

this time. Instead, we are soliciting comments, recommendations, and information on the Scoping Document (SD) issued on June 15, 2010.

Copies of the SD outlining the subject areas to be addressed in the EA were distributed to the parties on the Commission's mailing list and the applicant's distribution list. Copies of the SD may be viewed on the Web 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 1-866-208-3676, or for TTY, (202) 502-8659.

**Kimberly D. Bose,**

Secretary.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. AD10-14-000]

#### Reliability Standards Development and NERC and Regional Entity Enforcement; Notice of Technical Conference

June 15, 2010.

Take notice that the Federal Energy Regulatory Commission (Commission) will hold a Commissioner-led Technical Conference to address industry perspectives on certain issues pertaining to the development and enforcement of mandatory Reliability Standards for the Bulk-Power System. The conference will focus on the Electric Reliability Organization's (ERO) standards development process; communication and interactions between the Commission, the ERO and Regional Entities; and ERO and Regional Entity monitoring and enforcement.

This Technical Conference will be held on Tuesday, July 6, 2010, in the Commission Meeting Room (2C) at the Commission's Washington, DC headquarters, 888 First Street, NE., Washington, DC, from approximately 10 a.m. until 4 p.m. (e.d.t.). A further notice with detailed information, including the agenda, will be issued in advance of this conference. All interested parties are invited, and there is no registration list or registration fee to attend.

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 202-208-8659 (TTY), or send a fax to 202-208-2106 with the required accommodations.

Questions about this conference may be directed to:

Karin L. Larson, Office of the General Counsel—Energy Markets, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502-8236, [Karin.Larson@ferc.gov](mailto:Karin.Larson@ferc.gov).

Christopher Young, Office of Electric Reliability, Division of Reliability Standards, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502-6403, [Christopher.Young@ferc.gov](mailto:Christopher.Young@ferc.gov).

**Kimberly D. Bose,**

Secretary.

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OW-2008-0719, FRL-9164-9; EPA ICR No. 2060.04; OMB Control No. 2040-0257]

#### Agency Information Collection Activities; Proposed Collection; Comment Request; Information Collection Request for Cooling Water Intake Structure Phase II Existing Facilities (Renewal)

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit a request to renew an existing approved Information Collection Request (ICR) to the Office of Management and Budget (OMB). This ICR is scheduled to expire on August 31, 2010. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the information collection as described below.

**DATES:** Comments must be submitted on or before August 20, 2010.

**ADDRESSES:** Submit your comments, referencing docket ID No. EPA-HQ-OW-2008-0719, by one of the following methods:

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

- *E-mail:* [ow-docket@epa.gov](mailto:ow-docket@epa.gov) (Identify Docket ID No. EPA-HQ-OW-2008-0719, in the subject line).

- *Mail:* Water Docket, Environmental Protection Agency, Mailcode: 4203M, 1200 Pennsylvania Ave., NW.,

Washington, DC 20460. Please include a total of three copies.

- *Hand Delivery:* EPA Docket Center, EPA West, Room B102, 1301 Constitution Avenue, NW., Washington, DC. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

*Instructions:* Direct your comments identified by the Docket ID No. EPA-HQ-OW-2008-0719. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the 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 <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 comment. If you send an e-mail comment directly to EPA without going through <http://www.regulations.gov>, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. 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. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket, visit the EPA Docket Center homepage at <http://www.epa.gov/epahome/dockets.htm>.

**FOR FURTHER INFORMATION CONTACT:** Amelia Letnes, State and Regional Branch, Water Permits Division, OWM Mail Code: 4203M, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 564-5627; e-mail address: [letnes.amelia@epa.gov](mailto:letnes.amelia@epa.gov).

#### SUPPLEMENTARY INFORMATION:

#### How can I access the docket and/or submit comments?

EPA has established a public docket for the ICR identified in this document

(ID No. EPA-HQ-OW-2008-0719), which is available for online viewing at <http://www.regulations.gov>, or in person viewing at the Water Docket in the EPA Docket Center (EPA/DC), EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC. The EPA/DC Public Reading Room is open from 8 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 Water Docket is 202-566-2426.

Use <http://www.regulations.gov> to obtain a copy of the existing collection of information, submit or view public comments, access the index listing of the contents of the docket, and to access those documents in the public docket that are available electronically. Once in the system, select "search," then key in the docket ID number identified in this document.

#### What information is EPA particularly interested in?

Pursuant to section 3506(c)(2)(A) of the PRA, EPA specifically solicits comments and information to enable it to:

(i) Evaluate whether the collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;

(ii) Evaluate the accuracy of the Agency's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

(iii) Enhance the quality, utility, and clarity of the information to be collected; and

(iv) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses. In particular, EPA is requesting comments from very small businesses (those that employ less than 25) on examples of specific additional efforts that EPA could make to reduce the paperwork burden for very small businesses affected by this collection.

