

*Docket Numbers:* ER07-425-000.

*Applicants:* American Electric Power Service Corporation.

*Description:* American Electric Power Service Corp submits notices of, cancellation for two ERCOT Generation Interconnection, Agreements between AEP TCC and La Palma WLE, LP and, AEP TCC and Lon C. Hill.

*Filed Date:* 01/12/2007.

*Accession Number:* 20070116-0051.

*Comment Date:* 5 p.m. Eastern Time on Friday, February 02, 2007.

Take notice that the Commission received the following foreign utility company status filings:

*Docket Numbers:* FC07-6-000.

*Applicants:* Nuovo Pignone s.p.a.

*Description:* Nuovo Pignone s.p.a. submits a notice for Self-Certification, of Foreign Utility Company Status pursuant to Section 366.1, of the Commission's regulations.

*Filed Date:* 12/29/2006.

*Accession Number:* 20070110-0085.

*Comment Date:* 5 p.m. Eastern Time on Friday, January 19, 2007.

Take notice that the Commission received the following electric reliability filings:

*Docket Numbers:* RR06-1-005.

*Applicants:* North American Electric Reliability Corporation.

*Description:* North American Electric Reliability Corporation submits a, compliance filing in response to the Commission's order, issued 10/30/06.

*Filed Date:* 01/12/2007.

*Accession Number:* 20070112-5032.

*Comment Date:* 5 p.m. Eastern Time on Friday, February 02, 2007.

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. E7-874 Filed 1-22-07; 8:45 am]

**BILLING CODE 6717-01-P**

## ENVIRONMENTAL PROTECTION AGENCY

[Regional Docket Nos. II-2006-01; FRL-8272-4]

### Clean Air Act Operating Permit Program; Petition for Objection to State Operating Permit for Marcal Paper Mills, Inc.

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

**ACTION:** Notice of final decision concerning a State operating permit.

**SUMMARY:** This document announces a decision the EPA Administrator has made. It responds to a citizen petition submitted by the Rutgers Environmental Law Clinic (RELC) on behalf of a number of petitioners. The petition requests EPA to object to an operating permit issued to the Marcal Paper Mills, Inc. ("Marcal") by the New Jersey Department of Environmental Protection (DEP). The Administrator has partially granted and partially denied the subject petition.

Pursuant to section 505(b)(2) of the Clean Air Act (Act), petitioners may seek judicial review of those portions of the petition which EPA denied in the

United States Court of Appeals for the appropriate circuit. Pursuant to section 307 of the Act, any petition for review shall be filed within 60 days from the date this notice appears in the **Federal Register**.

**ADDRESSES:** You may review copies of the final order, the petition, and all relevant information at the EPA Region 2 Office, 290 Broadway, New York, New York 10007-1866. If you wish to examine these documents, you should make an appointment at least 24 hours before visiting day. Additionally, the final order for Marcal is available electronically at: <http://www.epa.gov/region07/programs/artd/air/title5/petitiondb/petitiondb2002.htm>.

**FOR FURTHER INFORMATION CONTACT:** Steven Riva, Chief, Permitting Section, Air Programs Branch, Division of Environmental Planning and Protection, EPA, Region 2, 290 Broadway, 25th Floor, New York, New York 10007-1866, telephone (212) 637-4074.

**SUPPLEMENTARY INFORMATION:** The Act affords EPA a 45-day period to review and object, as appropriate, to 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 if EPA has not 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 those issues during the comment period or the grounds for the issues arose after this period.

On March 1, 2006, EPA Region 2 received a petition from RELC on behalf of a number of petitioners requesting that EPA object to the title V operating permit issued to Marcal on the following bases: (1) The permit is not accompanied by a statement of basis that is understandable, available to the public and describes the past compliance history of the facility and permitting decisions by DEP; (2) the permit fails to include a compliance schedule containing the terms of the settlement agreement between Marcal and DEP dated June 20, 2005 that are required to satisfy pending violations; (3) the permit fails to impose sufficient opacity monitoring, such as continuous opacity monitoring, to assure compliance with particulate matter limits; (4) the permit fails to require continuous emissions monitoring or more frequent stack testing to monitor VOC and NO<sub>x</sub>; (5) the DEP did not

adequately address the environmental justice issue raised by Petitioners as is required by state and federal environmental justice executive orders; and (6) the DEP did not adequately address issues raised by Petitioners during the public hearing. On November 30, 2006, the Administrator issued an order granting on the issue of Statement of Basis and denying on the other issues. The order explains EPA's reasons for granting on the Statement of Basis issue and for denying the remaining issues.

Dated: January 4, 2007.

