

intervene is governed by the provisions of Rule 214.

Notice of Bonneville's September 3, 2009, errata corrections was published in the **Federal Register**, 74 FR 47,243 (2009), with protests, or motions to intervene due on or before September 15, 2009. None were filed.

Standard of Review

Under the Northwest Power Act, the Commission's review of Bonneville's regional power and transmission rates is limited to determining whether Bonneville's proposed rates meet the three specific requirements of section 7(a)(2) of the Northwest Power Act:⁷

(A) They must be sufficient to assure repayment of the Federal investment in the Federal Columbia River Power System over a reasonable number of years after first meeting Bonneville's other costs;

(B) They must be based upon Bonneville's total system costs; and

(C) Insofar as transmission rates are concerned, they must equitably allocate the costs of the Federal transmission system between Federal and non-Federal power.

Commission review of Bonneville's non-regional, non-firm rates also is limited. Review is restricted to determining whether such rates meet the requirements of section 7(k) of the Northwest Power Act,⁸ which requires that they comply with the Bonneville Project Act, the Flood Control Act of 1944, and the Federal Columbia River Transmission System Act (Transmission System Act). Taken together, those statutes require that Bonneville's non-regional, non-firm rates:

(A) Recover the cost of generation and transmission of such electric energy, including the amortization of investments in the power projects within a reasonable period;

(B) Encourage the most widespread use of Bonneville power; and

(C) Provide the lowest possible rates to consumers consistent with sound business principles.

Unlike the Commission's statutory authority under the Federal Power Act, the Commission's authority under sections 7(a) and 7(k) of the Northwest Power Act does not include the power to modify the rates. The responsibility for developing rates in the first instance is vested with Bonneville's Administrator. The rates are then submitted to the Commission for approval or disapproval. In this regard,

the Commission's role can be viewed as an appellate one: to affirm or remand the rates submitted to it for review.⁹

Moreover, review at this interim stage is further limited. In view of the volume and complexity of a Bonneville rate application, such as the one now before the Commission in this filing, and the limited period in advance of the requested effective date in which to review the application,¹⁰ the Commission generally defers resolution of issues on the merits of Bonneville's application until the order on final confirmation. Thus, the proposed rates, if not patently deficient, generally are approved on an interim basis and the parties are afforded an additional opportunity in which to raise issues with regard to Bonneville's filing.¹¹

The Commission declines at this time to grant final confirmation and approval of Bonneville's proposed wholesale power and transmission rates. The Commission's preliminary review nevertheless indicates that Bonneville's wholesale power and transmission rates filing appears to meet the statutory standards and the minimum threshold filing requirements of Part 300 of the Commission's regulations.¹² Moreover, the Commission's preliminary review of Bonneville's submittal indicates that it does not contain any patent deficiencies. The proposed rates therefore will be approved on an interim basis pending our full review for final approval. We note, as well, that no one will be harmed by this decision because interim approval allows Bonneville's rates to go into effect subject to refund with interest; the Commission may order refunds with interest if the Commission later determines in its final decision not to approve the rates.¹³

In addition, we will provide an additional period of time for parties to file comments and reply comments on issues related to final confirmation and approval of Bonneville's proposed rates. This will ensure that the record in this proceeding is complete and fully developed.

⁹ E.g., *United States Department of Energy—Bonneville Power Administration*, 67 FERC ¶ 61,351 at 62,216–17 (1994); see also, e.g., *Aluminum Co. of America v. Bonneville Power Administration*, 903 F.2d 585, 592–93 (9th Cir. 1989).

¹⁰ See 18 CFR 300.10(a)(3)(ii) (2009).

¹¹ See, e.g., *United States Department of Energy—Bonneville Power Administration*, 64 FERC ¶ 61,375 at 63,606 (1993); *United States Department of Energy—Bonneville Power Administration*, 40 FERC ¶ 61,351 at 62,059–60 (1987).

¹² See, e.g., *United States Department of Energy—Bonneville Power Administration*, 105 FERC ¶ 61,006 at P13–14 (2003); *United States Department of Energy—Bonneville Power Administration*, 96 FERC ¶ 61,360 at 62,358 (2001).

¹³ 18 CFR 300.20(c) (2009).

The Director

Interim approval of Bonneville's proposed wholesale power and transmission rates is hereby granted, to become effective on October 1, 2009, through September 30, 2011, subject to refund with interest as set forth in section 300.20(c) of the Commission's regulations, 18 CFR 300.20(c) (2009), pending final action and either their approval or disapproval.

Within thirty (30) days of the date of this order, parties who wish to do so may file additional comments regarding final confirmation and approval of Bonneville's proposed rates. Parties who wish to do so may file reply comments within twenty (20) days thereafter.

The Secretary shall promptly publish this order in the **Federal Register**.

Authorities

This action is taken pursuant to authority delegated to the Director, Division of Tariffs and Market Development—Central, under 18 CFR 375.307 of the Commission's Regulations. This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order pursuant to 18 CFR 385.713.

Penny S. Murrell,

Director, Division of Tariffs and Market Development—Central.

[FR Doc. E9–24545 Filed 10–9–09; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OECA–2009–0494; FRL–8966–8]

Agency Information Collection Activities; Proposed Collection; Comment Request; Tips and Complaints Regarding Environmental Violations; EPA ICR No. 2219.03, OMB Control No. 2020–0032

AGENCY: Environmental Protection Agency.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit a request to renew an existing approved Information Collection Request (ICR) to the Office of Management and Budget (OMB). This ICR is scheduled to expire on 2/28/2010. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below.

⁷ 16 U.S.C. 839e(a)(2) (2006). Bonneville also must comply with the financial, accounting, and ratemaking requirements in Department of Energy Order No. RA 6120.2.

⁸ 16 U.S.C. 839e(k) (2006).

DATES: Comments must be submitted on or before December 14, 2009.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-HQ-OECA-2009 0494, by one of the following methods:

- <http://www.regulations.gov>: Follow the on-line instructions for submitting comments.

- E-mail: docket.oeca@epa.gov

- Mail: The Enforcement and Compliance Docket and Information Center, Environmental Protection Agency, Mailcode: 28221 T, 1301 Constitution Ave., NW., Washington, DC 20460.

- Hand Delivery: 1301 Constitution Avenue, NW., Room 3334, Washington, DC 20460. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID No. EPA-HQ-ECA-2009-0494. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov> or e-mail. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through <http://www.regulations.gov>, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. 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. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket visit the EPA Docket Center homepage at <http://www.epa.gov/epahome/dockets.htm>.

FOR FURTHER INFORMATION CONTACT:

Michael Le Desma; Legal Counsel Division; Office of Criminal Enforcement, Forensics and Training; Environmental Protection Agency, Building 25, Box 25227, Denver Federal Center, Denver, CO 80025; telephone number: (303) 462-9453; fax number: (303) 462-9075; e-mail address: desma.michael@epa.gov.

SUPPLEMENTARY INFORMATION:

How Can I Access the Docket and/or Submit Comments?

EPA has established a public docket for this ICR under Docket ID No. EPA-HQ-OECA 2009-0494, which is available for online viewing at <http://www.regulations.gov>, or in person viewing at the Enforcement and Compliance Docket and Information Center in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC. The EPA/DC 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 Reading Room is 202-566-1744, and the telephone number for the Enforcement and Compliance Docket and Information Center is (202) 564-1927.

Use <http://www.regulations.gov> to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the docket, and to access those documents in the public docket that are available electronically. Once in the system, select "search," then key in the docket ID number identified in this document.

What Information Is EPA Particularly Interested in?

Pursuant to section 3506(c)(2)(A) of the PRA, EPA specifically solicits comments and information to enable it to:

- (i) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;

- (ii) Evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

- (iii) Enhance the quality, utility, and clarity of the information to be collected; and

- (iv) Minimize the burden of the collection of information to those who respond, including through the use of appropriate automated electronic, mechanical, or other technological

collection techniques or other forms of information technology, e.g., permitting electronic submission of responses. In particular, EPA is requesting comments from very small businesses (those that employ less than 25) on examples of specific additional efforts that EPA could make to reduce the paperwork burden for very small businesses affected by this collection.

What Should I Consider When I Prepare My Comments for EPA?

You may find the following suggestions helpful for preparing your comments:

- 1. Explain your views as clearly as possible and provide specific examples.
- 2. Describe any assumptions that you used.

- 3. Provide copies of any technical information and/or data you used that support your views.

- 4. If you estimate potential burdens or costs, explain how you arrived at the estimate that you provide.

- 5. Offer alternative ways to improve the collection activity.

- 6. Make sure to submit your comments by the deadline identified under DATES.

- 7. To ensure proper receipt by EPA, be sure to identify the docket ID number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

What Information Collection Activity or ICR Does This Apply to?

Docket ID No. EPA-HQ-OECA-2009-0494

Affected entities: Entities potentially affected by this action are general members of the public who choose to voluntarily supply a tip or complaint regarding a suspected violation of environmental law.

Title: Tips and Complaints Regarding Environmental Violations ICR numbers: EPA ICR No. 2219.03, OMB Control No. 2020-0032.

ICR status: This ICR is currently scheduled to expire on 2/28/2010. An Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information, unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations in Title 40 of the Code of Federal Regulations (CFR), after appearing in the **Federal Register** when approved, are listed in 40 CFR Part 9, and are displayed either by publication in the **Federal Register** or by other appropriate means, such as on the related collection instrument or form, if applicable. The display of OMB control

numbers in certain EPA regulations is consolidated in 40 CFR Part 9.

Abstract: EPA tips and complaints Webform is intended to provide an easy and convenient means by which members of the public can supply information to EPA regarding suspected violations of environmental law. The decision to provide a tip or complaint is entirely voluntary and use of the Webform when supplying a tip or complaint is also entirely voluntary.

Those persons that provide tips need not supply contact information or other personal identifiers. Those who do supply such information, however, should know that this information may be shared by EPA with appropriate administrative, law enforcement, and judicial entities engaged in investigating or adjudicating the tip or complaint.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average one-half hour per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and of disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements which have subsequently changed; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

It is expected that a total of 630 people will complete the tips and complaints form each month, for a total of 7,560 people per year. Given that people typically arrive at the form with all of the information needed to complete the form, EPA expects that the form will take no more than 30 minutes to complete. Accordingly, EPA expects that the total annual burden hours will be approximately 3,780. EPA does not anticipate any capital or start-up costs associated with completion of this form.

EPA also does not anticipate that, in the usual case, burden hours associated with the tips and complaint form will translate into actual labor costs; EPA expects relatively few tips or complaints to be submitted as part of an employee's official duties. For this reason, EPA believes that the relevant "labor costs" associated with the form are best calculated as the wage opportunity cost

to people of the form's estimated burden hours. The wage opportunity cost of the burden hours associated with this form can be estimated by multiplying the total number of burden hours by the average national hourly wage reported by the Bureau of Labor Statistics (BLS). BLS reports the average hourly wage in July 2007 to have been \$19.88 per hour; accordingly, the total wage opportunity cost associated with the tips and complaints form would be approximately \$75,146 per annum.

Are There Changes in the Estimates From the Last Approval?

There is an increase of 1980 hours in the total estimated respondent burden compared with that identified in the ICR currently approved by OMB. This increase reflects the fact that tips and complaints are being filed at a higher rate than originally anticipated, a strong indication of the success of this program. There has been no change in the information being reported or the estimated burden per respondent.

What Is the Next Step in the Process for This ICR?

EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval pursuant to 5 CFR 1320.12. At that time, EPA will issue another **Federal Register** notice pursuant to 5 CFR 1320.5(a)(1)(iv) to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB. If you have any questions about this ICR or the approval process, please contact the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

Dated: September 24, 2009.

Cynthia Giles,

Assistant Administrator, Office of Enforcement and Compliance Assurance.

[FR Doc. E9-24458 Filed 10-9-09; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-8967-8]

2009 Fall Meeting of the Ozone Transport Commission

AGENCY: Environmental Protection Agency.

ACTION: Notice of meeting.

SUMMARY: The United States Environmental Protection Agency is announcing the 2009 Fall Meeting of the Ozone Transport Commission (OTC). This OTC meeting will explore options

available for reducing ground-level ozone precursors in a multi-pollutant context.

DATES: The meeting will be held on November 5, 2009 starting at 9 a.m. (EST) and ending at 5 p.m.

ADDRESSES: Hotel Monaco Baltimore, 2 North Charles Street, Baltimore, MD 21201; (443) 692-6170.

FOR FURTHER INFORMATION CONTACT: For documents and press inquiries contact: Ozone Transport Commission, 444 North Capitol Street, NW., Suite 638, Washington, DC 20001; (202) 508-3840; e-mail: ozone@otcair.org; Web site: www.otcair.org.

SUPPLEMENTARY INFORMATION: The Clean Air Act Amendments of 1990 contain at Section 184 provisions for the "Control of Interstate Ozone Air Pollution." Section 184(a) establishes an "Ozone Transport Region" (OTR) comprised of the States of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, parts of Virginia and the District of Columbia. The purpose of the Ozone Transport commission is to deal with ground-level ozone formation, transport, and control within the OTR.

Type of Meeting: Open.

Agenda: Copies of the final agenda will be available from the OTC office (202) 508-3840; by e-mail: ozone@otcair.org; or via the OTC Web site at <http://www.otcair.org>.

Dated: September 30, 2009.

James W. Newsom,

Acting Regional Administrator, Region III.

[FR Doc. E9-24553 Filed 10-9-09; 8:45 am]

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FEDERAL ELECTION COMMISSION

[Notice 2009-21]

Filing Dates for the New York Special Election in the 23rd Congressional District

AGENCY: Federal Election Commission.

ACTION: Notice of filing dates for special election.

SUMMARY: New York has scheduled a Special General Election on November 3, 2009, to fill the U.S. House of Representatives seat in the Twenty-Third Congressional District vacated by Representative John M. McHugh.

Political committees participating in the New York Special General Election on November 3, 2009, shall file a 12-day Pre-General Report, and a 30-day Post-General Report.