#### What should I consider when I prepare my comments for EPA?

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible and provide specific examples.
2. Describe any assumptions that you used.

3. Provide copies of technical information/data you used that support your views.

4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.

5. Offer alternative ways to improve the collection activity.

6. Make sure to submit your comments by the deadline identified under **DATES**.

7. To ensure proper receipt by EPA, be sure to identify the docket ID number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

#### What information collection activity or ICR does this apply to?

*Affected Entities:* Entities potentially affected by this action include existing electric power generating facilities meeting the applicability criteria of the 316(b) Phase II Existing Facility rule at 40 CFR 125.91.

*Title:* Information Collection Request for Cooling Water Intake Structure Phase II Existing Facilities (Renewal)

*ICR Numbers:* EPA ICR No. 2060.04, OMB Control No. 2040-0257.

*ICR Status:* This ICR is currently scheduled to expire on August 31, 2010. 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 section 316(b) Phase II Existing Facility rule requires the collection of information from existing point source facilities that generate and transmit electric power (as a primary activity) or generate electric power but sell it to another entity for transmission, use a cooling water intake structure (CWIS) that uses at least 25 percent of the water it withdraws from waters of the U.S. for cooling purposes, and have a design intake flow of 50 million gallons per day (MGD) or more. Section 316(b) of the Clean Water Act (CWA) requires that any standard established under section 301 or 306 of the CWA and applicable to a point source must require that the location, design, construction and capacity of CWISs at that facility reflect the best technology

available (BTA) for minimizing adverse environmental impact. Such impact occurs as a result of impingement (where fish and other aquatic life are trapped on technologies at the entrance to CWIS) and entrainment (where aquatic organisms, eggs, and larvae are taken into the cooling system, passed through the heat exchanger, and then pumped back out with the discharge from the facility). The 316(b) Phase II rule establishes requirements applicable to the location, design, construction, and capacity of CWISs at Phase II existing facilities. These requirements establish the BTA for minimizing adverse environmental impact associated with the use of CWISs.

The 316(b) Phase II rule was signed on February 16, 2004. Industry and environmental groups, and a number of States filed legal challenges to the rule. Several issues were heard by the Second Circuit's Court of Appeals, which issued a decision on January 25, 2007 remanding portions of the rule (see *Riverkeeper, Inc. v. U.S. EPA*, No. 04-6692-ag(L) [2d Cir. Jan. 25, 2007]). Industry groups also petitioned the Supreme Court on several issues, which issued a decision on April 1, 2009. (*Entergy Corp. v. Riverkeeper, Inc.*, No. 07-588). EPA subsequently suspended the 316(b) Phase II rule on July 9, 2007 and is currently in the process of developing a revised rule for existing facilities. However, permitting authorities are still required under section 301 of the CWA to establish BTA permit limits using best professional judgment. The existing Phase II rule provides a framework for the type of information a permit authority needs to establish appropriate BTA limits for CWISs. This ICR does not address the results of court decisions or any proposed regulation.

*Burden Statement:* The annual average reporting and record keeping burden for the collection of information by facilities responding to the Section 316(b) Phase II Existing Facility rule is estimated to be 2,071 hours per respondent (i.e., an annual average of 977,293 hours of burden divided among an anticipated annual average of 472 facilities). The State Director reporting and record keeping burden for the review, oversight, and administration of the rule is estimated to average 1,101 hours per respondent (i.e., an annual average of 46,228 hours of burden divided among an anticipated 42 States on average per year). Burden means the total time, effort, or financial resources expended by persons to generate, maintain, or disclose or provide information to or for a Federal agency. This includes the time needed to review

instructions; develop, acquire, install, and use 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; 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 information.

The ICR provides a detailed explanation of the Agency's estimate for the existing ICR, which is only briefly summarized here:

*Estimated total number of potential respondents:* 548 (506 facilities and 42 States).

*Frequency of response:* Bi-annually, every five years.

*Estimated total average number of responses for each respondent:* 9.

*Estimated total annual burden hours:* 1,023,521 hours.

*Estimated total annual costs:* \$74,199,667. This includes an estimated burden cost of \$64,224,198 and an estimated cost of \$9,975,469 for capital investment or maintenance and operational costs.

*Changes in the Estimates:* The change in burden results mainly from the shift from the approval period to the renewal period of the 316(b) Phase II Existing Facilities rule. The currently approved ICR (EPA ICR No. 2060.03) covers the last 2 years of the permit approval period (*i.e.*, years 4 and 5 after implementation) and the first year of the renewal period (*i.e.*, year 6 after implementation). This proposed ICR covers renewal of permits only (years 7 to 9 after implementation). Activities for renewing an NPDES permit already issued under the 316(b) Phase II Existing Facilities rule are less burdensome than those for issuing a permit for the first time.

