

This extended review is expected to take place during fiscal year 2002 and may be informed by a more comprehensive process reviewing broader electric power issues. Upon conclusion of this process, BPA plans to issue a record of decision on the first issue, prior to the end of FY 2002, taking into consideration the public comment already received and any additional comment on the issue received during the extended review.

*Issues 2 and 3.* The treatment of any transfer of "contracted for, committed to" (CFCT) loads between public agency or cooperative preference customers; and the issue of whether BPA should close the class of CFCT load served by BPA customers will be addressed in a record of decision which BPA plans to publish during the next sixty days.

BPA is directed by section 3(13) of the Northwest Power Act to treat large retail loads at a consumer's facility, served by a public body, cooperative, investor-owned utility, or Federal agency customer, which load increases power requirements in excess of 10 average megawatts (aMW) in any consecutive 12-month period, as within the definition of New Large Single Loads. For purposes of BPA's sales of electric power to a utility or Federal agency customer, the designation of the load at a consumer's facility as a NLSL does not affect the amount or quality of electric service which BPA provides. BPA treats these loads as any other load in terms of its supply of power and quality of service obligations under its utility power sales contracts. Designation of a load as a NLSL, however, does affect the power rate of the electric power sold for service to that load. BPA may not sell electric power at the Priority Firm (PF) rate to utilities for service to NLSLs. Rather, electric power sold by BPA for utility service to NLSLs is sold at the New Resources (NR) rate, which historically has been a higher rate than the PF rate.

BPA's NLSL policy is a combination of contract and policy decisions recorded in several documents. A statement of those decisions has been consolidated into one document, and it is available on BPA's Web site: <http://www.bpa.gov/Power/subscription>.

While BPA received comments on certain aspects of Issue 1, one area that had not been addressed in the policy process was the transfer of non-DSI loads larger than 9.9 aMW to service from a preference customer.

Commenters on Issue 1 expressed the desire to address the more general issue. That issue is whether BPA should change its NLSL policy to allow any large loads at a consumer's facility—

new and existing—larger than 9.9 aMW to transfer their load service to a public body, cooperative or federal agency customer in contract increments of only 9.9 aMW ["phase on"], and receive service at BPA's PF rate.

BPA will continue to apply its current policy during the extended review period. The policy states that in making any NLSL determinations BPA considers the entire load at a consumer's facility. If the total electric load associated with a single facility exceeds 9.9 aMW, then the entire electrically connected load is the single load which can be considered as being served by the utility. A utility has a general responsibility to provide service and only limited rights to deny service to consumers. If a consumer's facility has a total connected load exceeding 9.9 aMW and takes service from a utility, even if limited by contract, the load actually placed on the utility is the total connected electric load at the facility. The service would be declared a NLSL by BPA and served at the applicable NR rate if the total plant load that could be served was over 10 aMW.

A change in this policy could permit any large loads at a consumer's facility to separate out the entire load into contract increments of 9.9 aMW, regardless of the total load, and to place the 9.9 aMW per year increments of load on a preference customer at BPA's applicable PF rate. Some comments suggested a need for BPA to adopt this change in policy, others suggested imposition of a limit on the total amount of megawatts that could be transferred under contracts with a utility, and others argued for no change in policy. The extended review will afford an opportunity for parties to comment on the nature and impact of such a change, if any, in the context of future load service for these large loads.

*Responsible Official:* David Fitzsimmons, Account Executive, Power Business Line, is the official responsible for the review of these issues arising under BPA's NLSL policy.

Issued in Portland, Oregon, on October 22, 2001.

**Stephen J. Wright,**

*Acting Administrator, and Chief Executive Officer.*

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## DEPARTMENT OF ENERGY

### Office of Energy Efficiency and Renewable Energy

#### Biomass Research and Development Technical Advisory Committee

**AGENCY:** Department of Energy.

**ACTION:** Notice of open meeting.

**SUMMARY:** This notice announces an open meeting of the Biomass Research and Development Technical Advisory Committee under the Biomass Research and Development Act of 2000. The Federal Advisory Committee Act (Public Law No. 92-463, 86 Stat. 770) requires that agencies publish these notices in the **Federal Register** to allow for public participation. This notice announces the meeting of the Biomass Research and Development Technical Advisory Committee.

**DATES:** November 20, 2001.

**TIME:** 8 A.M.

**ADDRESS:** Department of Energy, Room 6E-069, 1000 Independence Avenue, SW., Washington, DC 20585.

**FOR FURTHER INFORMATION CONTACT:** Douglas E. Kaempf, Designated Federal Officer for the Committee, Office of Energy Efficiency and Renewable Energy, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585; (202) 586-7766.

**SUPPLEMENTARY INFORMATION:** *Purpose of Meeting:* To provide advice and guidance that promotes research and development leading to the production of biobased industrial products.

*Tentative Agenda:* Agenda will include discussions on the following:

- Full committee discussion of recommendations to the Secretaries of Energy and Agriculture and their designated Points of Contacts on the technical focus and direction of request for proposals issued under the Biomass Research and Development Initiative.

*Public Participation:* In keeping with procedures, members of the public are welcome to observe the business of the Biomass Research and Development Technical Advisory Committee. To attend the meeting and/or to make oral statements regarding any of these items on the agenda, you should contact Douglas E. Kaempf at 202-586-7766 or [Bioenergy@ee.doe.gov](mailto:Bioenergy@ee.doe.gov) (e-mail) for information on DOE building access. You must make your request for an oral statement at least 5 business days before the meeting. Members of the public will be heard in the order in which they sign up at the beginning of the meeting. Reasonable provision will be made to include the scheduled oral statements

on the agenda. The Chair of the Committee will make every effort to hear the views of all interested parties. If you would like to file a written statement with the Committee, you may do so either before or after the meeting. The Chair will conduct the meeting to facilitate the orderly conduct of business.

