develop a State or Tribal plan. State plans were due to EPA by December 12, 1996 and the Federal plan was promulgated on November 8, 1999. The data collection is a mandatory requirement (Clean Air Act section 114(a)(1)).

The information generated by the monitoring, recordkeeping, and reporting requirements described in this ICR is used by the Agency to ensure that facilities affected by the emission guidelines continue to operate the control equipment and achieve compliance with the regulation. The emission guidelines require affected facilities to maintain all records, including the submitted reports and notifications for at least 5 years.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average 15 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or 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 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.

Respondents/Affected Entities: Municipal Solid Waste Landfills.

Estimated Number of Respondents: 559.

Frequency of Response: Annual.

Estimated Total Annual Hour Burden: 46,146.

Estimated Total Annual Cost: $3,956,321, which includes labor costs of $3,229,721 and operation and maintenance costs of $726,600.

Changes in the Estimates: There is an increase of 33,690 hours in the total estimated burden currently identified in the OMB Inventory of Approved ICR Burdens. This increase reflects the recordkeeping and reporting burden for entities under State plans and the Federal plan. The original ICR included only the burden for municipal solid waste landfills subject to the Federal plan for municipal solid waste landfills. This ICR renewal adds the burden imposed by State plans to the burden imposed by the Federal plan.

Dated: December 24, 2009.

Richard T. Westlund,

Acting Director, Collection Strategies Division.

[FR Doc. E9–31148 Filed 12–31–09; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[Petition IV–2008–5; FRL–9099–5]

Clean Air Act Operating Permit Program; Petition for Objection to State Operating Permit for East Kentucky Power Cooperative, Inc.—William C. Dale Power Station; Clark County, KY

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final order on petition to object to a State operating permit.

SUMMARY: Pursuant to Clean Air Act (CAA) Section 505(b)(2) and 40 CFR 70.8(d), the EPA Administrator signed an Order, dated December 14, 2009, denying a petition to object to a title V operating permit issued by the Kentucky Division for Air Quality (KDAQ) to East Kentucky Power Cooperative, Inc. (EKPC) for its William C. Dale Power Station (Dale Station) located in Clark County, Kentucky. This Order constitutes a final action on the petition submitted by Sierra Club and Kentucky Environmental Foundation (Petitioners) on November 24, 2008. Pursuant to sections 307(b) and 505(b)(2) of the CAA, a petition for judicial review of the Order may be filed in the United States Court of Appeals for the appropriate circuit within 60 days from the date this notice appears in the **Federal Register**.

ADDRESSES: Copies of the Order, the petition, and all pertinent information relating thereto are on file at the following location: EPA Region 4, Air, Pesticides and Toxics Management Division, 61 Forsyth Street, SW., Atlanta, Georgia 30303–8960. The Order is also available electronically at the following address: *http://www.epa.gov/region07/programs/artd/air/title5/petitiondb/petitions/ekpc_dale_response2008.pdf.*

FOR FURTHER INFORMATION CONTACT: Art Hofmeister, Air Permits Section, EPA Region 4, at (404) 562–9115 or *hofmeister.art@epa.gov.*

SUPPLEMENTARY INFORMATION: The CAA affords EPA a 45-day period to review and, as appropriate, the authority to object to operating permits proposed by State permitting authorities under title V of the CAA, 42 U.S.C. 7661–7661f. Section 505(b)(2) of the CAA and 40 CFR 70.8(d) authorize any person to petition the EPA Administrator to object to a title V operating permit within 60 days after the expiration of EPA's 45-day review period if EPA has not objected on its own initiative. Petitions must be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided by the State, unless the petitioner demonstrates that it was impracticable to raise these issues during the comment period or the grounds for the issues arose after this period.

Petitioners submitted a petition regarding the EKPC Dale Station on November 24, 2008, requesting that EPA object to the title V operating permit (#V–08–009). Petitioners alleged that the permit was not consistent with the CAA for the following reasons: (1) The maximum heat input rates in the permit must be enforceable limits because, presumably, there exists a State operating permit for Dale Station that includes maximum heat inputs and, because without such maximum heat input limits, compliance with the National Ambient Air Quality Standards for SO_2 cannot be assured; and, (2) KDAQ cannot delete the three-hour averaging time from the particulate matter (PM) emission limit for certain coal handling equipment because the emission limit must have an averaging time; therefore, the three-hour averaging time should be placed back into the permit, and the permit should be required to include monitoring and reporting adequate to assure compliance with the PM limit.

On December 14, 2009, the Administrator issued an Order denying the petition. The Order explains EPA's rationale for denying the petition with respect to the issues raised.

Dated: December 18, 2009.

Beverly H. Banister,

Acting Regional Administrator, Region 4.

[FR Doc. E9–31175 Filed 12–31–09; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[Petitions IV–2008–1 and -2; FRL–9099–2]

Clean Air Act Operating Permit Program; Petitions for Objection to State Operating Permit for Cash Creek Generation, LLC—Cash Creek Generating Station; Henderson County, KY

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final order on petitions to object to a state operating permit.

