

the proposed consent decree as it affects these three states only.

**DATES:** Written comments on the proposed consent decree as it affects Arizona, Michigan, and New Mexico must be received by *February 3, 2012*.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2011-0929, online at [www.regulations.gov](http://www.regulations.gov) (EPA's preferred method); by email to [oei.docket@epa.gov](mailto:oei.docket@epa.gov); by mail 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:** Lea Anderson, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone: (202) 564-5571; fax number (202) 564-5603; email address: [anderson.lea@epa.gov](mailto:anderson.lea@epa.gov).

**SUPPLEMENTARY INFORMATION:**

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

Under section 110(c) of the CAA, EPA has a mandatory duty to promulgate a federal implementation plan ("FIP") within two years of a finding that a state has failed to make a required state implementation plan ("SIP") submittal. EPA is not required to promulgate a FIP, however, if the state submits the required SIP and EPA approves the plan within the two years of EPA's finding. On January 15, 2009, EPA found that 37 states, the District of Columbia, and the U.S. Virgin Islands had failed to submit CAA SIPs for improving visibility in mandatory Federal Class I areas.

The proposed consent decree would resolve a deadline suit filed by Plaintiffs for EPA to take action on a number of regional haze SIPs. The proposed consent decree would address, *inter alia*, EPA's failure to promulgate regional haze FIPs or approve regional haze SIPs for 34 of the states that the Agency found on January 15, 2009 had failed to submit SIPs addressing the requirements of the regional haze program. EPA's prior notice inadvertently excluded Arizona, Michigan, and New Mexico from the list

of the 34 states addressed by the consent decree. In addition, EPA erroneously identified California, Montana, and North Dakota as states addressed by the proposed consent decree. These states are not addressed by the proposed consent decree.

For a period of thirty (30) days following the date of publication of this supplemental notice, the Agency will accept written comments relating to the provisions in the proposed consent decree addressing Arizona, Michigan, and New Mexico from persons who were not named as parties or intervenors to the litigation in question. Other written comments on the proposed consent decree must be received by January 3, 2012. 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 that consent to this consent decree should be withdrawn, the terms of the proposed consent decree will be affirmed.

Additional information about commenting on the proposed consent decree can be found in the notice published on December 2, 2011.

Dated: December 23, 2011.

**Kevin McLean,**

*Acting Associate General Counsel.*

[FR Doc. 2011-33759 Filed 1-3-12; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-9615-8]

**Proposed Settlement Agreement**

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

**ACTION:** Notice of Proposed Settlement Agreement; Request for Public Comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("Act"), 42 U.S.C. 7413(g), notice is hereby given of a proposed settlement agreement to address lawsuits filed by EnerNOC, Inc., EnergyConnect, Inc., CPower, Inc., and Innoventive Power, LLC ("Petitioners") in the United States Court of Appeals for the District of Columbia Circuit: *EnerNOC, et al v. EPA*, No. 10-1090 (DC Cir.) and *EnerNOC, et al v. EPA*, No. 10-1336 (DC Cir.). Petitioners filed for review of two EPA rulemakings that revised the

National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines (the RICE NESHAP). Under the terms of the proposed settlement agreement, by April 20, 2012, the Agency will sign a notice of proposed rulemaking that includes a proposal to revise the RICE NESHAP and the stationary internal combustion engine new source performance standards (ICE NSPS) to allow owners and operators of emergency stationary internal combustion engines to operate emergency stationary internal combustion engines in emergency conditions, as defined in those regulations, as part of an emergency demand response program for 60 hours per year or the minimum hours required by Independent System Operator tariff, whichever is less. The notice of proposed rulemaking may also allow for more hours of operation. In addition, under the terms of the proposed settlement agreement, by December 14, 2012, the Administrator of EPA will sign a final action on this proposal, which may include signature of a final rule by the Administrator. If EPA promulgates in final form an amendment to the RICE NESHAP and ICE NSPS that includes changes that are substantially the same substance as that set forth in the settlement agreement, then Petitioners shall promptly file a stipulation of dismissal of Nos. 10-1090 and 10-1336.

