

Commission's Rules of Practices and Procedure, 18 CFR 385.207, PPL Montana, LLC, submitted a petition requesting the Commission to issue a declaratory order that (1) issues relating to compliance with the standards of the Commission's Uniform System of Accounts (USoA) are not within the scope of issues to be decided by the board of arbitration, as that board is described in Ordering Paragraph (C)(3)(a) of the License and (2) that licensee costs of environmental mitigation required under Articles 63, 64, 65, 66, 67, 68, 70, 71, 72, 73 and 76 of the License, to the extent (i) properly accounted for under the USoA as a capitalized cost of the Kerr Project and (ii) not authorized by the Montana Public Service Commission to be recovered by the Montana Power Company from its customers, are properly included in the calculation of the "Conveyance Price" under Ordering Paragraph (C)(2) of the License.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 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 notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is 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 email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

*Comment Date:* 5:00 p.m. Eastern Time on May 28, 2012.

Dated: May 4, 2012.

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

*Deputy Secretary.*

[FR Doc. 2012-11295 Filed 5-9-12; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

**[Project No. 2790-055]**

#### Boott Hydropower, Inc.; Notice of Section 106 Consultation Meeting

On May 24, 2012, Federal Energy Regulatory Commission (Commission) staff will participate in a meeting with staff from the U.S. Department of the Interior, the National Park Service, the Massachusetts State Historic Preservation Officer, the Advisory Council on Historic Preservation, Boott Hydropower, Inc., and any other consulting parties for the section 106 process for the proposed license amendment application for the Lowell Hydroelectric Project (FERC No. 2790-055). Currently, the Commission is reviewing an amendment application for the project to replace the wooden flashboards with a pneumatic crest gate system on the Pawtucket Dam. The meeting will be limited to discussion of the issues involved in the section 106 consultation process and mitigation options for impacts to historic properties from installation of the pneumatic crest gate system, as required by the National Historic Preservation Act. Interested members of the public may attend and observe the meeting, but participation is limited to the applicant and agencies involved in the section 106 consultation process.

The meeting will begin at 1:00 p.m. EDT at the Countinghouse at the Boott Cotton Mills Museum, 115 John Street, Lowell, MA 01852. Interested parties wishing to attend should contact Shana High at (202) 502-8674 or by email at [Shana.High@ferc.gov](mailto:Shana.High@ferc.gov), or Heather Campbell at (202) 502-6182 or by email at [Heather.Campbell@ferc.gov](mailto:Heather.Campbell@ferc.gov).

Dated: May 4, 2012.

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

*Deputy Secretary.*

[FR Doc. 2012-11294 Filed 5-9-12; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

**[EPA-OW-EPA-HQ-OW-2011-1013; FRL-9671-1]**

### Permitting Guidance for Oil and Gas Hydraulic Fracturing Activities Using Diesel Fuels—Draft: Underground Injection Control Program Guidance #84

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

**ACTION:** Request for Comment on Draft Guidance Document.

**SUMMARY:** EPA is taking comment on a draft document that describes Underground Injection Control (UIC) Program guidance for permitting the underground injection of oil- and gas-related hydraulic fracturing (HF) using diesel fuels where the U.S. Environmental Protection Agency (EPA) is the permitting authority. The draft guidance includes EPA's interpretation of the Safe Drinking Water Act (SDWA) and regulations regarding UIC permitting of oil and gas hydraulic fracturing operations using diesel fuels as a fracturing fluid or as a component of a fracturing fluid, specifically that they are subject to Class II UIC permitting requirements. EPA's goal is to provide greater regulatory clarity and certainty to the industry, which will in turn improve compliance with the SDWA requirements and strengthen environmental protections consistent with existing law. The draft guidance will not impose any new requirements. See Supporting Information section.

**DATES:** EPA will consider comments received on or before July 9, 2012.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-OW-2011-1013 by one of the following methods:

- **www.regulations.gov:** Follow the on-line instructions for submitting comments.
- **Email:** [OW-Docket@epa.gov](mailto:OW-Docket@epa.gov).
- **Mail:** Permitting Guidance for Oil and Gas Hydraulic Fracturing Activities Using Diesel Fuels—Draft, Environmental Protection Agency, Mailcode: 4606M, 1200 Pennsylvania Ave. NW., Washington, DC 20460.
- **Hand Delivery:** Office of Water (OW) Docket, EPA/DC, EPA West, Room 3334, 1301 Constitution Ave. NW., Washington, DC. 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-OW-2011-