

application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. An additional copy must be sent to Director, Division of Hydropower Administration and Compliance, Federal Energy Regulatory Commission, at the above-mentioned address. A copy of any notice of intent, competing application or motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

r. Agency Comments—Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

**Linwood A. Watson, Jr.,**

*Deputy Secretary.*

[FR Doc. 02-21154 Filed 8-19-02; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP02-356-000]

#### Canyon Creek Compression Company; Notice of Technical Conference

August 14, 2002.

In the Commission's order issued on June 27, 2002,<sup>1</sup> the Commission directed that a technical conference be held to address issues raised by the filing.

Take notice that a telephone conference will be held on Tuesday, September 10, 2002, at 10 a.m.

Parties will be sent instruction on how to join the telephone conference.

**Linwood A. Watson, Jr.,**

*Deputy Secretary.*

[FR Doc. 02-21156 Filed 8-19-02; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP01-415-000]

#### East Tennessee Natural Gas Company; Notice of Meeting

August 14, 2002.

The staff of the Federal Energy Regulatory Commission (FERC) will conduct a meeting with the Blue Ridge Coalition and any other interested persons pertaining to East Tennessee Natural Gas Company's proposed natural gas pipeline Patriot Project in Tennessee, Virginia, and North Carolina. The meeting will be held in Room 3M-3 of the FERC headquarters in Washington DC, 888 First Street, NE., on August 22 starting at 3 p.m. Any interested persons may attend.

**Linwood A. Watson, Jr.,**

*Deputy Secretary.*

[FR Doc. 02-21146 Filed 8-19-02; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7263-1]

#### Proposed Settlement Agreement, Clean Air Act Petition for Review

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

**ACTION:** Notice of proposed settlement agreement providing for a proposal to find that the Wallula, Washington PM-10 Nonattainment Area attained the PM-10 NAAQS by December 31, 2001, and related matters.

**SUMMARY:** EPA hereby gives notice of a proposed Settlement Agreement in the case entitled *The Port of Walla Walla and The Boise Cascade Corp. v. EPA and Christine Todd Whitman, Administrator*, No. 01-70576 (9th Cir.). EPA issues this notice in accordance with section 113(g) of the Clean Air Act, as amended (the "Act"), 42 U.S.C. 7413(g), which requires EPA to give notice and provide an opportunity for public comment on proposed settlement agreements.

The litigation challenges EPA's previous finding that the Wallula, Washington Nonattainment Area failed to attain the National Ambient Air Quality Standards ("NAAQS") for particulate matter with an aerodynamic diameter of less than or equal to 10 microns ("PM-10") by December 31, 1997, the attainment date for moderate PM-10 nonattainment areas. EPA

published this finding at 66 FR 9663 (February 9, 2001). The Boise Cascade Corporation and the Port of Walla Walla filed a petition for review of this EPA action under section 307(b)(1) of the Act, 42 U.S.C. 7607(b)(1).

The proposed Settlement Agreement provides that EPA will undertake a rulemaking that will propose to find that the Wallula area did attain the PM-10 NAAQS by December 31, 2001, the attainment date for serious area PM-10 nonattainment areas, based upon a proposed finding that the exceedences of the PM-10 standards that occurred on certain dates were the result of natural events.

For a period of thirty (30) days following the date of publication of this notice, EPA will accept written comments relating to the proposed Settlement Agreement from persons who are not named as parties or interveners to this litigation. EPA or the Department of Justice may withhold or withdraw consent to the proposed Settlement Agreement if the comments disclose facts or circumstances that indicate that the agreement is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless EPA or the Department of Justice makes such a determination following the comment period, EPA will take the actions set forth in the Settlement Agreement.

A copy of the proposed Settlement Agreement is available from Donna Deneen, Office of Air Quality, QAQ-107, 1200 Sixth Avenue, Seattle, Washington 98101, telephone (206) 553-6706. Written comments should be sent to Julie Vergeront, Esq., Office of Regional Counsel, ORC-158, 1200 Sixth Avenue, Seattle, Washington 98101, telephone (206) 553-1497. Comments must be submitted on or before September 19, 2002.