**Alan J. Steinberg,**

*Regional Administrator, Region 2.*

[FR Doc. E7-818 Filed 1-22-07; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

[MI-88-1; FRL-8272-8]

**Adequacy Status of Motor Vehicle Emissions Budgets for Four Areas in Michigan for Transportation Conformity Purposes**

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

**ACTION:** Notice of adequacy.

**SUMMARY:** In this action, EPA is notifying the public that EPA has found that the motor vehicle emissions budgets (MVEBs) for four areas across the state of Michigan are adequate for conformity purposes. On March 2, 1999, the D.C. Circuit Court ruled that submitted State Implementation Plans (SIPs) cannot be used for conformity determinations until EPA has affirmatively found them adequate. As a result of our finding, the Flint (consisting of Genesee and Lapeer Counties), Muskegon County, Berrien County, and Cass County areas can use the (MVEBs) for future conformity determinations. These budgets are effective February 7, 2007. The finding and the response to comments will be available at EPA's conformity Web site: <http://www.epa.gov/otaq/transp.htm>, (once there, click on the "Conformity" button, then look for "Adequacy Review of SIP Submissions for Conformity").

**FOR FURTHER INFORMATION CONTACT:** Anthony Maietta, Life Scientist, Criteria Pollutant Section (AR-18J), Air Programs Branch, Air and Radiation Division, United States Environmental Protection Agency, Region 5, 77 West

Jackson Boulevard, Chicago, Illinois 60604, (312) 353-8777, [Maietta.anthony@epa.gov](mailto:Maietta.anthony@epa.gov).

**SUPPLEMENTARY INFORMATION:** Throughout this document, whenever "we", "us" or "our" is used, we mean EPA.

**Background**

Today's action is simply an announcement of a finding that we have already made. EPA Region 5 sent a letter to the Michigan Department of Environmental Quality on November 29, 2006, stating that the 2018 (MVEBs) in the Flint, Muskegon County, Berrien County, and Cass County areas are adequate. Michigan submitted the budgets as part of the 8-hour ozone redesignation requests and maintenance plans for these areas. This finding was announced on EPA's conformity Web site, and received no comments: <http://www.epa.gov/otaq/stateresources/transconf/adequacy.htm>, (once there, click on "What SIP submissions are currently under EPA adequacy review?").

The 2018 (MVEBs), in tons per day, for volatile organic compounds and oxides of nitrogen for these areas are as follows:

Area	2018 VOC MVEB (tpd)	2018 NO <sub>x</sub> MVEB (tpd)
Flint .....	25.68	37.99
Muskegon County .....	6.67	11.00
Berrien County .....	9.16	15.19
Cass County .....	2.76	3.40

Transportation conformity is required by section 176(c) of the Clean Air Act. EPA's conformity rule requires that transportation plans, programs, and projects conform to state air quality implementation plans and establishes the criteria and procedures for determining whether or not they do. Conformity to a SIP means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the national ambient air quality standards.

The criteria by which we determine whether a SIP's motor vehicle emission budgets are adequate for conformity purposes are outlined in 40 CFR 93.118(e)(4). Please note that an adequacy review is separate from EPA's completeness review, and it should not be used to prejudge EPA's ultimate approval of the SIP. Even if we find a budget adequate, the SIP could later be disapproved.

We've described our process for determining the adequacy of submitted SIP budgets in guidance (May 14, 1999 memo titled "Conformity Guidance on Implementation of March 2, 1999 Conformity Court Decision"). We followed this guidance in making our adequacy determination.

Dated: January 11, 2007.

**Mary A. Gade,**

*Regional Administrator, Region 5.*

[FR Doc. E7-919 Filed 1-22-07; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

[IL228-2; FRL-8272-7]

**Notice of Prevention of Significant Deterioration Final Determination for Indeck-Elwood, LLC**

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

**ACTION:** Notice of withdrawal action.

**SUMMARY:** This notice announces that EPA is withdrawing the Notice of Final Agency Action of November 22, 2006 (71 FR 67560), for the Indeck-Elwood, LLC Prevention of Significant Deterioration (PSD) permit, because the Environmental Appeals Board (EAB) remanded the permit in part. On September 27, 2006, the EAB of the EPA denied in part, and remanded in part, a petition for review of a federal PSD permit issued to Indeck-Elwood, LLC by the Illinois Environmental Protection Agency. According to 40 CFR part 124, a final permit decision shall be issued by the Regional Administrator when the EAB issues a decision on the merits of the appeal and the decision does not include a remand of the proceedings. Because the EAB's decision on this permit appeal included a partial remand, there is not yet a final agency action subject to review.