

Dam Safety and Inspections, New York Regional Office directed the licensee to resume project operation by May 30, 2003, and to provide a status report to that office by June 15, 2003. The licensee did not comply. By letter of September 23, 2004, Commission staff informed the licensee that the project was considered abandoned and that the Commission may terminate the license for the project under an implied surrender proceeding. In this letter, the licensee was given the opportunity to voluntarily surrender the license.

On December 6, 2004, the licensee filed a response to Commission staff's September 23, 2004 letter, stating that the reason repairs had not been done at the project was that the Appleton Mills area had been undergoing a major selective demolition of 400,000 of its 600,000 square feet and that an asbestos removal and clean up process had gone on for several years. In the December 6, 2004 filing, the licensee stated that necessary planning was underway for the reconstruction of the equipment and wheelhouse. The licensee further stated that it was his plan to develop a full scope of work by early March 2005 and that he would forward an outline of the scope with a full timeline projection to the Commission. However, a scope of work was never filed. On July 26, 2006, the City of Lowell, Massachusetts (City) filed a letter with the Commission stating that the City had acquired the parcel of land on which the licensed Appleton Trust Project is located.

To date, the licensee has not made the necessary repairs to resume operations at the project and the project is hereby considered abandoned.

**l. Location of the Order:** A copy of the order is available for inspection and reproduction at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, call toll-free 1-866-208-3676 or e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov). For TTY, call (202) 502-8659.

**m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.**

**n. Comments, Protests, or Motions to Intervene—**Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, 385.211, 385.214. In determining the appropriate action to take, the Commission will consider all protests or other comments

filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the proceeding.

Comments, protests and interventions may be filed electronically via the Internet in lieu of paper; See 18 CFR 385.2001 (a)(1)(iii) and the instructions on the Commission's Web site under "e-filing" link. The Commission strongly encourages electronic filing.

**o. Filing and Service of Responsive Documents—**Any filings must bear in all capital letters the title "COMMENTS", "PROTEST", or "MOTION TO INTERVENE", and "RECOMMENDATIONS FOR TERMS AND CONDITIONS", as applicable, and the Project Number of the proceeding. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. An additional copy must be sent to Director, Division of Hydropower Administration and Compliance, Federal Energy Regulatory Commission, at the above-mentioned address.

**p. Agency Comments—**Federal, state, and local agencies are invited to file comments on the described proceeding. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments.

**Philis J. Posey,**  
*Acting Secretary.*

[FR Doc. E7-5771 Filed 3-28-07; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. AD07-7-000]

#### Conference on Competition in Wholesale Power Markets; Notice of Conference

March 23, 2007.

Take notice that on May 8, 2007, a second conference will be held at the Federal Energy Regulatory Commission (Commission or FERC) to examine the state of competition in wholesale power markets. This second conference will be held from 9 a.m. to 4 p.m. (EST) at the Federal Energy Regulatory Commission's offices, 888 First Street, NE., Washington, DC 20426, in the

Commission Meeting Room. All interested persons are invited to attend. A further notice with a detailed agenda will be issued in advance of the conference.

Transcripts of the conference will be immediately available from Ace Reporting Company (202-347-3700 or 1-800-336-6646) for a fee. They will be available for the public on the Commission's eLibrary system seven calendar days after FERC receives the transcript.

A free webcast of this event will be available through [www.ferc.gov](http://www.ferc.gov). Anyone with Internet access who desires to view this event can do so by navigating to [www.ferc.gov](http://www.ferc.gov)'s Calendar of Events and locating this event in the Calendar. The event will contain a link to its webcast. The Capitol Connection provides technical support for the free webcasts. It also offers access to this event via television in the DC area and via phone bridge for a fee. If you have any questions, visit <http://www.CapitolConnection.org> or contact Danelle Perkowski or David Reininger at 703-993-3100.

Commission conferences are accessible under section 508 of the Rehabilitation Act of 1973. For accessibility accommodations please send an e-mail to [accessibility@ferc.gov](mailto:accessibility@ferc.gov) or call toll free 1-866-208-3372 (voice) or 202-208-1659 (TTY), or send a fax to 202-208-2106 with the required accommodations.

