

Filed Date: 12/07/2006

Accession Number: 20061207-5054.

Comment Date: 5 p.m. Eastern Time on Thursday, December 28, 2006.

Any person desiring to intervene or to protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) on or before 5 p.m. Eastern time on the specified comment date. It is not necessary to separately intervene again in a subdocket related to a compliance filing if you have previously intervened in the same docket. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. In reference to filings initiating a new proceeding, interventions or protests submitted on or before the comment deadline need not be served on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 14 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First St., NE, Washington, DC 20426.

The filings in the above proceedings are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also available for review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

**Magalie R. Salas,**

Secretary.

[FR Doc. E6-21430 Filed 12-15-06; 8:45 am]

BILLING CODE 6717-01-P

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OECA-2006-0421; FRL-8258-2]

### Agency Information Collection Activities; Submission to OMB for Review and Approval; Comment Request; NESHAP for Mercury Cell Chlor-Alkali Plants (Renewal), EPA ICR Number 2046.03, OMB Control Number 2060-0542

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that an Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval. This is a request to renew an existing approved collection. The ICR which is abstracted below describes the nature of the collection and the estimated burden and cost.

**DATES:** Additional comments may be submitted on or before January 17, 2007.

**ADDRESSES:** Submit your comments, referencing docket ID number EPA-HQ-OECA-2006-0421, to (1) EPA online using <http://www.regulations.gov> (our preferred method), or by e-mail to [docket.oeca@epa.gov](mailto:docket.oeca@epa.gov), or by mail to: EPA Docket Center (EPA/DC), Environmental Protection Agency, Enforcement and Compliance Docket and Information Center, mail code 2201T, 1200 Pennsylvania Avenue, NW., Washington, DC 20460, and (2) OMB at: Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Attention: Desk Officer for EPA, 725 17th Street, NW., Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:**

Robert C. Marshall, Jr., Office of Compliance, 2223A, Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; telephone number: (202) 564-7021; fax number: (202) 564-0050; e-mail address: [marshall.robert@epa.gov](mailto:marshall.robert@epa.gov).

**SUPPLEMENTARY INFORMATION:** EPA has submitted the following ICR to OMB for review and approval according to the procedures prescribed in 5 CFR 1320.12. On June 21, 2006 (71 FR 35652), EPA sought comments on this ICR pursuant to 5 CFR 1320.8(d). EPA received no comments. Any additional comments on this ICR should be submitted to EPA and OMB within 30 days of this notice.

EPA has established a public docket for this ICR under docket ID number EPA-HQ-OECA-2006-0421, which is

available for public viewing online at <http://www.regulations.gov>, or in person viewing at the Enforcement and Compliance Docket in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Avenue, 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 Reading Room is (202) 566-1744, and the telephone number for the Enforcement and Compliance Docket is (202) 566-1927.

Use EPA's electronic docket and comment system at <http://www.regulations.gov>, to submit or view public comments, access the index listing of the contents of the docket, and to access those documents in the docket that are available electronically. Once in the system, select "docket search," then key in the docket ID number identified above. Please note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing at <http://www.regulations.gov>, as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose public disclosure is restricted by statute. For further information about the electronic docket, go to [www.regulations.gov](http://www.regulations.gov).

**Title:** NESHAP for Mercury Cell Chlor-Alkali Plants (Renewal).

**ICR Numbers:** EPA ICR Number 2046.03, OMB Control Number 2060-0542.

**ICR Status:** This ICR is scheduled to expire on January 31, 2007. Under OMB regulations, the Agency may continue to conduct or sponsor the collection of information while this submission is pending at OMB. An Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations in title 40 of the CFR, after appearing in the **Federal Register** when approved, are listed in 40 CFR part 9, and displayed either by publication in the **Federal Register** or by other appropriate means, such as on the related collection instrument or form, if applicable. The display of OMB control numbers in certain EPA regulations is consolidated in 40 CFR part 9.

**Abstract:** The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Mercury Emissions from Mercury Cell Chlor-Alkali plants were promulgated on December 19, 2003. These standards apply to existing facilities and new facilities that are part

of major source of hazardous air pollutant (HAP) emissions or a part of an area source of HAP emissions.

In general, all NESHAP standards require initial notifications, performance tests, and periodic reports by the owners/operators of the affected facilities. They are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. These notifications, reports, and records are essential in determining compliance, and are required of all affected facilities.

