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Magalie R. Salas,
Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Draft Application and Preliminary Draft Environmental Assessment (PDEA) and Request for Preliminary Terms and Conditions

May 2, 2002.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

- a. *Type of Application:* New Major License.
- b. *Project No.:* 487.
- c. *Applicant:* PPL Holtwood, LLC.
- d. *Name of Project:* Lake Wallenpaupack Hydroelectric Project.
- e. *Location:* On Wallenpaupack Creek, in Wayne and Pike Counties, Pennsylvania.
- f. *Applicant Contact:* Gary Petrewski, PPL Generation, LLC, Two North Ninth Street, Allentown, PA 18101-1179, (610) 774-5996, Email: gpeterwski@pplweb.com.
- g. *FERC Contact:* Patrick K. Murphy (202) 219-2659, Email: Patrick.Murphy@ferc.gov.
- h. PPL mailed a copy of the Preliminary Draft Environmental Assessment and draft application to interested parties on April 29, 2002. The Commission received a copy of the PDEA on April 30, 2002. Copies of the document are available from PPL at the above address.
- i. With this notice we are soliciting preliminary terms, conditions, recommendations, prescriptions, and comments on the PDEA and draft license application. All comments on the PDEA and draft license application should be sent to the address above in item (f) with one copy filed with the Commission at the following address: Federal Energy Regulatory Commission, Magalie R. Salas, Secretary, 888 First Street, NE, Room 1A, Washington, DC 20426. All comments must include the project name and number, and bear the heading "Preliminary Comments", "Preliminary Recommendations", "Preliminary Terms and Conditions", or "Preliminary Prescriptions". Any party interested in commenting must do so before July 1, 2002.

j. With this notice, we are initiating consultation with the State Historic Preservation Officer (SHPO), as required by Section 106, National Historic Preservation Act, and the regulations of the Advisory Council on Historic Preservation, 36 CFR 800.4.

Linwood A. Watson, Jr.,

Deputy Secretary.

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ENVIRONMENTAL PROTECTION AGENCY

[Region 2 Docket No. NJ51-241 FRL-7208-2]

Adequacy Status of the Submitted Carbon Monoxide Redesignation Request and Maintenance Plan for the New Jersey Portion of the New York- Northern New Jersey-Long Island Moderate Carbon Monoxide Nonattainment Area

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of adequacy.

SUMMARY: In this notice, EPA is notifying the public that we have found that the motor vehicle emissions budgets for carbon monoxide (CO) in the submitted redesignation request and maintenance plan for the New Jersey portion of the New York-Northern New Jersey-Long Island moderate CO nonattainment area are adequate for transportation 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 New Jersey portion of the New York-Northern New Jersey-Long Island CO nonattainment area must use the motor vehicle emission budget from this submitted redesignation request and maintenance plan for future conformity determinations.

DATES: This finding is effective May 23, 2002.

FOR FURTHER INFORMATION CONTACT: Kenneth M. Champagne, Mobile Sources Team, Air Programs Branch, Environmental Protection Agency—Region 2, 290 Broadway, 25th Floor, New York, New York 10007-1866, (212) 637-4249, champagne.kenneth@epa.gov.

The finding and the response to comments will be available at EPA's conformity website: <http://www.epa.gov/otaq/traq>, (once there,

click on the "Conformity" button, then look for "Adequacy Review of SIP Submissions for Conformity").

SUPPLEMENTARY INFORMATION:

Background

Today's notice is simply an announcement of a finding that we have already made. EPA Region 2 sent a letter to the New Jersey Department of Environmental Protection on April 22, 2002 stating that the CO motor vehicle emissions budgets for 2007 and 2014 in the submitted redesignation request and maintenance plan (dated January 15, 2002) for the New Jersey portion of the New York-Northern New Jersey-Long Island moderate CO nonattainment area are adequate for transportation conformity purposes. This finding will also be announced on EPA's conformity website: <http://www.epa.gov/otaq/traq>, (once there, click on the "Conformity" button, then look for "Adequacy Review of SIP Submissions for Conformity").

Transportation conformity is required by section 176(c) of the Clean Air Act. EPA's 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 EPA's completeness review, and it also should not be used to prejudge EPA's ultimate approval of the SIP. Even if we find a budget adequate, the SIP could later be disapproved.

We have described our process for determining the adequacy of submitted SIP budgets in guidance (May 14, 1999 memo titled "Conformity Guidance on Implementation of March 2, 1999 Conformity Court Decision"). We followed this guidance in making our adequacy determination.

Authority: 42 U.S.C. 7401-7671q.

Dated: April 22, 2002.

William J. Muszynski,
Deputy Regional Administrator, Region 2.
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