For more information about this conference, please contact: Clara Brooks, Office of Energy Markets and Reliability, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502-8357, [Clara.Brooks@ferc.gov](mailto:Clara.Brooks@ferc.gov).

**Philis J. Posey,**  
*Acting Secretary.*

[FR Doc. E7-5755 Filed 3-28-07; 8:45 am]

BILLING CODE 6717-01-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8293-5]

### Proposed Consent Decree, Clean Air Act Citizen Suit

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

**ACTION:** Notice of Proposed Consent Decree; 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 consent decree to address a lawsuit filed

by Sierra Club in the United States District Court for the Northern District of California San Francisco Division: *Sierra Club v. EPA*, No. C 06-5288 MHP (N.D. CA). On August 29, 2006, Sierra Club filed a complaint claiming that EPA had failed to perform a non-discretionary duty under CAA section 111(b) to review and, if appropriate, revise the new source performance standards ("NSPS") for new and modified Portland cement plants (Subpart F). Under the terms of the proposed consent decree, or before May 31, 2008, the appropriate EPA official shall sign, and within 10 business days of signing, forward to the **Federal Register** for publication one or a combination of the following: (a) A proposed rule revising the NSPS Subpart F, and/or (b) a proposed and/or final determination not to revise NSPS Subpart F. On or before May 31, 2009, the appropriate EPA official shall sign, and within 10 business days of signing, forward to the **Federal Register** for publication, one or a combination of the following: (a) A final rule revising the NSPS Subpart F; and/or (b) a final determination not to revise NSPS Subpart F.

**DATES:** Written comments on the proposed consent decree must be received by April 30, 2007.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2007-0230, 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:** Elliott Zenick, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone: (202) 564-1822; fax number (202) 564-5603; e-mail address: [zenick.elliott@epa.gov](mailto:zenick.elliott@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Additional Information About the Proposed Consent Decree**

Under the terms of the proposed consent decree, on or before May 31, 2008, the appropriate EPA official shall sign, and within 10 business days of signing, forward to the **Federal Register** for publication one or a combination of the following: (a) A proposed rule revising the NSPS Subpart F, and/or (b) a proposed and/or final determination not to revise NSPS Subpart F. On or before May 31, 2009, the appropriate EPA official shall sign, and within 10 business days of signing, forward to the **Federal Register** for publication, one or a combination of the following: (a) A final rule revising the NSPS Subpart F; and/or (b) a final determination not to revise NSPS Subpart F.

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 consent decree 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 consent decree 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, based on any comment which may be submitted, that consent to the consent decree should be withdrawn, the terms of the decree will be affirmed.

**II. Additional Information About Commenting on the Proposed Consent Decree**

*A. How Can I Get a Copy of the Consent Decree?*

Direct your comments to the official public docket for this action under Docket ID No. EPA-HQ-OGC-2007-0230 which contains a copy of the consent decree. 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 [www.regulations.gov](http://www.regulations.gov). You may use the [www.regulations.gov](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, select "search," then key in the appropriate docket identification number.

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 [www.regulations.gov](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 [www.regulations.gov](http://www.regulations.gov) Web site 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 [www.regulations.gov](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 22, 2007.

**Richard B. Ossias,**

*Associate General Counsel.*

[FR Doc. E7-5799 Filed 3-28-07; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[Docket ID No. EPA-HQ-ORD-2007-0239; FRL-8293-7]

### A Screening Assessment of the Potential Impacts of Climate Change on Combined Sewer Overflow (CSO) Mitigation in the Great Lakes and New England Regions

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

**ACTION:** Notice of public comment period.

**SUMMARY:** EPA is announcing a 30-day public comment period for the draft document titled, "A Screening Assessment of the Potential Impacts of Climate Change on Combined Sewer Overflow (CSO) Mitigation in the Great Lakes and New England Regions" (EPA/600/R-07/033A). The document was prepared by the National Center for Environmental Assessment (NCEA) within EPA's Office of Research and Development.

