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Dated: February 3, 2011.

**Nathaniel J. Davis, Sr.,**  
Deputy Secretary.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP11-1566-000]

#### Tennessee Gas Pipeline Company; Notice of Technical Conference

On November 30, 2010, pursuant to section 4 of the Natural Gas Act (NGA), Tennessee Gas Pipeline Company (Tennessee) filed revised tariff records proposing a rate increase for existing services and changes to certain terms and conditions of service, including elimination of certain rate schedules. On December 29, 2010 the Commission accepted and suspended the primary tariff records proposed to be effective June 1, 2011, subject to refund and to the outcome of a hearing and technical conference. *Tennessee Gas Pipeline Company*, 133 FERC ¶ 61,266 (2010). This technical conference was originally noticed to take place February 2 and 3, 2011, but was postponed due to inclement weather.

Take notice that a technical conference to discuss non-rate issues raised by Tennessee's filing will be held on, Tuesday, February 15, 2011 at 10 a.m.(EST) and Wednesday, February 16, 2011 at 10 a.m. (EST), in a room to be designated at the offices of the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

Federal Energy Regulatory 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.

All interested persons, parties, and staff are permitted to attend. For further information please contact Robert D. McLean (202) 502-8156.

Dated: February 3, 2011.

**Nathaniel J. Davis, Sr.,**  
Deputy Secretary.

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9265-2]

### Access in Litigation to Confidential Business Information; Transfer of Information Claimed as Confidential Business Information to the United States Department of Justice and Parties to Certain Litigation

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

**ACTION:** Notice.

**SUMMARY:** EPA has authorized the United States Department of Justice ("DOJ") to disclose, in response to discovery requests received by the United States in the litigation styled, *Tronox Incorporated, et al., v. Anadarko Petroleum Corp., et al.*, Adv. Proc. No. 09-01198 (ALG), pending in the United States Bankruptcy Court for the Southern District of New York (the "Anadarko Litigation"), and in response to discovery requests received by defendants Kerr-McGee Corporation and Anadarko Petroleum Corporation (the "Anadarko Securities Litigation Defendants") in the litigation styled, *In re Tronox, Inc., Securities Litigation* 09-cv-06220 (SAS), pending in the United States District Court for the Southern District of New York (the "Tronox Securities Litigation"), information which has been submitted to EPA by its contractors that is claimed to be, or has been determined to be, confidential business information ("CBI"). On October 21, 2010, EPA provided notice in the **Federal Register**, 75 FR 65013 (the "Anadarko Litigation FRN"), of past disclosure and of ongoing and contemplated future disclosure in the Anadarko Litigation. EPA is providing notice of contemplated future disclosure in the Tronox Securities Litigation. Interested persons may submit comments on this Notice to the address noted below.

**DATES:** Access by DOJ and/or the parties to the Tronox Securities Litigation to material discussed in this Notice that has been either claimed or determined to be CBI is ongoing, and is expected to continue in the future during the pendency of the Tronox Securities Litigation. EPA will accept comments on this Notice through February 22, 2011.

**ADDRESSES:** For further information contact Craig Kaufman, Attorney-Advisor, Office of Site Remediation Enforcement, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW. (Mail Code 2272A), Washington, DC 20460; telephone

number: (202) 564-4284; e-mail address: [kaufman.craig@epa.gov](mailto:kaufman.craig@epa.gov).

**SUPPLEMENTARY INFORMATION:** In accordance with 40 CFR 2.209(c)(1), EPA has disclosed information, including CBI, to DOJ in response to a written request for information from DOJ and/or on the initiative of EPA because such disclosure was necessary to enable DOJ to carry out a litigation function on behalf of EPA. DOJ has been served with discovery requests seeking, among other things, documentation supporting the proofs of claim filed by the United States of America in the bankruptcy styled, *In re Tronox Incorporated, et al.*, Case No. 09-10156 (ALG) (Chapter 11), pending in the United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy"). Those proofs of claim were filed on behalf of, *inter alia*, EPA regarding the debtors' environmental liabilities, including liabilities at sites at which EPA's contractors may have provided services.

The parties to the Anadarko Litigation have entered into an Agreed Protective Order, *see* Document No. 248 in the Bankruptcy docket, as amended on August 12, 2009, *see* Document No. 622 (together, the "AGP"), that will govern the treatment of information, including CBI, that is designated "Confidential" pursuant to the AGP. The AGP provides for limited dissemination of confidential information and for the return or destruction of confidential information at the conclusion of the Litigation. *See, e.g.*, AGP, at ¶¶1, 10, 12-16, 21. In accordance with 40 CFR 2.209(d), and pursuant to the Anadarko Litigation FRN, EPA authorized DOJ to disclose information that originated from EPA to the extent required to comply with the discovery obligations of the United States in the Anadarko Litigation, including its obligations under the AGP.

The lead plaintiffs in the Tronox Securities Litigation have served the Anadarko Securities Litigation Defendants with document requests seeking, *inter alia*, the production of documents that have been produced to the Anadarko Securities Litigation Defendants in the Anadarko Litigation. The Anadarko Securities Litigation Defendants are seeking to produce documents to the lead plaintiffs in the Tronox Securities Litigation, which will include documents the United States produced to the Anadarko Securities Litigation Defendants in the Anadarko Litigation, some of which was designated "Confidential" (the "USA Confidential Documents") pursuant to the AGP.