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Comment Date: 5 p.m. Eastern Time on June 17, 2011.

Dated: June 7, 2011.

Kimberly D. Bose,
Secretary.

[FR Doc. 2011-14632 Filed 6-13-11; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL11-42-000]

Astoria Generating Company, L.P., NRG Power Marketing LLC, Arthur Kill Power LLC, Astoria Gas Turbine Power LLC, Dunkirk Power LLC, Huntley Power LLC, Oswego Harbor Power LLC, TC Ravenswood, LLC; v. New York Independent System Operator, Inc.; Notice of Complaint

Take notice that on June 3, 2011, pursuant to sections 206 and 306 of the Federal Power Act, 16 U.S.C. 824e and 825e (2006) and Rule 206 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (Commission), 18 CFR 385.206 (2011), Astoria Generating Company, L.P., NRG Power Marketing LLC, Arthur Kill Power LLC, Astoria Gas Turbine Power LLC, Dunkirk Power LLC, Huntley Power LLC, Oswego Harbor Power LLC and TC Ravenswood, LLC (collectively Complainants), filed a complaint against the New York Independent System Operator, Inc. (NYISO or Respondent), alleging that (1) The NYISO's implementation of buyer-side market power mitigation provisions set forth in Attachment H of the NYISO Market Administration and Control Area Services Tariff (Services Tariff) is in contravention of the requirements of the Services Tariff, and Commission orders and policy; or (2) if such implementation does not violate the Services Tariff, the buyer-side market power mitigation provisions of the Services Tariff are unjust, unreasonable and unduly discriminatory.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of

the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). 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. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. The Respondent's answer and all interventions or protests must be filed on or before the comment date. The Respondent's answer, motions to intervene, and protests must be served on the Complainants.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is 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, or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Comment Date: 5 p.m. Eastern Time on June 23, 2011.

Dated: June 7, 2011.

Kimberly D. Bose,
Secretary.

[FR Doc. 2011-14631 Filed 6-13-11; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 14066-000]

Inside Passage Electric Cooperative

Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Competing Applications

On January 20, 2011, and supplemented on May 18, 2011, the Inside Passage Electric Cooperative filed an application for a preliminary permit, pursuant to section 4(f) of the Federal Power Act (FPA), proposing to study the feasibility of the Gartina Falls

Hydroelectric Project (Gartina Falls Project) to be located on Gartina Creek, near Hoonah, Alaska. The sole purpose of a preliminary permit is to grant the permit holder priority to file a license application during the permit term. A preliminary permit does not authorize the permit holder to perform any land-disturbing activities or otherwise enter upon lands or waters owned by others without the owners' express permission.

The proposed run-of-river project consist of the following new facilities: (1) A 40-foot-wide, approximately 126-foot-long, 15-foot-high concrete diversion structure with an inflatable gate at the head of Gartina Falls; (2) a 20-foot-wide 40-foot-long concrete intake structure; (3) an 8-foot-wide, 40-foot-long sluiceway on the left abutment of the diversion dam; (4) an approximately 54-inch-diameter, 200-foot-long, steel penstock that would convey water from the diversion dam to the powerhouse; (5) a 15-foot-wide and 10-foot-long, rock-lined tailrace; (6) a powerhouse containing a single 600-kilowatt turbine/generator unit; (7) a small switchyard located adjacent to the powerhouse; (8) an approximately 4-mile-long, 12.5-kilovolt transmission line connecting the project switchyard to an interconnection near Hoonah airport; (9) an approximately 0.3-mile-long access road; and (10) appurtenant facilities. The estimated annual generation output for the project is 1.8 gigawatt-hours.

Applicant Contact: Mr. Peter A. Bibb, Operations Manager, Inside Passage Electric Cooperative, P.O. Box 210149, 12480 Mendenhall Loop Road, Auke Bay, AK 99821, Phone (907) 789-3196.

FERC Contact: Patrick Murphy; *phone:* (202) 502-8755. Deadline for filing comments, motions to intervene, competing applications (without notices of intent), or notices of intent to file competing applications: 60 days from the issuance of this notice. Competing applications and notices of intent must meet the requirements of 18 CFR 4.36. Comments, motions to intervene, notices of intent, and competing applications may be filed electronically via the Internet. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll free at 1-866-208-3676, or for TTY,

(202) 502-8659. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, mail an original and seven copies to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

More information about this project, including a copy of the application, can be viewed or printed on the “eLibrary” link of Commission’s Web site at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number (P-14066-000) in the docket number field to access the document. For assistance, contact FERC Online Support.

Dated: June 7, 2011.

Kimberly D. Bose,
Secretary.

[FR Doc. 2011-14630 Filed 6-13-11; 8:45 am]

BILLING CODE 6717-01-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-9318-7]

California State Motor Vehicle Pollution Control Standards; Within-the-Scope Determination for Amendments to California’s Motor Vehicle Greenhouse Gas Regulations; Notice of Decision

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Within-the-Scope Determination.

SUMMARY: EPA confirms that amendments promulgated by the California Air Resources Board (“CARB”) are within the scope of an existing waiver of preemption issued by EPA for California’s motor vehicle greenhouse gas emissions program. EPA also finds, in the alternative, that California’s standards, as amended, meet the requirements for a new waiver of preemption.

DATES: Petitions for review must be filed by August 15, 2011.

ADDRESSES: EPA has established a docket for this action under Docket ID EPA-HQ-OAR-2010-0653. All documents relied upon in making this decision, including those submitted to EPA by CARB, and public comments, are contained in the public docket. Publicly available docket materials are available either electronically through www.regulations.gov or in hard copy at the Air and Radiation Docket in the EPA Headquarters Library, EPA West Building, Room 3334, located at 1301

Constitution Avenue, NW., Washington, DC. The Public Reading Room is open to the public on all Federal government working days from 8:30 a.m. to 4:30 p.m.; generally, it is open Monday through Friday, excluding holidays. The telephone number for the Reading Room is (202) 566-1744. The Air and Radiation Docket and Information Center’s Web site is <http://www.epa.gov/oar/docket.html>. The electronic mail (e-mail) address for the Air and Radiation Docket is: a-and-r-Docket@epa.gov, the telephone number is (202) 566-1742, and the fax number is (202) 566-9744. An electronic version of the public docket is available through the Federal government’s electronic public docket and comment system. You may access EPA dockets at <http://www.regulations.gov>. After opening the <http://www.regulations.gov> Web site, enter EPA HQ-OAR-2010-0653 in the “Enter Keyword or ID” fill-in box to view documents in the record of CARB’s passenger vehicle GHG amendments within-the-scope waiver request. Although a part of the official docket, the public docket does not include Confidential Business Information (“CBI”) or other information whose disclosure is restricted by statute.

EPA’s Office of Transportation and Air Quality (“OTAQ”) maintains a Web page that contains many historical documents regarding California’s greenhouse gas waiver request, including those associated with this within-the-scope confirmation request; the page is accessible at <http://www.epa.gov/otaq/climate/ca-waiver.htm>. OTAQ also maintains a Web page that contains general information on its review of California waiver requests. Included on that page are links to prior waiver **Federal Register** notices, some of which are cited in today’s notice; the page can be accessed at <http://www.epa.gov/otaq/cafr.htm>.

FOR FURTHER INFORMATION CONTACT: Kristien G. Knapp, Attorney-Advisor, Compliance and Innovative Strategies Division, Office of Transportation and Air Quality, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue (6405J), NW., Washington, DC 20460. Telephone: (202) 343-9949. Fax: (202) 343-2800. E-mail: knapp.kristien@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

A. Chronology

On December 21, 2005, the California Air Resources Board (“CARB”) submitted a request to EPA, seeking a

waiver of preemption under section 209(b) of the Clean Air Act for California’s motor vehicle greenhouse gas (“GHG”) regulations.¹ EPA initially denied that request, and published that denial in a **Federal Register** notice on March 6, 2008.² CARB subsequently submitted a request that EPA reconsider that waiver denial on January 21, 2009. EPA took action on that request for reconsideration by reopening its public process.³ The agency held a public hearing to hear oral testimony and received thousands of written comments from a wide variety of interested persons. EPA’s decision on reconsideration—granting California’s waiver request—was issued on June 30, 2009, and published in the **Federal Register** on July 8, 2009.⁴

B. CARB’s Motor Vehicle Greenhouse Gas Amendments

Since EPA’s grant of a waiver of preemption for California’s greenhouse gas emission regulations, CARB has promulgated two sets of amendments, which are at issue here. Both sets of amendments are intended to ease manufacturer compliance burdens. CARB’s Board adopted the first set of amendments in September 2009. The September 2009 amendments, known as the “Section 177 State ‘Pooling’ Amendments,” include provisions intended to streamline manufacturers’ obligations by: (1) Providing manufacturers with the option of pooling vehicle sales across California and in states that have adopted California’s greenhouse gas standards starting with model years 2009 through 2011,⁵ and (2) revising certification requirements to accept data from the Federal Corporate Average Fuel Economy (“CAFE”) program.⁶ CARB’s Board adopted the second set of amendments in February 2010. The February 2010 amendments are known as the “2012–2016 Model Year National Program Amendments”; they provide that compliance with EPA’s greenhouse gas standards will be deemed compliance with the California

¹ See 72 FR 21260 (Apr. 30, 2007).

² 73 FR 12156 (March 6, 2008).

³ 74 FR 7040 (February 12, 2009).

⁴ 74 FR 32744 (July 8, 2009). The Chamber of Commerce of the United States and the National Automobile Dealers Association (“NADA”) sought review of EPA’s July 8, 2009 waiver decision in the United States Court of Appeals for the District of Columbia Circuit (No. 09-1237). On April 29, 2011, the Court dismissed the petition for review for lack of jurisdiction.

⁵ California Code of Regulations, Title 13 1961.1(a)(1)(A)(i).

⁶ California Code of Regulations, Title 13 1961(a)(1)(B).