#### What is the next step in the process for this ICR?

EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval pursuant to 5 CFR 1320.12. At that time, EPA will issue another **Federal Register** notice pursuant to 5 CFR 1320.5(a)(1)(iv) to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB. If you have any questions about this ICR or the approval process, please contact the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

Dated: June 14, 2010.

**James A. Hanlon,**

*Director, Office of Wastewater Management.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9164-8]

### Informational Public Meetings for Hydraulic Fracturing Research Study

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

**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency (EPA or Agency) is announcing four (4) public informational meetings to explain its proposed plan to study the relationship between hydraulic fracturing and drinking water. The meetings are open to all interested parties and will be held in Fort Worth, Texas; Denver, Colorado; Canonsburg, Pennsylvania; and Binghamton, New York. EPA will provide the public with information about the Agency's preliminary plans for study scope and design, and EPA will receive public comments on the preliminary plans during the meetings.

**DATES:** The Hydraulic Fracturing Study informational meetings are as follows: July 8, 2010, from 6 p.m. to 10 p.m., c.d.t., in Fort Worth Texas; July 13, 2010, from 6 p.m. to 10 p.m., m.d.t., in Denver, Colorado; July 22, 2010, from 6 p.m. to 10 p.m., e.d.t. in Canonsburg, Pennsylvania; and three (3) meetings on August 12, 2010, from 8 a.m. to 12 p.m., 1 p.m. to 5 p.m., and 6 p.m. to 10 p.m., e.d.t., in Binghamton, New York.

Stakeholders are requested to pre-register for the meetings at least 72 hours before each meeting at the following Web site: <http://hfmeeting.cadmusweb.com>.

**FOR FURTHER INFORMATION CONTACT:** Jill Dean, Office of Groundwater and Drinking Water, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Mailcode 4606M, Washington, DC 20460; *telephone number:* 202-564-8241; *e-mail address:* [dean.jill@epa.gov](mailto:dean.jill@epa.gov).

**ADDRESSES:** The Hydraulic Fracturing Study informational meetings will be held as follows: On July 8, 2010, at the Hilton Fort Worth in Fort Worth, Texas; on July 13, 2010, at the Marriot Tech Center's Rocky Mountain Events Center in Denver, Colorado; on July 22, 2010, at the Hilton Garden Inn in Canonsburg, PA; and on August 12, 2010, at the Anderson Performing Arts Center at

Binghamton University in Binghamton, New York. More specific information regarding the public meetings such as addresses for the meeting locations and agendas will be provided on the EPA Hydraulic Fracturing Web site at [http://www.epa.gov/safewater/\\_safewater/uic/wells\\_hydrofrac.html](http://www.epa.gov/safewater/_safewater/uic/wells_hydrofrac.html).

**SUPPLEMENTARY INFORMATION:** EPA is hosting four (4) informational meetings related to the Agency's proposed Hydraulic Fracturing Research Study. The meetings are open to the public and all interested stakeholders are invited to attend. Presentations by EPA will be limited to study planning and will not include discussions on hydraulic fracturing policy or past EPA studies.

Persons wishing to contribute comments to EPA regarding the proposed Hydraulic Fracturing Research Study may: (1) Present oral comments at the informational meeting; (2) submit written comments at the informational meeting; (3) send written comments to EPA using the contact information listed in the **FOR FURTHER INFORMATION CONTACT** section; or (4) submit electronic comments to EPA at [hydraulic.fracturing@epa.gov](mailto:hydraulic.fracturing@epa.gov).

The meetings will begin with brief presentations by the EPA Office of Research and Development on hydraulic fracturing, potential study plan components, and proposed criteria for selecting case study locations. The oral comment session will begin after the presentations, and oral comments will be limited to two (2) minutes each. Written comments may be sent to [hydraulic.fracturing@epa.gov](mailto:hydraulic.fracturing@epa.gov) up to fourteen (14) days after each meeting. Information on hydraulic fracturing, updates on the Study progress, and stakeholder engagement events will be posted to the following EPA Web site: [http://www.epa.gov/safewater/uic/wells\\_hydrofrac.html](http://www.epa.gov/safewater/uic/wells_hydrofrac.html).

Stakeholders interested in attending the meetings are invited to pre-register at the following Web site: <http://hfmeeting.cadmusweb.com>, at least three (3) days in advance. Pre-registering for the meeting will allow EPA to improve meeting planning. Registered attendees requesting to make an oral presentation will be placed on the commenting schedule and receive a time slot in which to give comments. Time slots are limited and will be filled on a first come first served basis.

**Special Accommodations:** Any person needing special accommodations at the public meetings, including wheelchair access or sign language translator, should contact Jill Dean by phone at (202) 564-8241, by e-mail at [dean.jill@epa.gov](mailto:dean.jill@epa.gov) or by mail at: