

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

SIERRA CLUB, CENTER FOR)	
BIOLOGICAL DIVERSITY, and)	
GREENACTION FOR HEALTH AND)	
ENVIRONMENTAL JUSTICE,)	
)	
Petitioners,)	PETITION FOR REVIEW
)	
v.)	and
)	
UNITED STATES ENVIRONMENTAL)	CORPORATE DISCLOSURE
PROTECTION AGENCY, GINA)	STATEMENT
MCCARTHY, in her official capacity as)	
Administrator, U.S. Environmental)	
Protection Agency, and JARED)	
BLUMENFELD, in his official capacity as)	
Regional Administrator, Region IX, U.S.)	
Environmental Protection Agency,)	
)	
Respondents.)	
)	
)	

Petition for Review

Pursuant to section 307(b)(1) of the federal Clean Air Act, 42 U.S.C. § 7607(b)(1), and Rule 15(a), Federal Rules of Appellate Procedure, Sierra Club, Center for Biological Diversity, and Greenaction for Health and Environmental Justice (“Petitioners”) hereby petition this Court for review of the final action entitled “Notice of Extension of Deadline to Commence Construction Under Clean Air Act Prevention of Significant Deterioration Permit Issued to Avenal Power

Center, LLC,” promulgated by Respondents and published in the Federal Register on July 9, 2013 at 78 Fed. Reg. 40968 (Attachment A).

Petitioners’ Corporate Disclosure Statement

Pursuant to Federal Rule of Appellate Procedure 26.1, Petitioners Sierra Club, Center for Biological Diversity, and Greenaction for Health and Environmental Justice certify that they have no parent companies and that no publicly held corporations own 10 percent or more of the Petitioners.

Respectfully submitted this 6th day of September, 2013.

/s/ George M. Torgun
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Attorneys for Petitioners Sierra Club, Center
for Biological Diversity, and Greenaction
for Health and Environmental Justice

CERTIFICATE OF SERVICE

I am a citizen of the United States of America and a resident of the County of Alameda; I am over the age of 18 years and not a party to the within entitled action; my business address is 50 California Street, Suite 500, San Francisco, California 94111.

I hereby certify that on September 6, 2013, I caused to be served one true copy of the **PETITION FOR REVIEW and CORPORATE DISCLOSURE STATEMENT** via certified mail on the following persons:

Eric H. Holder, Jr.
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I certify under penalty of perjury that the foregoing is true and correct.

Executed on September 6, 2013 in San Francisco, California.

/s/ George M. Torgun
GEORGE M. TORGUN

EXHIBIT A

EPA-APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE NEW MEXICO SIP

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/ effective date	EPA approval date	Explanation
* Infrastructure for 2006 PM _{2.5} NAAQS.	* Statewide, except for Bernalillo County and Indian country.	* 6/12/2009	* 7/9/2013 [Insert FR page number where document begins].	* 1/22/2013, (78 FR 4337): Approval for 110(a)(2)(A), (B), (C), (D)(i)(II) (PSD portion), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M). 7/9/2013, ([Insert FR page number where document begins]): Approval for 110(a)(2)(D)(i)(I).
*	*	*	*	*

[FR Doc. 2013-16345 Filed 7-8-13; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 52****[EPA-R09-OAR-2013-0190; FRL-9830-8]****Notice of Extension of Deadline to Commence Construction Under Clean Air Act Prevention of Significant Deterioration Permit Issued to Avenal Power Center, LLC****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice of final action.

SUMMARY: This notice announces that the U.S. Environmental Protection Agency ("EPA") has extended the Prevention of Significant Deterioration ("PSD") permit deadline for commencing construction for a final Clean Air Act PSD permit that authorizes Avenal Power Center, LLC ("APC") to construct the Avenal Energy Project ("AEP"). The AEP is to be located in Kings County, California.

DATES: EPA's PSD permit for the AEP became effective on August 18, 2011, and included a deadline for commencing construction of February 18, 2013. Prior to February 18, 2013, APC requested an 18-month extension of the deadline for commencing construction under the PSD permit for the AEP. EPA has granted such an extension until August 18, 2014. Pursuant to section 307(b)(1) of the Clean Air Act, 42 U.S.C. 7607(b)(1), judicial review of this extension decision may be sought by filing a petition for review in the United States Court of Appeals for the Ninth Circuit by September 9, 2013.

ADDRESSES: EPA has established docket number EPA-R09-OAR-2013-0190 for this action. Generally, documents in the

docket for this action are available electronically at <http://www.regulations.gov> and in hard copy at the following address: U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901. See **SUPPLEMENTARY INFORMATION** for more information about how to make an appointment to view these hard copy documents during normal business hours at EPA Region IX's office.

FOR FURTHER INFORMATION CONTACT:

Shirley Rivera, Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne St., San Francisco, CA 94105, 415-972-3966, rivera.shirley@epa.gov.

SUPPLEMENTARY INFORMATION: The AEP, proposed by APC, is a new 600-megawatt natural gas-fired combined-cycle power plant that will be located in Kings County, California. The PSD permit decision issued by EPA for the AEP became effective on August 18, 2011 as published in the **Federal Register** on September 9, 2011 (76 FR 55799). In November 2011, the United States Court of Appeals for the Ninth Circuit received petitions for review of EPA's PSD permit decision for the AEP; this Court of Appeals proceeding is pending. In letters dated December 19, 2012 and February 15, 2013, APC requested that EPA provide an 18-month extension of the deadline for commencing construction in the PSD permit for the AEP. Pursuant to 40 CFR Part 52.21(r), in a response to APC dated June 26, 2013, EPA Region 9 determined that a satisfactory showing justifying the extension had been made, and EPA extended the deadline for commencing construction in the PSD permit for AEP for 18 months, so that the PSD permit will become invalid if construction of the AEP is not commenced by August 18, 2014.

The docket for this action includes, among other documents, EPA's analysis supporting this action. In addition to the

electronic docket for this action, hard copy versions of the docket materials are available for public inspection during normal business hours at the following address: U.S. Environmental Protection Agency, Region IX, 75 Hawthorne St., San Francisco, CA 94105. To arrange for viewing of these documents at EPA Region IX's office, call Shirley Rivera at (415) 972-3966. Due to building security procedures, visitors should call at least 48 hours in advance to arrange a visit.

Dated: June 26, 2013.

Deborah Jordan,*Director, Air Division, Region IX.*

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FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 54****[WC Docket No. 11-42; DA 13-1441]****Lifeline and Link Up Modernization and Reform****AGENCY:** Federal Communications Commission.**ACTION:** Final rule.

SUMMARY: In this Order, the Wireline Competition Bureau (Bureau) underscores certain compliance requirements that are contained in the *Lifeline Reform Order* and its accompanying rules. The Bureau codifies the Commission's requirement that eligible telecommunications carriers (ETCs) verify a Lifeline subscriber's eligibility for Lifeline service before activating such service, pursuant to the authority delegated in the *Lifeline Reform Order*.

DATES: Effective August 8, 2013.**FOR FURTHER INFORMATION CONTACT:**

Radhika Karmarkar, Wireline Competition Bureau, (202) 418-7400 or TTY: (202) 418-0484.