

Assessment builds upon information presented in the *Integrated Science Assessment for Particulate Matter* (Final Report)<sup>1</sup> and two draft assessment documents, *Quantitative Health Risk Assessment for Particulate Matter—Second External Review Draft*<sup>2</sup> and *Particulate Matter Urban-Focused Visibility Assessment—Second External Review Draft*.<sup>3</sup> The first draft Policy Assessment may be accessed online through EPA's TTN Web site at [http://www.epa.gov/ttn/naaqs/standards/pm/s\\_pm\\_2007\\_pa.html](http://www.epa.gov/ttn/naaqs/standards/pm/s_pm_2007_pa.html). The EPA is soliciting advice and recommendations from the CASAC by means of a review of the first draft Policy Assessment at an upcoming public teleconference of the CASAC that will be held on April 8–9, 2010 (75 FR 8062; February 23, 2010). The EPA will consider comments received from the CASAC and the public in preparing revisions to this document. A second draft Policy Assessment document will be issued later this spring for CASAC and public review. The EPA will consider CASAC and public comments on the second draft Policy Assessment in preparing a final Policy Assessment. The final Policy Assessment will serve to “bridge the gap” between the scientific information and the judgments required of the Administrator in determining whether it is appropriate to retain or revise the current PM NAAQS.

The first draft Policy Assessment does not represent and should not be construed to represent any final EPA policy, viewpoint, or determination. The EPA will consider any public comments submitted in response to this notice when revising this document.

Dated: March 25, 2010.

**Jennifer Noonan Edmonds,**

*Acting Director, Office of Air Quality Planning and Standards.*

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## ENVIRONMENTAL PROTECTION AGENCY

### Meeting of the Mobile Sources Technical Review Subcommittee

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

**ACTION:** Notice of meeting.

<sup>1</sup> EPA/600/R–08/139F; December 2009; Available: [http://www.epa.gov/ttn/naaqs/standards/pm/s\\_pm\\_2007\\_isa.html](http://www.epa.gov/ttn/naaqs/standards/pm/s_pm_2007_isa.html).

<sup>2</sup> EPA 452/P–10–001; February 2010; Available: [http://www.epa.gov/ttn/naaqs/standards/pm/s\\_pm\\_2007\\_risk.html](http://www.epa.gov/ttn/naaqs/standards/pm/s_pm_2007_risk.html).

<sup>3</sup> EPA 452/P–10–002; January 2010; Available: [http://www.epa.gov/ttn/naaqs/standards/pm/s\\_pm\\_2007\\_risk.html](http://www.epa.gov/ttn/naaqs/standards/pm/s_pm_2007_risk.html).

**SUMMARY:** Pursuant to the Federal Advisory Committee Act, Public Law 92–463, notice is hereby given that the Mobile Sources Technical Review Subcommittee (MSTRS) will meet in May 2010. The MSTRS is a subcommittee under the Clean Air Act Advisory Committee. This is an open meeting. The meeting will include discussion of current topics and presentations about activities being conducted by EPA's Office of Transportation and Air Quality. The preliminary agenda for the meeting and any notices about change in venue will be posted on the Subcommittee's Web site: [http://www.epa.gov/air/caaac/mobile\\_sources.html](http://www.epa.gov/air/caaac/mobile_sources.html). MSTRS listserver subscribers will receive notification when the agenda is available on the Subcommittee Web site. To subscribe to the MSTRS listserver, send a blank e-mail to [lists-mstrs@lists.epa.gov](mailto:lists-mstrs@lists.epa.gov).

**DATES:** Tuesday May 4, 2010 from 9 a.m. to 4 p.m. Registration begins at 8:30 a.m.

**ADDRESSES:** The meeting is currently scheduled to be held at the Doubletree Hotel Crystal City-National Airport, 300 Army Navy Drive, Arlington, VA 22202–2891. Phone 703–416–4100. The hotel is located three blocks from the Pentagon City Metro station, and shuttle buses are available to and from both the Metro station and Washington Reagan National Airport.

**FOR FURTHER INFORMATION CONTACT:** For technical information: John Guy, Designated Federal Officer, Transportation and Regional Programs Division, Mailcode 6403J, U.S. EPA, 1200 Pennsylvania Ave., NW., Washington, DC 20460; Ph: 202–343–9276; e-mail: [guy.john@epa.gov](mailto:guy.john@epa.gov). For logistical and administrative information: Ms. Cheryl Jackson, U.S. EPA, Transportation and Regional Programs Division, Mailcode 6405J, U.S. EPA, 1200 Pennsylvania Ave., NW., Washington, DC 20460; 202–343–9653; e-mail: [jackson.cheryl@epa.gov](mailto:jackson.cheryl@epa.gov).

Background on the work of the Subcommittee is available at: [http://www.epa.gov/air/caaac/mobile\\_sources.html](http://www.epa.gov/air/caaac/mobile_sources.html). Individuals or organizations wishing to provide comments to the Subcommittee should submit them to Mr. Guy at the address above by April 27, 2010. The Subcommittee expects that public statements presented at its meetings will not be repetitive of previously submitted oral or written statements.

**SUPPLEMENTARY INFORMATION:** During the meeting, the Subcommittee may also hear progress reports from some of its workgroups as well as updates and announcements on activities of general interest to attendees.

