

## II. Additional Information About Commenting on the Proposed Settlement

### A. How Can I Get a Copy of the Settlement?

EPA has established an official public docket for this action under Docket ID No. OGC-2005-0011 which contains a copy of the settlement. 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 B102, 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 EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> 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 in EPA's electronic public docket as EPA receives them and 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 EPA's 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.

Your use of EPA's electronic public docket 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 EPA's electronic public docket, 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: August 1, 2005.

**Richard B. Ossias,**

*Acting Associate General Counsel, Air and Radiation Law Office, Office of General Counsel.*

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**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7949-7]

### 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

("Act"), 42 U.S.C. 7413(g), notice is hereby given of a proposed consent decree that addresses lawsuits filed by Sierra Club and the Louisiana Environmental Action Network (collectively, "Plaintiffs"): *Sierra Club v. Johnson*, No. 1:03CV02411 (GK) (D.D.C.) and *Louisiana Environmental Action Network v. Johnson*, No. 1:04CV00484 (GK) (D.D.C.) (consolidated cases). On November 20, and December 23, 2003, respectively, Plaintiffs filed actions against EPA pursuant to the Clean Air Act's citizen suit provision, 42 U.S.C. 7604(a)(2). Collectively, Plaintiffs allege that the Administrator failed to take actions required by sections 112(d)(6) and 112(f)(2) of the Clean Air Act, 42 U.S.C. 7412(d)(6) and (f)(2), for six source categories for which EPA had previously promulgated emission standards under Clean Air Act section 112(d). The proposed consent decree establishes certain deadlines for EPA final action, including a March 31, 2006 and December 15, 2006 deadline.

**DATES:** Written comments on the proposed consent decree must be received by September 8, 2005.

**ADDRESSES:** Submit your comments, identified by docket ID number OGC-2005-0009, online at <http://www.epa.gov/edocket> (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 B102, 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 Wordperfect 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:

Wendy L. Blake, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460, telephone: (202) 564-1821.

### SUPPLEMENTARY INFORMATION:

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

Plaintiffs filed actions against EPA to compel the Administrator to take certain actions pursuant to sections 112(d)(6) and 112(f)(2) of the Clean Air Act concerning certain source categories for which EPA had previously promulgated emission standards under Clean Air Act

section 112(d). The source categories for which EPA had previously issued section 112(d) standards and that are the subject of the Complaints are: Gasoline Distribution (Stage 1), 59 FR 64303 (December 14, 1994); Commercial Sterilizers, 59 FR 62585 (December 6, 1994); Industrial Cooling Towers, 59 FR 46339 (September 8, 1994); Magnetic Tape, 59 FR 64580 (December 15, 1994); Hazardous Organic National Emissions Standards for Hazardous Air Pollutants, 59 FR 19402 (April 22, 1994); and the Degreasing Organic Cleaners (Halogenated Solvent Cleaning), 59 FR 61801 (December 2, 1994).

The proposed consent decree establishes deadlines for EPA final action, including a March 31, 2006 and December 15, 2006 deadline. Specifically, the proposed consent decree calls for EPA to review the existing emission standards for the six source categories noted above and either revise those standards if determined necessary pursuant to section 112(d)(6), or conclude that no revisions are necessary. The proposed consent decree further calls for EPA to review the existing emission standards for the same six source categories pursuant to section 112(f)(2) and either promulgate standards pursuant to section 112(f)(2) or conclude that such standards are not required.

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 interveners 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 determine, 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?

EPA has established an official public docket for this action under Docket ID No. OGC-2005-0009 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 B102, 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.

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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.

Your use of EPA's electronic public docket 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 EPA's electronic public docket, 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: August 1, 2005.

**Richard B. Ossias,**

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## ENVIRONMENTAL PROTECTION AGENCY

[MN87; FRL-7949-4]

### Notice of Issuance of Prevention of Significant Deterioration Construction Permit and Part 71 Federal Operating Permit to Great Lakes Gas Transmission L.P.

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice.

**SUMMARY:** This notice announces that, on June 30, 2005, pursuant to Titles I and V of the Clean Air Act, 42 U.S.C. 7401-7479 and 7501-7515, the Environmental Protection Agency (EPA), Region 5 issued a Prevention of Significant Deterioration Construction Permit (PSD permit) and a Title V Permit to Operate (Title V permit) to Great Lakes Gas Transmission L.P. (Great Lakes). These permits authorize the company to construct and operate