*Minutes:* The minutes of the meeting will be available for public review and copying within 60 days at the Freedom of Information Public Reading Room, Room 1E-190, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC, between 9 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

Issued at Washington, DC, on October 29, 2001.

**Rachel M. Samuel,**

*Deputy Advisory Committee Management Officer.*

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## ENVIRONMENTAL PROTECTION AGENCY

### National Environmental Justice Advisory Council

[FRL-7097-4]

### Notification of Meeting and Public Comment Period; Open Meetings

Pursuant to the Federal Advisory Committee Act (FACA), Public Law 92-463, we now give notice that the National Environmental Justice Advisory Council (NEJAC), along with the various subcommittees, will meet on the dates and times described below. All times noted are Eastern Standard Time. All meetings are open to the public. Due to limited space, seating at the NEJAC meeting will be on a first-come basis. Documents that are the subject of NEJAC reviews are normally available from the originating EPA office and are *not* available from the NEJAC. The NEJAC and the subcommittee meetings will take place at the Renaissance Madison Hotel, 515 Madison Street, Seattle, WA 98104. The meeting dates are as follows: December 3, 2001 through December 6, 2001. This is the fourth in a series of focused policy issue meetings for the NEJAC. To help prepare for this specific focused policy issue meeting the following background information is provided:

#### Request and Policy Issue

The Charter for the NEJAC states that the advisory committee shall provide independent advice to the

Administrator on areas that may include, among other things, "the direction, criteria, scope, and adequacy of the EPA's scientific research and demonstration projects" relating to environment justice. In order to provide such independent advice, the Agency requests that the NEJAC convene a focused, issue-oriented public meeting in Seattle, WA. The meeting shall be used to receive comments on, discuss, and analyze issues related to water quality, fish consumption and environmental justice. The Agency, furthermore, requests that the NEJAC produce a comprehensive report on the differing views, interests, concerns, and perspectives expressed by the stakeholder participants on the focused policy issue, and provide advice and recommendations for the Agency's review and consideration. In order to fulfill this charge, the NEJAC is being asked to discuss and provide recommendations regarding the following broad public policy question:

What is the relationship between water quality, fish consumption, and environmental justice?

NEJAC will examine this issue with respect to research methodologies, risk assessment and risk management approaches, remediation and prevention strategies, and the utilization of statutory authorities and implementing regulations which are designed to protect the health and safety of all people, including minority, low-income and tribal communities

#### Meeting

Registration for the NEJAC meeting will begin on Monday, December 3, 2001 at 12 noon. The NEJAC will convene Monday, December 3, 2001, from 2-6 p.m. On Monday from 4 p.m.-6 p.m. the Seattle community will conduct a "virtual" tour dialogue with the NEJAC. Structured Presentations for the NEJAC Executive Council will take place during this "virtual" tour dialogue. The NEJAC will reconvene on Tuesday, December 4, 2001 from 8:30 a.m. to 5 p.m. The meeting on Tuesday will be organized to create the best environment for a deliberative process. The meeting will be conducted in a round table fashion, except during the public comment session. A public comment period dedicated to the focused policy issue is scheduled for Tuesday evening, December 4, 2001, from 7 p.m. to 9 p.m. General environmental justice public comment issues will be heard on Tuesday evening, following the focus policy public comment issues. The following Subcommittees will meet on

Wednesday, December 5, 2001, from 9 a.m. to 6 p.m.: Air and Water; Enforcement; Health and Research; Indigenous Peoples; International; and Waste and Facility Siting. The full NEJAC will reconvene Thursday, December 6, 2001, from 9 a.m. to 5 p.m. to wrap up all business requiring Executive Council action. All times shown are local time.

Any member of the public wishing additional information on the subcommittee meetings should contact the specific Designated Federal Official at the telephone number listed below.

Subcommittee, Federal Official and Telephone Number

Enforcement: Ms. Shirley Pate, 202/564-2607

Health & Research: Ms. Brenda Washington, 202/564-6781; Ms. Aretha Brockett, 202/260-3810

International: Ms. Wendy Graham, 202/564-6602

Indigenous Peoples: Mr. Danny Gogal, 202/564-2576

Waste/Facility Siting: Mr. Rey Rivera, 202/260-1910

Air & Water: Mr. Wil Wilson, 202/564-1954; Ms. Alice Walker, 202/260-1919

Members of the public who wish to participate in either of the public comment period should pre-register by November 29, 2001. Members of the public are encouraged to provide comments relevant to the focus issue being deliberated by the NEJAC. Individuals or groups making oral presentations during the public comment period will be limited to a total time of five minutes. Only one representative from a community, organization, or group will be allowed to speak. Any number of written comments can be submitted for the record. The suggested format for individuals making public comment should be as follows:

Request To Make Public Comment  
Speaker's Template:

Name of Speaker: \_\_\_\_\_  
Name of Organization/Community: \_\_\_\_\_  
Address/Phone/Fax/Email: \_\_\_\_\_  
Description of Concern: \_\_\_\_\_  
Relationship to the Policy Issue: \_\_\_\_\_  
Recommendations/Desired Outcome: \_\_\_\_\_

If you wish to submit written comments of any length (at least 50 copies), they should also be received by November 29, 2001. Comments received after that date will be provided to the Council as logistics allow. All information should be sent to the address or fax number cited below.