**DATES:** Written comments on the proposed settlement agreement must be received by *February 3, 2012*.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2011-1030, online at [www.regulations.gov](http://www.regulations.gov) (EPA's preferred method); by email to [oei.docket@epa.gov](mailto:oei.docket@epa.gov); by mail 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:** Michael Horowitz, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone: (202)

564–5583; fax number (202) 564–5603; email address: [horowitz.michael@epa.gov](mailto:horowitz.michael@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Additional Information About the Proposed Settlement Agreement**

This proposed settlement agreement would potentially resolve a petition for judicial review filed by Petitioners for review of two rulemakings revising the National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines (the RICE NESHAP), 75 FR 9648 (March 3, 2010) and 75 FR 51570 (August 20, 2010). The RICE NESHAP allows emergency engines to operate for 15 hours annually as part of a demand response program if the regional transmission organization or equivalent balancing authority and transmission operator has determined that there are emergency conditions that would lead to a potential electrical blackout, such as unusually low frequency, equipment overload, capacity or energy deficiency, or unacceptable voltage level. RICE would not meet the definition of emergency engine if they operated more than fifteen hours in such circumstances.

Petitioners filed petitions for review and reconsideration indicating that 15 hours is insufficient to ensure that emergency engines can be relied upon for dispatch under emergency demand response programs. The petition for reconsideration provided significant evidence that the NESHAP should be revised to allow owners and operator of emergency engines to operate for 60 hours per year or the minimum hours required by Independent System Operator tariff, whichever is less, as part of an emergency demand response program.

Under the terms of the proposed settlement agreement, EPA states that it anticipates that, by April 20, 2012, the Agency will sign a notice of proposed rulemaking that includes a proposal to revise the RICE NESHAP and, for consistency, the ICE NSPS to allow owners and operators of emergency stationary internal combustion engines to operate emergency stationary internal combustion engines in emergency conditions, as defined in those regulations, as part of an emergency demand response program for 60 hours per year or the minimum hours required by Independent System Operator tariff, whichever is less. The notice of proposed rulemaking may also allow for more hours of operation. In addition, under the terms of the proposed settlement agreement, by December 14,

2012, the Administrator of EPA will sign a final action on this proposal, which may include signature of a final rule by the Administrator. Under the proposed settlement agreement, if EPA fails to sign the proposal by April 20, 2012, or to take final action on the proposal by December 14, 2012, Petitioners may move the Court to lift the order staying proceedings and establish a briefing schedule. Petitioners shall have no further remedy under the agreement.

Under the proposed settlement agreement, if the relevant provisions of the final rule are in substantial conformance with the revisions in the proposed agreement, then Petitioners agree to dismiss the petition for review.

For a period of thirty (30) days following the date of publication of this notice, the Agency will accept written comments relating to the proposed settlement agreement 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 settlement agreement 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 submitted, that consent to this settlement agreement should be withdrawn, the terms of the agreement will be affirmed.

**II. Additional Information About Commenting on the Proposed Settlement Agreement**

*A. How can I get a copy of the settlement agreement?*

The official public docket for this action (identified by Docket ID No. EPA–HQ–OGC–2011–1030) contains a copy of the proposed settlement agreement. 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, key in the appropriate docket identification number then select “search”.

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 email 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, email 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 (email) system is not an “anonymous access” system. If you send an email comment directly to the Docket without going through [www.regulations.gov](http://www.regulations.gov), your email 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: December 28, 2011.

**Kevin McLean,**

*Acting Associate General Counsel.*

[FR Doc. 2011–33758 Filed 1–3–12; 8:45 am]

**BILLING CODE 6560–50–P**

## EXPORT-IMPORT BANK OF THE U.S.

[Public Notice 2011–0080]

### Agency Information Collection Activities: Final Collection; Comment Request

**AGENCY:** Export-Import Bank of the U.S.

**ACTION:** Submission for OMB review and comments request.

*Form Title:* Co-Financing with Foreign Export Credit Agency (EIB11–04).

**SUMMARY:** The Export-Import Bank of the United States (Ex-Im Bank), as a part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal Agencies to comment on the proposed information collection, as required by the Paperwork Reduction Act of 1995.