**Lisa K. Friedman,**

*Associate General Counsel.*

[FR Doc. 02-21197 Filed 8-19-02; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7262-9]

#### Operating Permits Program; Notice of Location of Response Letters to Citizens Concerning Program Deficiencies in Georgia, Louisiana, Missouri, and Ohio

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

**ACTION:** Notice of availability.

<sup>1</sup> Canyon Creek Compression Company, 99 FERC ¶ 61,351 (2002).

**SUMMARY:** The EPA is adding letters to its web site which responds to citizens' comments on alleged deficiencies in the Georgia, Louisiana, Missouri, and Ohio air operating permits programs. The citizen comments were submitted to EPA as a result of a 90-day comment period EPA provided for members of the public to identify deficiencies they perceive exist in State and local agency operating permits programs required by title V of the Clean Air Act (Act). The 90-day comment period was from December 11, 2000, until March 12, 2001.

**FOR FURTHER INFORMATION CONTACT:** Jeff Herring, C304-04, Information Transfer and Program Integration Division, Environmental Protection Agency, Research Triangle Park, North Carolina, 27711. Telephone: 919-541-3195. Internet address: [herring.jeff@epa.gov](mailto:herring.jeff@epa.gov).

**SUPPLEMENTARY INFORMATION:** On December 11, 2000 (65 FR 77376), EPA announced a 90-day comment period during which the public could submit comments identifying deficiencies they perceived to exist in State and local agency operating permits programs required by title V of the Act. The 90-day comment period ended on March 12, 2001.

The December 11, 2000 notice solicited comment from the public regarding either deficiencies in the elements of the approved program, such as deficiencies in the States' approved regulations, or deficiencies in how a permitting authority was implementing its program. The Agency indicated that it would consider information received from the public and determine whether it agreed or disagreed with the purported deficiencies and would then publish notices of those findings. Where

the Agency agreed that a claimed shortcoming constituted a deficiency, it indicated it would issue a notice of deficiency. Where the Agency disagreed as to the existence of a deficiency, it indicated it would respond to the citizen comments by December 1, 2001, for comments on programs granted interim approval as of December 11, 2000. For programs granted full approval as of December 11, 2000, EPA indicated it would respond to citizen comments by April 1, 2002.

In accordance with the procedures set forth in the December 11, 2000, notice and outlined above, EPA has issued notices of deficiency for several State permitting authorities in connection with the citizen comment letters submitted pursuant to the December 11, 2000, notice. Notices of deficiency have been published in the **Federal Register** for the following permitting authorities:

Permitting authority	Citation
State of Michigan .....	66 FR 64038, December 11, 2001.
State of Indiana .....	66 FR 64039, December 11, 2001.
District of Columbia .....	66 FR 65947, December 21, 2001.
State of Washington .....	67 FR 72, January 2, 2002.
State of Texas .....	67 FR 732, January 7, 2002.
State of Missouri .....	67 FR 13626, March 25, 2002.
State of Ohio .....	67 FR 19175, April 18, 2002.
34 California Districts .....	67 FR 35990, May 22, 2002.

The States identified in these notices of deficiency must adopt appropriate corrections to their title V programs and submit them to EPA for approval within the timeframes set out in the notices of deficiency or face highway and/or offsets sanctions under section 179(b) of the Act<sup>1</sup> and implementation of a whole or partial Federal operating permits program under part 71 if they fail to do so.

Also in accordance with the December 11, 2000, notice, EPA has issued Agency response letters to citizen comments which explain EPA's reasoning in those instances where the Agency disagrees that particular alleged problems constitute deficiencies within the meaning of part 70. The EPA hereby notifies the public that EPA letters responding to citizen allegations concerning Georgia, Louisiana, Missouri, and Ohio are available at the following web address: (<http://www.epa.gov/air/oaqps/permits/response/>). In previously published notices (67 FR 6709, January 13, 2002 and 67 FR 16374, April 5, 2002), EPA alerted the public to this same web site as the location for all previously signed

EPA response letters. The EPA also notes that when it signs additional EPA response letters in the future, it will publish additional notices of availability to identify the location of its web site containing those letters.

The EPA notes further that the terms "deficiency" and "notice of deficiency" are terms of art under the operating permits regulations in part 70. Thus, as explained in our letters responding to citizen comments, in some instances where EPA declined to issue a notice of deficiency, it was because the Agency disagreed that there was a problem with the State program or its implementation that requires correction. In other instances, however, EPA agreed in whole or in part with commenters that a program was not being properly implemented but nevertheless did not issue a notice of deficiency. Rather, EPA determined that the alleged deficiency had been corrected because the State had made a firm commitment to correct program implementation shortcomings where that could be accomplished on a timely basis by the State administratively without additional rulemaking or legislation.

## Background

Pursuant to section 502(b) of the Act, EPA has promulgated regulations establishing the minimum requirements for State and local air agency operating permits programs. We promulgated these regulations on July 21, 1992 (57 FR 32250), in part 70 of title 40, chapter I, of the Code of Federal Regulations. Section 502(d) of the Act requires each State to develop and submit to EPA an operating permits program meeting the requirements of the part 70 regulations and requires us to approve or disapprove the submitted program. In some cases, States have delegated authority to local city, county, or district air pollution control agencies to administer operating permits programs in their jurisdictions. These operating permits programs must meet the same requirements as the State programs. In accordance with section 502(g) of the Act and 40 CFR 70.4(d), for 99 State and local operating permits programs, we granted "interim" rather than full approval because the programs substantially met, but did not fully meet, the provisions of part 70. For interim approved programs, we identified in the notice of interim approval those program deficiencies

<sup>1</sup> The EPA is in the process of promulgating a rule which will address the order of sanctions.

that would have to be corrected before we could grant the program full approval. As of December 11, 2000, some of those 99 programs had since been granted full approval and the remainder still had interim approval status.

After a State or local permitting program is granted full or interim approval, EPA has oversight of the program to insure that the program is implemented correctly and is not changed in an unacceptable manner. Section 70.4(i) of the part 70 regulations requires permitting authorities to keep us apprised of any proposed program modifications and also to submit any program modifications to us for approval. Section 70.10(b) requires any approved operating permits program to be implemented “\* \* \* in accordance with the requirements of this part and of any agreement between the State and the Administrator concerning operation of the program.”

Furthermore, 40 CFR 70.4(i) and 70.10(b) provide authority for us to require permitting authorities to correct program or implementation deficiencies. As explained previously, EPA has exercised these authorities by in some instances issuing notices of deficiency and in other instances issuing letters explaining why we do not agree that deficiencies exist.

#### Administrative Requirements

Under section 307(b)(1) of the Act, petitions for judicial review of EPA's letters responding to the citizen letters on the Georgia, Louisiana, Missouri, and Ohio operating permits programs may be filed in the United States Court of Appeals for the appropriate circuit within 60 days of August 20, 2002.

Dated: August 8, 2002.

**William T. Harnett,**

*Director, Information Transfer and Program Integration Division.*

[FR Doc. 02-21199 Filed 8-19-02; 8:45 am]

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#### ENVIRONMENTAL PROTECTION AGENCY

[CO-001-0069; FRL-7262-1]

#### Adequacy Status of the Aspen, Colorado PM<sub>10</sub> Maintenance Plan for Transportation Conformity Purposes

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

**ACTION:** Notice of adequacy.

**SUMMARY:** In this document, EPA is notifying the public that we have found that the motor vehicle emissions

budgets in the Aspen maintenance plan for particulate matter of 10 micrograms in size or smaller (PM<sub>10</sub>) submitted on November 9, 2001, are adequate for conformity purposes. On March 2, 1999, the D.C. Circuit Court ruled that submitted State Implementation Plans (SIPs) cannot be used for conformity determinations until EPA has affirmatively found them adequate. As a result of our finding, the City of Aspen and Pitkin County, the Colorado Department of Transportation and the U.S. Department of Transportation are required to use the motor vehicle emissions budgets from this submitted maintenance plan for future conformity determinations.

**DATES:** This finding is effective September 4, 2002.

#### FOR FURTHER INFORMATION CONTACT:

Jeffrey Kimes, Air & Radiation Program (8P-AR), United States Environmental Protection Agency, Region 8, 999 18th Street, Suite 300, Denver, Colorado 80202-2466, (303) 312-6445. The letter documenting our finding is available at EPA's conformity website: <http://www.epa.gov/oms/transp/conform/adequacy.htm>.

#### SUPPLEMENTARY INFORMATION:

Throughout this document wherever “we”, “us”, or “our” are used we mean EPA.

This action is simply an announcement of a finding that we have already made. We sent a letter to the Colorado Air Pollution Control Division on May 16, 2002, stating that the motor vehicle emissions budgets in the submitted Aspen PM<sub>10</sub> maintenance plan are adequate. This finding has also been announced on our conformity website at <http://www.epa.gov/oms/transp/conform/adequacy.htm>.

Transportation conformity is required by section 176(c) of the Clean Air Act. Our conformity rule requires that transportation plans, programs, and projects conform to SIPs and establishes the criteria and procedures for determining whether or not they do. Conformity to a SIP means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the national ambient air quality standards.

The criteria by which we determine whether a SIP's motor vehicle emission budgets are adequate for conformity purposes are outlined in 40 CFR 93.118(e)(4). Please note that an adequacy review is separate from our completeness review, and it also should not be used to prejudge our ultimate approval of the SIP. Even if we find a

budget adequate, the SIP could later be disapproved, and vice versa.

We've described our process for determining the adequacy of submitted SIP budgets in a memo entitled, “Conformity Guidance on Implementation of March 2, 1999 Conformity Court Decision,” dated May 14, 1999. We followed this guidance in making our adequacy determination.

**Authority:** 42 U.S.C. 7401 *et seq.*

Dated: August 6, 2002.

**Robert E. Roberts,**

*Regional Administrator, Region VIII.*

[FR Doc. 02-21198 Filed 8-19-02; 8:45 am]

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#### ENVIRONMENTAL PROTECTION AGENCY

[FRL-7262-8]

#### Watershed Initiative: Call for Nominations

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

**ACTION:** Notice.

**SUMMARY:** EPA is launching a new grant program to encourage the protection and restoration of our country's water bodies through the use of watershed approaches. The President's fiscal year (FY) 2003 budget, which is now before Congress, incorporates a request for \$21 million for this Watershed Initiative. Subject to the availability of appropriations for this purpose, EPA plans to select through a competitive process up to 20 watersheds throughout the country for grants to support promising watershed-based approaches to clean water. This notice sets forth the process that will be used for selecting the watersheds and serves as the call for nominations from Governors and Tribal Leaders.

**DATES:** Governor or Tribal Leader nominations must be postmarked and received electronically by EPA on or before November 21, 2002.

**ADDRESSES:** Nomination packages must be submitted both by mail or courier and electronically. Please follow the detailed instructions provided in section V of the **SUPPLEMENTARY INFORMATION** section below.

**FOR FURTHER INFORMATION CONTACT:** Carol Peterson, telephone: 202-566-1304; e-mail: [peterson.carol@epa.gov](mailto:peterson.carol@epa.gov) or one of the regional contacts listed in section VI of the **SUPPLEMENTARY INFORMATION** section below. Additional information and any updated guidance will be posted on the Watershed Initiative's website at <http://www.epa.gov/owow/watershed/initiative>.