Any owner/operator subject to the provisions of this part shall maintain a file of these measurements, and retain the file for at least five years following the date of such measurements, maintenance reports and records. All reports are sent to the delegated state or local authority. In the event that there is no such delegated authority, the reports are sent directly to the United States Environmental Protection Agency (EPA) regional office.

**Burden Statement:** The annual public reporting and recordkeeping burden for this collection of information is estimated to average 809 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements which have subsequently changed; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

**Respondents/Affected Entities:**

Mercury cell chlor-alkali plants.

**Estimated Number of Respondents:** 9.

**Frequency of Response:**

Semiannually.

**Estimated Total Annual Hour Burden:**

14,558.

**Estimated Total Annual Cost:**

\$1,351,382 which is comprised of zero annualized Capital Start Up costs, \$74,000 annualized Operating and Maintenance (O&M), and \$1,277,382 annual Labor Costs.

**Changes in the Estimates:** The number of respondents has not changed and

there are no program changes. However, there are adjustments for an increase in labor hours and a decrease in costs as compared to the currently "active" ICR.

The adjustments result from the transition by the respondents from initial compliance with the standard to continuing compliance with the standard. The respondents achieved compliance over the past three years by conducting performance tests and purchasing pollution monitors which resulted in a small number of labor hours, but a relatively high capital/startup cost. After achieving compliance, performance tests are not required and capital/startup costs are low because pollution monitors are a one-time, initial expense. However, the cost to maintain the monitors is increased. The overall labor costs are higher because the pollution levels must be recorded and compliance reports sent to the appropriate regulatory authority.

Dated: December 8, 2006.

**Richard T. Westlund,**

*Acting Director, Collection Strategies Division.*

[FR Doc. E6-21501 Filed 12-15-06; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[A-1-FRL-8257-9]

### Clean Air Act Operating Permit Program; Petition for Objection to State Operating Permit for Bio Energy in Hopkinton NH

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

**ACTION:** Notice of final order on petition to object to a modification to a state operating permit.

**SUMMARY:** This notice announces that the EPA Administrator has responded to a citizen petition requesting that EPA object to a Clean Air Act ("CAA" or "the Act") title V operating permit modification issued by the New Hampshire Department of Environmental Services ("New Hampshire DES"). Specifically, the Administrator has granted in part and denied in part the petition submitted by the Residents Environmental Action Committee of Hopkinton, the Conservation Law Foundation, and the Physician Petitioners (collectively referred to herein as "Petitioners") requesting that the Administrator object to the permit modification issued to Bio Energy, LLC of Hopkinton, New Hampshire.

Pursuant to section 505(b)(2) of the Act, the petitioner may seek judicial

review of any portion of the petition which EPA denied in the United States Court of Appeals for the appropriate circuit. 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:** Copies of the final order, petition, and other supporting information are available at the Office of Ecosystem Protection, U.S. Environmental Protection Agency, EPA New England Regional Office, One Congress Street, Suite 1100, Boston, MA. EPA requests that if at all possible, you contact the contact listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday, 8:30 to 4:30 excluding legal holidays. The final order is also available electronically at: <http://www.epa.gov/region07/programs/artd/air/title5/petitiondb/petitiondb2003.htm>.

**FOR FURTHER INFORMATION CONTACT:** Ida E. McDonnell, Air Permits, Toxics, and Indoor Programs Unit, U.S. Environmental Protection Agency, EPA New England Regional Office, One Congress Street, Suite 1100 (CAP), Boston, MA 02114-2023, telephone number (617) 918-1653, fax number (617) 918-0653, e-mail [mcdonnell.ida@epa.gov](mailto:mcdonnell.ida@epa.gov).

**SUPPLEMENTARY INFORMATION:** EPA approves State and local permitting authorities to administer the operating permit program set forth in title V of the CAA, 42 U.S.C. 7661-7661f. New Hampshire DES administers a fully approved title V program. 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 this review period to object to state operating permits not in compliance with the CAA, if EPA has not already done so. Petitions 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 such issues during the comment period or the grounds for the issues arose after this period.

On October 21, 2003, the Petitioners submitted a petition requesting that EPA object to the issuance of the modified title V permit pursuant to section 505(b)(2) of the Act. The Petitioners raised four broad objections to the issuance of the modified permit: