

a. *Application Type*: Amendment of license for a change in water surface elevation limits for the upper reservoir.

b. *Project No.*: 2485-041.

c. *Date Filed*: March 13, 2007.

d. *Applicant*: First Light Hydro Generating Company.

e. *Name of Project*: Northfield Mountain Pumped Storage.

f. *Location*: The project is located on the east side of the Connecticut River, in the towns of Northfield and Erving, in Franklin County, Massachusetts. The project does not utilize federal or tribal lands.

g. *Filed Pursuant to*: Federal Power Act, 16 U.S.C. 791a-825r.

h. *Applicant Contact*: Mr. John Campbell, Senior Vice President, First Light Power Resources Services LLC, 301 Hammer Mill Road, Rocky Hill, Connecticut 06067, (860) 810-1711 with copies of all correspondence and communications to:

Mr. John Howard, Station Manager, Northfield Mountain Station, 99 Millers Falls Road, Northfield, Massachusetts 01360, (413) 659-4489; and

James B. Vasile, Davis Wright Termaine LLP, 1500 K Street, NW., Suite 450, Washington, DC 20005-1272. (202) 508-6662.

i. *FERC Contact*: Any questions on this notice should be addressed to Vedula Sarma at (202) 502-6190 or [vedula.sarma@ferc.gov](mailto:vedula.sarma@ferc.gov).

j. *Deadline for filing comments and/or motions*: May 4, 2007.

All documents (original and eight copies) should be filed with: Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

The Commission's Rules of Practice and Procedure require all interveners filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervener files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

k. *Description of Request*: First Light Hydro Generating Company (FLHGC) seeks authorization to change the upper reservoir normal maximum and minimum water surface elevations from 1,000.5 and 938 feet to 1,004.5 and 947 feet, respectively, for its currently normal daily generation of approximately 8,475 megawatt hours

(MWh). FLHGC said it needs the elevation change in order to establish an emergency storage band at the upper reservoir between 920 feet and 938 feet to allow for additional generation of 1,990 MWh when ISO-NE is operating under emergency conditions.

l. *Locations of the Application*: A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE., Room 2A, Washington, DC 20426, or by calling (202) 502-8371. This filing may also be viewed on the Commission's Web site at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via e-mail of new filings and issuances related to this or other pending projects. For assistance, call 1-866-208-3676 or e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), for TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the address in item (h) above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Protests, or Motions To Intervene*: Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. Any filings must bear in all capital letters the title "COMMENTS", "PROTEST", or "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers.

p. *Agency Comments*: Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

q. Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site at <http://www.ferc.gov> under the "e-Filing" link.

**Philis J. Posey,**

*Acting Secretary.*

[FR Doc. E7-6797 Filed 4-10-07; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Application for Amendment of License and Soliciting Comments, Motions To Intervene, and Protests

April 5, 2007.

a. *Type of Application*: Applications for Amendment of Licenses to Reflect Settlement Agreement.

b. *Project Numbers*: P-2528-084, P-2527-064, P-2194-032, P-2531-058, P-2529-086, P-2530-044.

c. *Date Filed*: March 27, 2007.

d. *Applicant*: FPL Energy Maine Hydro LLC (licensee).

e. *Name of Projects*: Cataract Project (FERC No. 2528), Skelton Project (FERC No. 2527), Bar Mills Project (FERC No. 2194), West Buxton Project (FERC No. 2531), Bonny Eagle Project (FERC No. 2529), Hiram Project (FERC No. 2530).

f. *Location*: The projects are located on the Saco River in Cumberland, Oxford, and York Counties, ME.

g. *Filed Pursuant to*: Federal Power Act, 16 U.S.C. 791a-825r.

h. *Applicant Contact*: Frank Dunlap, FPL Energy Maine Hydro LLC, 160 Capitol Street, Suite 8, Augusta, ME 04330, phone (207) 623-8417.

i. *FERC Contact*: Any questions on this notice should be addressed to Blake Condo at (202) 502-8914, or e-mail address: [blake.condo@ferc.gov](mailto:blake.condo@ferc.gov).

j. *Deadline for filing comments and/or motions*: May 4, 2007.

k. *Description of Request*: The licensee filed a 2000-2005 Final Assessment Report-Saco River Fish Passage (assessment), along with a comprehensive Settlement Agreement (agreement), concerning fish passage and fisheries management at the above referenced projects on the Saco River in southern Maine. The assessment is required by the existing licenses for the projects. The agreement incorporates fish passage and other fisheries management measures recommended by the assessment. The agreement is between the licensee, U.S. Fish and Wildlife Service, National Marine

Fisheries Service, Maine Atlantic Salmon Commission, Maine Department of Inland Fisheries and Wildlife, Maine Department of Marine Resources, Saco River Salmon Club, Atlantic Salmon Federation, and Maine Council of the Atlantic Salmon Federation. The agreement concerns the resolution of various disputes and issues regarding both upstream and downstream fish passage and management including license article 403 for the Cataract Project, articles 405, 406, and 407 for the Skelton Project, article 404 for the West Buxton Project, articles 404, 405, 406, 407, and 408 for the Bonny Eagle Project. The Bar Mills Project is currently undergoing re-licensing and any new provisions as described in the agreement will be evaluated under the current re-licensing proceeding. The agreement will provide a new schedule for completion of various fish passages, effectiveness studies on the new fishways, fishway operating procedures, American eel management measures, anadromous fish management measures, and additional studies within the Saco River. The licensee requests that the Commission amend the above license articles to reflect the provisions of the agreement. Additionally the agreement proposes provisions not contained in any license article for the Hiram Project and requests that those provisions be added to the license.

l. *Locations of the Application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE., Room 2A, Washington, DC 20426, or by calling (202) 502-8371. This filing may also be viewed on the Commission's Web site at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via e-mail of new filings and issuances related to this or other pending projects. For assistance, call 1-866-208-3676 or e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), for TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the address in item (h) above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. Comments, Protests, or Motions to Intervene—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214.

In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTEST", OR "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers (P-2528, P-2527, P-2194, P-2531, P-2529, and P-2530). All documents (original and eight copies) should be filed with: Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

p. Agency Comments—Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

q. Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site at <http://www.ferc.gov> under the "e-Filing" link.

**Philis J. Posey,**  
Acting Secretary.

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8297-7]

### 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

("CAA" or "Act"), 42 U.S.C. 7413(g), notice is hereby given of a proposed settlement agreement, to address a lawsuit filed by Our Children's Earth Foundation ("OCE") in the Ninth Circuit Court of Appeals: *Our Children's Earth Foundation v. EPA*, No. 05-73130 (9th Cir.). OCE filed a petition for judicial review of EPA's March 15, 2005 denial in part of OCE's administrative petition regarding a CAA Title V permit issued by the Bay Area Air Quality Management District ("BAAQMD") to the Tesoro petroleum refinery in the San Francisco Bay Area. Under the terms of the proposed settlement agreement, EPA shall determine whether to send the draft letter attached to this settlement agreement at Attachment A.

**DATES:** Written comments on the proposed settlement agreement must be received by May 11, 2007.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2007-0288, online at <http://www.regulations.gov> (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 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:** Susan Stahle, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone: (202) 564-1272; fax number (202) 564-5603; e-mail address: [Stahle.Susan@epa.gov](mailto:Stahle.Susan@epa.gov).

## SUPPLEMENTARY INFORMATION:

### I. Additional Information About the Proposed Settlement

On March 15, 2005, EPA denied in part OCE's administrative petition to object to a CAA Title V permit issued by the BAAQMD to the Tesoro petroleum refinery in the San Francisco Bay Area. Under the settlement agreement, if EPA sends the letter (Attachment A) to BAAQMD, OCE shall dismiss with prejudice its petition for review. However, if EPA does not send the letter, but instead withdraws from the settlement agreement, OCE's sole