This form will enable Ex-Im Bank to identify the specific details of the proposed co-financing transaction between a U.S. exporter, Ex-Im Bank, and a foreign export credit agency; the information collected includes vital facts such as the amount of U.S.-made content in the export, the amount of financing requested from Ex-Im Bank, and the proposed financing amount from the foreign export credit agency. These details are necessary for approving this unique transaction structure and coordinating our support with that of the foreign export credit agency to ultimately complete the transaction and support U.S. exports—and U.S. jobs.

*The form can be viewed at: <http://www.exim.gov/pub/pending/eib11-04.pdf>.*

**DATES:** Comments should be received on or before February 3, 2012 to be assured of consideration.

**ADDRESSES:** Comments may be submitted electronically on <http://www.regulations.gov> or by mail to Office of Information and Regulatory Affairs, 725 17th Street NW., Washington, DC 20038, attn: OMB 3048–0037.

### SUPPLEMENTARY INFORMATION:

*Titles and Form Number:* EIB11–04 Co-Financing with Foreign Export Credit Agency.

*OMB Number:* 3048–0037.

*Type of Review:* New.

*Need and Use:* The information collected will provide information needed to determine compliance and creditworthiness for transaction requests submitted to the Export Import Bank under its insurance, guarantee, and direct loan programs.

*Affected Public:* This form affects entities involved in the export of U.S. goods and services.

*Annual Number of Respondents:* 60.

*Estimated Time per Respondent:* 15 minutes.

*Government Annual Burden Hours:* 15 hours.

*Frequency of Reporting or Use:* On occasion.

*Total Cost to the Government:* \$585.60.

**Sharon A. Whitt,**

*Agency Clearance Officer.*

[FR Doc. 2011–33727 Filed 1–3–12; 8:45 am]

**BILLING CODE 6690–01–P**

## EXPORT-IMPORT BANK OF THE U.S.

[Public Notice 2011–076]

### Agency Information Collection Activities: Final Collection; Comment Request

**AGENCY:** Export-Import Bank of the U.S.

**ACTION:** Submission for OMB Review and Comments Request.

*Form Title:* Used Equipment Questionnaire (EIB 11–03).

**SUMMARY:** The Export-Import Bank of the United States (Ex-Im Bank), as a part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal Agencies to comment on the proposed information collection, as required by the Paperwork Reduction Act of 1995.

The collection will provide information needed to determine compliance and creditworthiness for transaction requests submitted to Ex-Im

Bank under its insurance, guarantee, and direct loan programs. Information presented in this form will be considered in the overall evaluation of the transaction, including Export-Import Bank’s determination of the appropriate term for the transaction.

*The form can be viewed at: <http://www.exim.gov/pub/pending/eib11-03.pdf>.*

**DATES:** Comments should be received on or before to be assured of consideration.

**ADDRESSES:** Comments may be submitted electronically on <http://www.regulations.gov> or by mail to Office of Information and Regulatory Affairs, 725 17th Street NW., Washington, DC 20038, attn: OMB 3048–NEW.

### SUPPLEMENTARY INFORMATION:

*Titles and Form Number:* EIB 11–03 Used Equipment Questionnaire.

*OMB Number:* 3048–xxxx.

*Type of Review:* New.

*Need and Use:* The information collected will provide information needed to determine compliance and creditworthiness for transaction requests submitted to the Export-Import Bank under its insurance, guarantee, and direct loan programs.

*Affected Public:* This form affects entities involved in the export of U.S. goods and services.

*Annual Number of Respondents:* 1,000.

*Estimated Time per Respondent:* 15 minutes.

*Government Annual Burden Hours:* 250 hours.

*Frequency of Reporting or Use:* On occasion.

*Total Cost to the Government:* \$9,760.00.

**Sharon A. Whitt,**

*Agency Clearance Officer.*

[FR Doc. 2011–33728 Filed 1–3–12; 8:45 am]

**BILLING CODE 6690–01–P**

## FEDERAL RESERVE SYSTEM

### Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board’s Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal