

Amendment 1 of the Master Power Purchase and Sale Agreement, Capacity and System Firm Energy Transaction Confirmation and VA System Confirmation- Bridge Transaction Confirmation.

Dominion Virginia Power states that copies of the filing were served upon North Carolina Electric Membership Corporation, the Virginia State Corporation Commission, and the North Carolina Utilities Commission.

Comment Date: December 17, 2003.

25. New England Power Pool

[Docket No. ER04-238-000]

Take notice that on November 26, 2003, the New England Power Pool (NEPOOL) Participants Committee filed revisions to NEPOOL Market Rule 1 to provide greater flexibility for Load Response Resources and to clarify the method for calculating Real-Time Operating Reserve Credits. A January 1, 2004 effective date is requested.

The NEPOOL Participants Committee states that copies of these materials were sent to the NEPOOL Participants and the New England state governors and regulatory commissions.

Comment Date: December 17, 2003.

Standard Paragraph

Any person desiring to intervene or to protest this filing should file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. All such motions or protests should be filed on or before the comment date, and, to the extent applicable, must be served on the applicant and on any other person designated on the official service list. This filing is available for review at the Commission or may be viewed on the Commission's Web site at <http://www.ferc.gov>, using the "FERRIS" link. Enter the docket number excluding the last three digits in the docket number filed to access the document. For assistance, call (202) 502-8222 or TTY, (202) 502-8659. 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 under the "e-Filing" link. The

Commission strongly encourages electronic filings.

Magalie R. Salas,
Secretary.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-7597-9]

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 petitions for review filed by Horween Leather Company and Gutmann Leather Company (collectively, "Petitioners") in the United States Court of Appeals for the District of Columbia: *Horween Leather Company v. United States Environmental Protection Agency*, No. 02-1138 (D.C. Cir.), and consolidated case *Gutmann Leather Company v. United States Environmental Protection Agency*, No. 02-1139 (D.C. Cir.). Petitioners filed petitions for review challenging EPA's "Final Rule for National Emission Standards for Hazardous Air Pollutants for Leather Finishing Operations," published at 67 FR 9156 *et seq.* (February 27, 2002). These standards are based on the performance of Maximum Achievable Control Technology (MACT), and implement section 112(d) of the Clean Air Act. Under the terms of the proposed settlement agreement, Petitioners and EPA will promptly file a pleading for the dismissal of the petitions for review with prejudice if EPA promulgates in final form an amendment to 40 CFR 63.5345, 63.5350, and 63.5460 clarifying the definition of "specialty leather".

DATES: Written comments on the proposed settlement agreement must be received by January 9, 2004.

ADDRESSES: Submit your comments, identified by docket ID number OGC-2003-0007, online at <http://www.epa.gov/edocket> (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 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:

Steven Silverman, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460, telephone: (202) 564-5523.

SUPPLEMENTARY INFORMATION:

I. Additional Information About the Proposed Settlement Agreement

This case concerns a challenge to the rule entitled "National Emission Standards for Hazardous Air Pollutants for Leather Finishing Operations," published at 67 FR 9156 *et seq.* (February 27, 2002). These standards are based on the performance of Maximum Achievable Control Technology (MACT), and implement section 112(d) of the Clean Air Act.

A number of tanneries subject to the rule filed petitions for review. EPA has negotiated a proposed settlement agreement with these petitioners addressing their request for clarification of the definition of "specialty leather", as that term is defined in the rule. The proposed settlement would require EPA to propose a rule amending 40 CFR 63.5345, 63.5350, and 63.5460 clarifying that definition. The proposed rule would also add record-keeping requirements should EPA establish a new subcategory addressing a new type of specialty leather.

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 settlement agreement 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 settlement agreement 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 settlement agreement should be withdrawn, the terms of the agreement will be affirmed.