SUMMARY: Pursuant to Clean Air Act (CAA) Section 505(b)(2) and 40 CFR 70.8(d), the EPA Administrator signed an Order, dated December 15, 2009, granting in part and denying in part petitions to object to a merged prevention of significant deterioration (PSD) and title V operating permit issued by the Kentucky Division for Air Quality (KDAQ) to Cash Creek Generation, LLC for its Cash Creek Generating Station located near Owensboro in Henderson County, Kentucky. This Order constitutes a final action on parts of the petitions submitted by Sierra Club and Valley Watch (Petitioners) on January 31, 2008, and February 13, 2008, respectively. Pursuant to sections 307(b) and 505(b)(2) of the CAA, a petition for judicial review of those parts of the Order that deny issues in the petition may be filed in the United States Court of Appeals for the appropriate circuit within 60 days from the date this notice appears in the **Federal Register.**

ADDRESSES: Copies of the Order, the petition, and all pertinent information relating thereto are on file at the following location: EPA Region 4, Air, Pesticides and Toxics Management Division, 61 Forsyth Street, SW., Atlanta, Georgia 30303–8960. The Order is also available electronically at the following address: *http://www.epa.gov/region07/programs/artd/air/title5/petitiondb/petitions/cashcreek_response2008.pdf*

FOR FURTHER INFORMATION CONTACT: Art Hofmeister, Air Permits Section, EPA Region 4, at (404) 562–9115 or *hofmeister.art@epa.gov.*

SUPPLEMENTARY INFORMATION: The CAA affords EPA a 45-day period to review and, as appropriate, the authority to object to operating permits proposed by state permitting authorities under title V of the CAA, 42 U.S.C. 7661–7661f. Section 505(b)(2) of the CAA and 40 CFR 70.8(d) authorize any person to petition the EPA Administrator to object to a title V operating permit within 60 days after the expiration of EPA's 45-day review period if EPA has not objected on its own initiative. Petitions must be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided by the state, unless the petitioner demonstrates that it was impracticable to raise these issues during the comment period or the grounds for the issues arose after this period.

Petitioners submitted petitions regarding the Cash Creek Generating Station on January 31, 2008, and February 13, 2008, respectively, requesting that EPA object to the merged PSD and title V operating permit (#V–07–017). Petitioners alleged that the permit was not consistent with the CAA for the following reasons: (1) The best available control technology (BACT) analyses did not include natural gas as a clean fuel; (2) the permit lacks the appropriate new source performance standards for the combustion turbines planned for the facility; (3) the permit lacks a limit for particulate matter of less than or equal to 2.5 microns in diameter; (4) the permit lacks a BACT limit for carbon dioxide; (5) KDAQ did not consider, and was unresponsive to, public input regarding alternatives analysis for the proposed permit; (6) Elm Road (a facility located in Wisconsin) sulfuric acid mist limits were not considered in the BACT analysis; (7) KDAQ did not respond to comments regarding material handling and storage emissions; and (8) KDAQ did not respond to Valley Watch comments on increased ozone formation due to the emissions from the proposed source.

On December 15, 2009, the Administrator issued an Order granting in part and denying in part the petitions. The Order explains EPA's rationale for granting the petitions with respect to issues 1, 2, 3, 5, 6, and 8; and denying the petitions with respect to the remaining issues.

Dated: December 18, 2009.

Beverly H. Banister,

Acting Regional Administrator, Region 4.

[FR Doc. E9–31149 Filed 12–31–09; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–9099–6]

Proposed Cercla Administrative Cost Recovery Settlement; David Benvenuti and Howe Cleaners, Howe Cleaners Site, Barre, VT

AGENCY: Environmental Protection Agency.

ACTION: Notice of proposed settlement; request for public comment.

SUMMARY: In accordance with Section 122(i) of the Comprehensive Environmental Response Compensation, and Liability Act, as amended (''CERCLA''), 42 U.S.C. 9622(i), notice is hereby given of a proposed administrative settlement for recovery of past costs concerning the Howe Cleaners Superfund Site in Barre, Vermont with the following settling parties: David Benvenuti and Howe Cleaners. The settlement requires the settling parties to pay $320,000 to the Hazardous Substance Superfund. The settlement includes a covenant not to sue the settling parties pursuant to Section 107(a) of CERCLA, 42 U.S.C. 9607(a). For thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the settlement. The Agency will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations which indicate that the settlement is inappropriate, improper, or inadequate.

The Agency's response to any comments received will be available for public inspection at 5 Post Office Square, Suite 100, Boston, MA 02109–3912.

DATES: Comments must be submitted by February 3, 2010.

ADDRESSES: Comments should be addressed to Peter DeCambre, Senior Enforcement Counsel, U.S. Environmental Protection Agency, Region I, 5 Post Office Square, Suite 100 (OES04–1), Boston, Massachusetts 02109–3912 (Telephone No. 617–918–1890) and should refer to: In re: Howe Cleaners Superfund Site, U.S. EPA Docket No. 01–2009–0045.

FOR FURTHER INFORMATION CONTACT: A copy of the proposed settlement may be obtained from Peter DeCambre, Senior Enforcement Counsel, U.S. Environmental Protection Agency, Region I, 5 Post Office Square, Suite 100, (OES04–1), Boston, Massachusetts 02109–3912 (Telephone No. 617–918–1890; E-mail *decambre.peter@epa.gov*).

Dated: December 22, 2009.

James T. Owens III,

Director, Office of Site Remediation and Restoration.

[FR Doc. E9–31176 Filed 12–31–09; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OECA–2009–0986; FRL–9098–3]

Public Comment on Candidate National Enforcement and Compliance Assurance Priorities for Fiscal Years 2011–2013

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of public comment Period.