

within 30 days of the notice that the application is ready for environmental analysis.

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

*Acting Secretary.*

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**BILLING CODE 6717-01-M**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RM98-1-000]

#### Regulations Governing Off-the-Record Communications; Public Notice

September 22, 2000.

This constitutes notice, in accordance with 18 CFR 385.2201(h), of the receipt of exempt and prohibited off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive an exempt or a prohibited off-the-record communication relevant to the merits of a contested on-the-record proceeding, to deliver a copy of the communication, if written, or a summary of the substance of any oral communication, to the Secretary.

Prohibited communications will be included in a public, non-decisional file associated with, but not part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication, and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such requests only when it determines that fairness so requires.

Exempt off-the-record communications will be included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of exempt and prohibited off-the-record communications received in the Office of the Secretary within the preceding 14 days. The documents may be viewed on the Internet at <http://www.ferc.fed.us/>

online/rims.htm (call 202-208-2222 for assistance).

#### Exempt

1. Project No. 1864-000, 7-28-00, Randy Kemp
2. CP98-150-000, 9-11-00, Jennifer Kerigan, FERC
3. CP00-14-000, 8-25-00, Todd Mattson

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6878-6]

### Stakeholder Comment on Preliminary National Enforcement and Compliance Assurance Priorities for Fiscal Years 2002 and 2003

**AGENCY:** Environmental Protection Agency.

**ACTION:** Solicitation of recommendations and comments.

**SUMMARY:** This Notice is a Federal Agency request for the public to comment and provide recommendations on biennial national enforcement and compliance assurance priorities to be addressed for fiscal years 2002 and 2003. This Notice expands Agency efforts to establish national enforcement and compliance assurance priorities by seeking to engage a broader group of stakeholders to identify those environmental problems that should be considered in selecting a focus for future Federal enforcement and compliance resources. The information submitted by commentors will be considered during the priority identification process. Final priority selections will be incorporated into the EPA's Office of Enforcement and Compliance Assurance Memorandum of Agreement Guidance (which provides national program direction for all EPA Regional offices). These priorities will also affect implementation of the enforcement and compliance goals and objectives outlined in the EPA Strategic Plan, as mandated under the Government Performance and Results Act.

**DATES:** The agency must receive comments and recommendations on or before October 30, 2000.

**ADDRESSES:** Submit all electronic comments and recommendations to [docket.oeca@epa.gov](mailto:docket.oeca@epa.gov). Please reference Docket Number EC-2000-006 in the

submission. (Comments may be submitted on disk in WordPerfect 8.0 or earlier versions)

Written comments can be mailed to: Enforcement & Compliance Docket and Information Center (2201A), Docket Number EC-2000-006, Office of Enforcement and Compliance Assurance, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460.

Comments may be delivered in person to: Enforcement & Compliance Docket and Information Center, U.S. Environmental Protection Agency, Rm 4033, Ariel Rios Bldg., 1200 Pennsylvania Avenue, NW., Washington, DC.

#### FOR FURTHER INFORMATION CONTACT:

Frederick Stiehl, Director, Enforcement Planning, Targeting and Data Division; Voice: (202) 564-2290, Fax: (202) 564-0030.

#### SUPPLEMENTARY INFORMATION:

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##### A. Background

The Office of Enforcement and Compliance Assurance (OECA) negotiates a Memorandum of Agreement (MOA) with each of the Agency's ten Regional offices. The MOA guidance, sent out by OECA, establishes national enforcement and compliance assurance priorities and sets short term (two year) program direction. The MOA guidance provides the basis for the individual agreements negotiated between OECA and each Region. These agreements describe Region-specific implementation of the national and local enforcement and compliance priorities as the Agency works to collectively meet its long term goals set forth in the EPA Strategic Plan. The intent of this FR Notice is to solicit stakeholder input during the selection process of potential FY 2002/2003 MOA priorities. Earlier this spring, stakeholders, EPA Regions, States, and Tribes, were asked to comment on current national enforcement and compliance priorities and suggest any changes or potential new priorities for fiscal years 2002 and 2003. The Office of Enforcement and Compliance Assurance analyzed the many excellent comments received thus far using the following criteria:

(a) *Risk Management:* In what specific areas can the Federal enforcement and compliance assurance programs make a significant positive impact on human health or the environment? What are the