meet the requirements of part 70; (11) define "extraordinary circumstances" in a manner consistent with the requirements of the SIP or remove the language from the permit; (12) remove "summary of compliance" from the permit or clarify the term such that the reader understands what a "summary of compliance" must contain and how the summary relates to the control measures; (13) include appropriate prompt reporting requirements or explain how and where the permit meets the prompt reporting requirements of part 70; and (14) insert "which" after "any new process emission unit" to be consistent with the SIP. The orders also explain the reasons for denying Chicago Legal Clinic's remaining claims.

Dated: July 6, 2005.

**Norman Niedergang,**

*Acting Regional Administrator, Region 5.*

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**BILLING CODE 6560-50-P**

## FEDERAL RESERVE SYSTEM

### Change in Bank Control Notices; Acquisition of Shares of Bank or Bank Holding Companies

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the office of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than August 5, 2005.

**A. Federal Reserve Bank of Atlanta**  
(Andre Anderson, Vice President) 1000 Peachtree Street, N.E., Atlanta, Georgia 30303:

1. **Richard Todd Profitt**, Sevierville, Tennessee; to act as a substitute trustee and vote the shares of Tennessee State Bancshares, Inc., and thereby indirectly control Tennessee State Bank, both of Pigeon Forge, Tennessee.

Board of Governors of the Federal Reserve System, July 18, 2005.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

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**BILLING CODE 6210-01-S**

## FEDERAL RESERVE SYSTEM

### Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The application also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States. Additional information on all bank holding companies may be obtained from the National Information Center website at [www.ffiec.gov/nic/](http://www.ffiec.gov/nic/).

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than August 15, 2005.

**A. Federal Reserve Bank of Boston**  
(Richard Walker, Community Affairs Officer) P.O. Box 55882, Boston, Massachusetts 02106-2204:

1. **Florence Bancorp**, MHC Florence, Massachusetts; to become a bank holding company by acquiring 100 percent of