*For Individuals With Disabilities:* For information on access or services for individuals with disabilities, please contact Mr. Guy or Ms. Jackson (see above). To request accommodation of a disability, please contact Mr. Guy or Ms. Jackson, preferably at least 10 days prior to the meeting, to give EPA as much time as possible to process your request.

Dated: March 25, 2010.

**Margo Tsirigotis Oge,**

*Director, Office of Transportation and Air Quality.*

[FR Doc. 2010–7200 Filed 3–31–10; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL–9133–3]

### Proposed Settlement Agreement, Clean Air Act Citizen Suit

**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 (“CAA” or “Act”), 42 U.S.C. 7413(g), notice is hereby given of a proposed settlement agreement, to address a consolidated petition for review filed by the New Jersey Department of Environmental Protection (“NJDEP”) in the United States Court of Appeals for the Third Circuit: *NJDEP v. Johnson*, Nos. 07–0612 and 08–4818 (3rd Cir.). On July 21, 2006, NJDEP filed an administrative petition seeking an objection to a permit proposed to be issued under title V of the Act, 42 U.S.C. 7661 *et seq.*, to RRI Energy Mid-Atlantic's Portland Generating Station in Northampton County, Pennsylvania.<sup>1</sup> Following denial of the petition, on September 14, 2007, NJDEP filed a petition for review of that denial (No. 07–0612) and submitted an administrative petition for reconsideration of the denial. Following denial of the petition for reconsideration, NJDEP filed a petition for review of that denial (No. 08–4818) and the two petitions were consolidated into one action. On July 23, 2009, NJDEP filed an administrative petition asking the Administrator to reopen the title V permit for the RRI Energy Portland plant pursuant to 40 CFR 70.7(f)(iii) & (iv). Under the terms of the proposed settlement agreement, NJDEP

<sup>1</sup> At the time of the petition, the name of the company was “Reliant Energy,” but the company subsequently changed its name. To avoid confusion this notice uses the company's current name.

has agreed to dismiss its pending consolidated petition for review, and EPA has agreed to respond to NJDEP's petition to reopen the permit within one year after the date when this Agreement becomes final.

**DATES:** Written comments on the proposed consent decree must be received by *May 3, 2010*.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2009-0987, online at <http://www.regulations.gov> (EPA's preferred method); by e-mail to [oei.docket@epa.gov](mailto:oei.docket@epa.gov); mailed 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:** David Orlin, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; *telephone:* (202) 564-1222; *fax number* (202) 564-5603; *e-mail address:* [orlin.david@epa.gov](mailto:orlin.david@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Additional Information About the Proposed Settlement Agreement**

This settlement agreement would resolve pending challenges to EPA's denial of the title V petition and petition for reconsideration filed by NJDEP that seek an objection to a permit proposed to be issued by Pennsylvania Department of Environmental Protection to RRI Energy Mid-Atlantic Power Holdings LLC for its Portland Generating Station in Pennsylvania. Under the terms of the proposed settlement agreement, EPA shall make a determination on the petition to reopen the title V permit filed by NJDEP on July 23, 2009 no later than one year after the date when this Agreement becomes final. Within 10 days after this Agreement is finalized, NJDEP and EPA shall file a joint motion for voluntary dismissal with prejudice of the pending litigation.

For a period of thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the proposed settlement agreement from persons who

were not named as parties or intervenors to the litigation in question. EPA or the Department of Justice may withdraw or withhold consent to the proposed settlement agreement if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless EPA or the Department of Justice determines that consent to the settlement agreement should be withdrawn, the terms of the settlement will be affirmed.

**II. Additional Information About Commenting on the Proposed Settlement Agreement**

*A. How Can I Get a Copy of the Settlement Agreement?*

The official public docket for this action (identified by Docket ID No. EPA-HQ-OGC-2009-0987) contains a copy of the proposed settlement agreement. The official public docket is available for public viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OEI Docket is (202) 566-1752.

An electronic version of the public docket is available through <http://www.regulations.gov>. You may use the <http://www.regulations.gov> to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Once in the system, key in the appropriate docket identification number then select "search".

It is important to note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing online at <http://www.regulations.gov> without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. Information claimed as CBI and other information whose disclosure is restricted by statute is not included in the official public docket or in the electronic public docket. EPA's policy is that copyrighted material, including copyrighted material contained in a public comment, will not be placed in EPA's electronic public

docket but will be available only in printed, paper form in the official public docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the EPA Docket Center.

*B. How and to Whom Do I Submit Comments?*

You may submit comments as provided in the **ADDRESSES** section. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

If you submit an electronic comment, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment and with any disk or CD-ROM you submit. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. Any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

Use of the <http://www.regulations.gov> website to submit comments to EPA electronically is EPA's preferred method for receiving comments. The electronic public docket system is an "anonymous access" system, which means EPA will not know your identity, e-mail address, or other contact information unless you provide it in the body of your comment. In contrast to EPA's electronic public docket, EPA's electronic mail (e-mail) system is not an "anonymous access" system. If you send an e-mail comment directly to the Docket without going through <http://www.regulations.gov>, your e-mail address is automatically captured and included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

Dated: March 25, 2010.

**Richard B. Ossias,**  
*Associate General Counsel.*

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