EPA is releasing this draft document solely for the purpose of pre-dissemination peer review under applicable information quality guidelines. This document has not been formally disseminated by EPA. It does not represent and should not be construed to represent any Agency policy or determination. EPA will consider any public comments submitted in accordance with this notice when revising the document.

**DATES:** The 30-day public comment period begins March 29, 2007, and ends April 28, 2007. Technical comments

should be in writing and must be received by EPA by April 28, 2007.

**ADDRESSES:** The draft "A Screening Assessment of the Potential Impacts of Climate Change on Combined Sewer Overflow (CSO) Mitigation in the Great Lakes and New England Regions" is available primarily via the Internet on NCEA's home page under the Recent Additions and the Data and Publications menus at <http://www.epa.gov/ncea>. A limited number of paper copies are available from NCEA's Technical Information Staff (telephone: 202-564-3261, facsimile: 202-565-0050). If you are requesting a paper copy, please provide your name, your mailing address, and the document title.

Comments may be submitted electronically at <http://www.regulations.gov>, by mail, by facsimile, or by hand delivery/courier. Please follow the detailed instructions provided in the **SUPPLEMENTARY INFORMATION** section of this notice.

**FOR FURTHER INFORMATION CONTACT:** For information on the public comment period, contact the Office of Environmental Information Docket; telephone: 202-566-1752; facsimile: 202-566-1753; or e-mail: [ORD.Docket@epa.gov](mailto:ORD.Docket@epa.gov).

For technical information, contact Thomas Johnson, NCEA; telephone: 202-564-3406; facsimile: 202-564-2018; or e-mail: [Johnson.thomas@epa.gov](mailto:Johnson.thomas@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Information About the Project/Document**

This report describes the potential scope and magnitude of climate change impacts on combined sewer overflow (CSO) events mitigation efforts in the Great Lakes Region and New England Region. The report describes the extent to which CSO long-term control plans may be under-designed if planners assume that past precipitation conditions are representative of future conditions. Combined sewer systems (CSSs) collect and co-treat stormwater and municipal wastewater. During high-intensity rainfall events, the capacity of CSSs can be exceeded resulting in the discharge of untreated storm water and wastewater directly into receiving streams. These CSO events can result in high concentrations of microbial pathogens, biochemical oxygen demand, suspended solids, and other pollutants in receiving waters. Climate change in many parts of the country is expected to increase the proportion of rainfall occurring in high-intensity events, resulting in increased stormwater runoff. Climate change could thus

present a risk of increased CSO frequency and resulting water quality impairment.

## **II. How To Submit Technical Comments to the Docket at <http://www.regulations.gov>**

Submit your comments, identified by Docket ID No. EPA-HQ-ORD-2007-0239 by one of the following methods:

- <http://www.regulations.gov>: Follow the on-line instructions for submitting comments.

- *E-mail*: [ORD.Docket@epa.gov](mailto:ORD.Docket@epa.gov).

- *Fax*: 202-566-1753.

- *Mail*: Office of Environmental Information (OEI) Docket (Mail Code: 2822T), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460. The phone number is 202-566-1752.

- *Hand Delivery*: The OEI Docket is located in the EPA Headquarters Docket Center, EPA West Building, 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 Public Reading Room is 202-566-1744. Such deliveries are only accepted during the docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

If you provide comments by mail or hand delivery, please submit one unbound original with pages numbered consecutively, and three copies of the comments. For attachments, provide an index, number pages consecutively with the comments, and submit an unbound original and three copies.

**Instructions:** Direct your comments to Docket ID No. EPA-HQ-ORD-2007-0239. Please ensure that your comments are submitted within the specified comment period. Comments received after the closing date will be marked "late," and may only be considered if time permits. It is EPA's policy to include all comments it receives in the public docket without change and to make the comments available online at [www.regulations.gov](http://www.regulations.gov), including any personal information provided, unless a comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through [www.regulations.gov](http://www.regulations.gov) or e-mail. The [www.regulations.gov](http://www.regulations.gov) Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your