

*Description:* Midwest Independent Transmission System Operator, Inc. submits tariff filing per 35: 04–01–2011 NDEX Compliance Filing to be effective 6/1/2011.

*Filed Date:* 04/01/2011.

*Accession Number:* 20110401–5290.

*Comment Date:* 5 p.m. Eastern Time on Friday, April 22, 2011.

*Docket Numbers:* ER11–3281–000.

*Applicants:* Midwest Independent Transmission System Operator, Inc.  
*Description:* Midwest Independent Transmission System Operator, Inc. submits tariff filing per 35.13(a)(2)(iii): 4–1–2011 Module F to be effective 6/1/2011.

*Filed Date:* 04/01/2011.

*Accession Number:* 20110401–5294.

*Comment Date:* 5 p.m. Eastern Time on Friday, April 22, 2011.

*Docket Numbers:* ER11–3282–000.

*Applicants:* Alcoa Power Generating Inc.  
*Description:* Alcoa Power Generating Inc. submits tariff filing per 35.1: APGL–CRT TSA Rate Schedule to be effective 4/2/2011.

*Filed Date:* 04/01/2011.

*Accession Number:* 20110401–5310.

*Comment Date:* 5 p.m. Eastern Time on Friday, April 22, 2011.

Take notice that the Commission received the following electric securities filings:

*Docket Numbers:* ES11–22–000.

*Applicants:* Midwest Independent Transmission System Operator, Inc.

*Description:* Application of The Midwest Independent Transmission System Operator, Inc under section 204 of the Federal Power Act To Issue Securities.

*Filed Date:* 04/01/2011.

*Accession Number:* 20110401–5157.

*Comment Date:* 5 p.m. Eastern Time on Friday, April 22, 2011.

Take notice that the Commission received the following electric reliability filings:

*Docket Numbers:* RR11–1–000.

*Applicants:* Southwest Power Pool Regional Entity, Nebraska Public Power District.

*Description:* Petition of Southwest Power Pool Regional Entity for Review of Decision of North American Electric Reliability Corporation in RR11–1.

*Filed Date:* 03/31/2011.

*Accession Number:* 20110331–5331.

*Comment Date:* 5 p.m. Eastern Time on Thursday, April 21, 2011.

Any person desiring to intervene or to protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211

and 385.214) on or before 5 p.m. Eastern time on the specified comment date. It is not necessary to separately intervene again in a subdocket related to a compliance filing if you have previously intervened in the same docket. 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. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. In reference to filings initiating a new proceeding, interventions or protests submitted on or before the comment deadline need not be served on persons other than the Applicant.

As it relates to any qualifying facility filings, the notices of self-certification [or self-recertification] listed above, do not institute a proceeding regarding qualifying facility status. A notice of self-certification [or self-recertification] simply provides notification that the entity making the filing has determined the facility named in the notice meets the applicable criteria to be a qualifying facility. Intervention and/or protest do not lie in dockets that are qualifying facility self-certifications or self-recertifications. Any person seeking to challenge such qualifying facility status may do so by filing a motion pursuant to 18 CFR 292.207(d)(iii). Intervention and protests may be filed in response to notices of qualifying facility dockets other than self-certifications and self-recertifications.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 14 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First St., NE., Washington, DC 20426.

The filings in the above proceedings are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also available for review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance

with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: April 4, 2011.

**Nathaniel J. Davis, Sr.,**

*Deputy Secretary.*

[FR Doc. 2011–8522 Filed 4–8–11; 8:45 am]

**BILLING CODE 6717–01–P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. ER11–3263–000]

#### Western Reserve Energy Services, LLC; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization

This is a supplemental notice in the above-referenced proceeding of Western Reserve Energy Services, LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR Part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest 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). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is April 25, 2011.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 14 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

The filings in the above-referenced proceeding are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also available for review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Dated: April 4, 2011.

**Nathaniel J. Davis, Sr.,**

*Deputy Secretary.*

[FR Doc. 2011-8523 Filed 4-8-11; 8:45 am]

**BILLING CODE 6717-01-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9292-3]

### New York State Prohibition of Discharges of Vessel Sewage; Receipt of Petition and Tentative Affirmative Determination

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice—Receipt of petition and tentative affirmative determination.

**SUMMARY:** Notice is hereby given that, pursuant to Clean Water Act, Section 312(f)(3) (33 U.S.C. 1322(f)(3)), the State of New York has determined that the protection and enhancement of the quality of the New York State areas of the Long Island Sound requires greater environmental protection, and has petitioned the United States Environmental Protection Agency, Region 2, for a determination that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for those waters, so that the State may completely prohibit the discharge from all vessels of any sewage, whether treated or not, into such waters.

New York State has proposed to establish a "Vessel Waste No-Discharge Zone" for the Long Island Sound that encompasses approximately 760 square miles, includes the open waters, harbors, bays and navigable tributaries of the Sound and a portion of the East River, from the Hell Gate Bridge in the west to the northern bounds of Block Island Sound in the east. It excludes waters of Mamaroneck Harbor, Huntington-Northport Bay Complex,

Port Jefferson Complex, Hempstead Harbor and Oyster Bay/Cold Spring Harbor Complex, which have been previously designated as No Discharge Zones.

**DATES:** Comments regarding this tentative determination are due by May 11, 2011.

**ADDRESSES:** You may submit comments by any of the following methods:

- *E-mail:* [chang.moses@epa.gov](mailto:chang.moses@epa.gov).

Include "Comments on Tentative Affirmative Decision for NYS LIS NDZ" in the subject line of the message.

- *Fax:* 212-637-3891.

- *Mail and Hand Delivery/Courier:*

Moses Chang, U.S. EPA Region 2, 290 Broadway, 24th Floor, New York, NY 10007-1866. Deliveries are only accepted during the Regional Office's normal hours of operation (8 a.m. to 5 p.m., Monday through Friday, excluding federal holidays), and special arrangements should be made for deliveries of boxed information.

**FOR FURTHER INFORMATION CONTACT:**

Moses Chang, (212) 637-3867, e-mail address: [chang.moses@epa.gov](mailto:chang.moses@epa.gov).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the State of New York (NYS or State) has petitioned the United States Environmental Protection Agency, Region 2, (EPA) pursuant to section 312(f)(3) of Public Law 92-500 as amended by Public Law 95-217 and Public Law 100-4, that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the NYS areas of the Long Island Sound (LIS or Sound). Adequate pumpout facilities are defined as one pumpout station for 300-600 boats under the Clean Vessel Act: Pumpout Station and Dump Station Technical Guidelines (**Federal Register**, Vol. 59, No. 47, March 10, 1994).

The Long Island Sound is one of the nation's premier water bodies, and supports a variety of possible uses—fish and shellfisheries, fish spawning areas, breeding grounds, valuable wildlife habitats, bathing beaches, commercial and recreational boating, and a profusion of recreational resources.

In 1985, recognizing the Sound's ecological and economic value, New York State partnered with Connecticut and the EPA to create and support the Long Island Sound Study (LISS). The Sound was recognized as an Estuary of National Significance under the Clean Water Act in 1988, and as such, is one of the nation's twenty-eight (28) National Estuary Programs.

The ecological, economic, and recreational resources provided by the Long Island Sound are vulnerable to the

effects of poor water quality. The Sound was once home to some of the most productive shellfish beds in the nation, but many have now closed due to pathogen, low dissolved oxygen, and excessive nutrient contamination.

The State of Connecticut designated the Connecticut portion of the Long Island Sound as a No-Discharge Zone (NDZ) in 2007. Previously established No-Discharge Zones in both New York State and Connecticut have made important reductions in vessel waste as a source of water pollution in the Long Island Sound. Degradation of any area, however, affects the whole. Extending the No-Discharge Zone designation to the remainder of the Long Island Sound would therefore be a positive component of an overall strategy to protect and improve these waters and would create a unified approach to vessel waste for the entirety of this waterbody.

In order for EPA to determine that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the New York State areas of the Long Island Sound, the State must demonstrate that the pumpout-to-vessel ratio does not exceed 1:300. In its petition, the State described the recreational and commercial vessels that use the Sound, and the pumpout facilities that are available for their use.

The recreational vessel population, 11,693, was estimated using 2008 recreational vessel registrations. In addition to recreational vessels, the Sound is used by commercial vessels. The majority of commercial vessels are small fishing vessels, tankers, tugs, or barges. Because the small fishing vessels are comparably sized to the bulk of recreational vessels, they can make use of the existing vessel pumpouts that are available for recreational vehicles. The small commercial vessel population, 500, was estimated based on aerial photographs used to develop the 1996 Statewide Clean Vessel Plan. The figures for recreational and small commercial vessels were then compared to the number of pumpouts available to determine the applicable ratio and whether the requirement is met. There are fifty-two (52) pumpout facilities funded by the Clean Vessel Assistance Program (CVAP) in the relevant areas of the Sound. Of those, twenty-six (26) discharge to a holding tank and twenty-six (26) discharge to a municipal wastewater treatment plant. There are also sixteen (16) other (non-CVAP funded) pumpouts available for recreational and small commercial vessels that either discharge to a holding tank or to a municipal wastewater