

E_p = Kilowatt-hours of energy purchased for replacement energy during the specified month.

L_p = Energy loss factor for transmission on replacement energy purchased (Expected to be 0 or zero percent.).

L_d = Weighted average energy loss factor on energy delivered by the facilitator to the Customer.

Energy To Be Furnished by the Government: The Government will sell to the Customer and the Customer will purchase from the Government energy each billing month equivalent to a percentage specified by contract of the energy made available to the Facilitator (less any losses required by the Facilitator). The Customer's contract demand and accompanying energy will be allocated proportionately to its individual delivery points served from the Facilitator's system.

Billing Month: The billing month for power sold under this schedule shall end at 12 midnight on the last day of each calendar month.

Wholesale Rate Schedule Regulation-1

Availability: This rate schedule shall be available to public bodies and cooperatives (any one of whom is hereinafter called the Customer) in Georgia, Alabama, Mississippi, Florida, South Carolina, or North Carolina to whom service is provided pursuant to contracts between the Government and the Customer.

Applicability: This rate schedule shall be applicable to the sale of regulation services provided from the Allatoona, Buford, J. Strom Thurmond, Walter F. George, Hartwell, Millers Ferry, West Point, Robert F. Henry, Carters, and Richard B. Russell Projects (hereinafter called the Projects) and sold under appropriate contracts between the Government and the Customer.

Character of Service: The service supplied hereunder will be delivered at the Projects.

Monthly Rate: The rate for service supplied under this rate schedule for the period specified shall be: \$0.05 per kilowatt of total contract demand per month.

Contract Demand: The contract demand is the amount of capacity in kilowatts stated in the contract to which the Government is obligated to supply and the Customer is entitled to receive regulation service.

Billing Month: The billing month for services provided under this schedule shall end at 12 midnight on the last day of each calendar month.

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BILLING CODE 6450-01-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-8471-3]

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. On February 3, 2006, the Center for Biological Diversity and four other plaintiffs (collectively, "Plaintiffs") filed an amended complaint alleging that EPA failed to perform its mandatory duty under CAA section 109(d)(1) to periodically review the air quality criteria for nitrogen oxides ("NO_x") and sulfur oxides ("SO_x") and the National Ambient Air Quality Standards ("NAAQS") for nitrogen dioxide ("NO₂") and sulfur dioxide ("SO₂"), to make such revisions to these air quality criteria and NAAQS as may be appropriate, and to promulgate such new NAAQS as may be appropriate. *Center for Biological Diversity, et al. v. Johnson*, No. 05-1814 (D.D.C.). The proposed consent decree establishes a schedule for EPA's review and, if appropriate, revisions of the air quality criteria for SO_x and NO_x and the NAAQS for NO₂ and SO₂ NAAQS.

DATES: Written comments on the proposed consent decree must be received by October 22, 2007.

ADDRESSES: Submit your comments, identified by Docket ID number EPA-HQ-OGC-2007-0962, online at www.regulations.gov (EPA's preferred method); by e-mail to 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 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: M. 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; e-mail address: anderson.lea@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Additional Information About the Proposed Consent Decree

Under section 109(d) of the CAA, EPA is required to periodically review air quality criteria and NAAQS and to make such revisions as may be appropriate. Plaintiffs allege that EPA has failed to do this by the deadline set forth in the CAA. The proposed consent decree establishes a schedule for EPA's review and, if appropriate, revisions of the air quality criteria for NO_x and SO_x and the NO₂ and SO₂ NAAQS. The schedule establishes dates for issuance of Integrated Science Assessments (document containing air quality criteria) addressing the human health effects of NO_x, the human health effects of SO_x, and the public welfare effects of NO_x and SO_x. The proposed consent decree also establishes a schedule for EPA's issuance of notices of proposed rulemaking and final rules concerning its review of the primary and secondary NO₂ and SO₂ NAAQS. The consent decree provides that EPA will sign a notice setting forth its decision concerning its review of (1) the primary NO₂ NAAQS no later than December 18, 2009; (2) the primary SO₂ NAAQS no later than March 2, 2010; and (3) the secondary NO₂ and SO₂ NAAQS no later than October 19, 2010.

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 intervenors 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 determines, 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?

The official public docket for this action (identified by Docket ID No. EPA-HQ-OGC-2007-0962) contains a copy of the proposed 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 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. You may use the 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, 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 online at 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 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.

Use of the 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, 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 www.regulations.gov, 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: September 14, 2007.

Richard B. Ossias,

Associate General Counsel.

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BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-8471-1]

Proposed Settlement Agreement, Clean Air Act Citizen Suit

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 three lawsuits filed by the American Iron and Steel Institute, the Specialty Steel Industry of North America and the Steel Manufacturers Association. [*American Iron and Steel Institute et. al v. U.S. Environmental Protection Agency*, No. 00-1434 consolidated with Nos. 00-1435 and 05-1135 (D.C. Cir.)]. In these cases, petitioners asked the Court to

review final rules promulgated by the Environmental Protection Agency (EPA) relating to the New Source Performance Standards for Electric Arc Furnaces, 40 CFR Part 60, Subparts AA and AAa, and the Amendments to Standards of Performance for New Stationary Sources: Monitoring Requirements (PS-1) 65 FR 48914 (August 10, 2000).

Under the terms of the proposed settlement agreement, the EPA would execute a letter explaining its position regarding the proper use of continuous opacity monitoring system (COMS) data with respect to the 40 CFR Part 60, Subparts AAa and AAa NSPS for electric arc furnace (EAF) steel facilities.

DATES: Written comments on the proposed settlement agreement must be received by October 22, 2007.

ADDRESSES: Submit your comments, identified by Docket ID number EPA-HQ-OGC-2007-0961, online at <http://www.regulations.gov> (EPA's preferred method); by e-mail to 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 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:

Sonja Rodman, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone: (202) 564-4079; fax number (202) 564-5603; e-mail address: rodman.sonja@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Additional Information About the Proposed Settlement

Through this action, EPA is providing notice of a proposed settlement agreement to address three petitions for review of EPA actions filed by American Iron and Steel Institute (AISI), the Specialty Steel Industry of North America (SSINA) and the Steel Manufacturers Association (SMA). Two of the petitions for review were filed in October 2000. On or about October 10, 2000, Petitioners SSINA and SMA petitioned the Court for review of the "Amendments to Standards of Performance for New Stationary Sources: Monitoring Requirements" 65