

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title “COMMENTS”, “RECOMMENDATIONS FOR TERMS AND CONDITIONS”, “PROTEST”, or “MOTION TO INTERVENE”, as applicable, and the Project Number of the particular 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, N.E., Washington, D.C. 20426. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

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.,**

*Acting Secretary.*

[FR Doc. 00–11074 Filed 5–3–00; 8:45 am]

**BILLING CODE 6717–01–M**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Joint Application for Amendment to License

April 28, 2000.

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

a. *Application Type:* Request for amendment to license section (C)(2) and articles 59, 64, 65, 66, and 67.

b. *Project No.:* 5–055.

c. *Dated Filed:* April 21, 2000.

d. *Applicants:* PP&L Montana, L.L.C. (PPLM), the Confederated Salish and Kootenai Tribes of the Flathead Reservation (the Tribes), co-licensees, and the U.S. Department of the Interior (Interior).

e. *Name of Project:* Kerr Hydroelectric Project.

f. *Location:* The Kerr Project is located in Lake and Flathead Counties, Montana and partially on lands within the Flathead Indian Reservation.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)–825(t).

h. *Applicants’ Contacts:* For the Tribes, Joe Hovenkotter, The Confederated Salish and Kootenai Tribes of the Flathead Reservation, Tribal Legal Department, P.O. Box 278, Pablo, MT 59855 (406) 675–2700, Ext. 1169; For PPLM, David R. Poe, LeBoeuf, Lamb, Greene & MacRae LLP, 1875 Connecticut Avenue, N.W., Washington, DC 20009 (202) 986–8039; For Interior, Kerry O’Hara, Attorney of Record, Department of the Interior, 1849 C Street, NW, MS 6456, Washington, D.C. (202) 208–6967.

i. *FERC Contact:* Robert Grieve, (202) 219–2655, or e-mail address: [robert.grieve@ferc.fed.us](mailto:robert.grieve@ferc.fed.us)

j. *Deadline for filing comments and recommendations, motions to intervene, and protests:* June 8, 2000.

All documents (original and eight copies) should be filed with: David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. Please include the project number on any comments and recommendations, motions to intervene and protests.

k. *Description of Application:* PPLM and the Tribes, co-licensees of the above-captioned hydroelectric project, and Interior have filed an application to amend section (C)(2) and articles 59, 64, 65, 66, and 67 of the Kerr Hydroelectric Project license, in order to facilitate settlement of litigation pending with respect to certain license conditions promulgated by Interior and included by the Commission in its orders of June 25, 1997 (79 FERC ¶61,376(1997)) and October 30, 1998 (85 FERC ¶61,164 (1998)).

l. *Location of the Application:* A copy of the application is available for inspection and reproduction at the Commission’s Public Reference Room, located at 888 First Street, NE Room 2A, Washington, DC 20426 or by calling (202) 208–1371. The application may be viewed on the web at [www.ferc.fed.us/online/rims.htm](http://www.ferc.fed.us/online/rims.htm). Call (202) 208–2222 for assistance.

m. *Comments, Protests, or Motions to Intervene—*Anyone may submit comments, a protest or a motion to intervene in accordance with the requirements of the Commission’s Rules of Practice and Procedure, 18 CFR 385.210, 385.211 or 385.214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission’s Rules may become a party to the proceedings. Any comments, protests or motions to intervene must be received on or before

the specified comment date for this application.

Filing and Serving of Responsive Documents—Any filings must bear in all capital letters the title “COMMENTS”, or “RECOMMENDATIONS FOR TERMS AND CONDITIONS”, “PROTEST”, or “MOTION TO INTERVENE”, as applicable, and the Project number of the application to which the filing refers. Any of the above-named documents must be filed by providing an original and the number of copies provided by the Commission’s regulations to the address listed in Section j. A copy of any motion to intervene must also be served upon each representative of the Applicants specified in the application.

Agency Comments—Federal, state and local agencies are invited to file comments on the described application in addition to other interested parties. A copy of the application may be obtained by agencies directly from the Applicants. 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 Applicants’ representatives.

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

*Acting Secretary.*

[FR Doc. 00–11075 Filed 5–3–00; 8:45 am]

**BILLING CODE 6717–01–M**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL–6587–6]

### Regulatory Reinvention (XL) Pilot Projects

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

**ACTION:** Notice to announce the signing of the International Paper Project XL Final Project Agreement.

**SUMMARY:** EPA is announcing the signing of the Project XL Final Project Agreement (FPA) for International Paper and the availability of the agreement and related documents.

**DATES:** The FPA was signed on 20 April 2000 in Jay, Maine.

**ADDRESSES:** To obtain a copy of the Final Project Agreement, Test Plan or Fact Sheet, contact: Chris Rascher, EPA New England, 1 Congress Street (SPP), Boston, Massachusetts, or Ted Cochin, U.S. EPA, 1200 Pennsylvania Avenue NW (Mail Code 1802), Washington, DC 20460. The FPA and related documents are also available via the Internet at the

following location: <http://www.epa.gov/ProjectXL>. Public files on the project, including the FPA, are also available for review at the Town Hall, Town of Jay, Maine. Questions to EPA regarding the documents can be directed to Chris Rascher at (617) 918-1834 or Ted Cochin at (202) 260-0880. To be included on the International Paper Project XL mailing list about future public meetings, XL progress reports and other mailings from International Paper on the XL project, contact Kimberly Thompson, International Paper, Androscoggin Mill, 207-897-1554. For information on all other aspects of the XL Program contact Christopher Knopes at the following address: Office of Policy and Reinvention, United States Environmental Protection Agency, 1200 Pennsylvania Avenue, NW (Mail Code 1802), Washington, DC 20460. Additional information on Project XL, including documents referenced in this document, other EPA policy documents related to Project XL, regional XL contacts, application information, and descriptions of existing XL projects and proposals, is available via the Internet at <http://www.epa.gov/projectxl/inter/page1.htm>.

**SUPPLEMENTARY INFORMATION:** The Final Project Agreement (FPA) is a voluntary agreement developed by EPA, International Paper, the State of Maine, Town of Jay, and active stakeholders. Project XL, announced in the **Federal Register** on May 23, 1995 (60 FR 27282), gives regulated sources the flexibility to develop alternative strategies that will replace or modify specific regulatory requirements on the condition that they produce greater environmental benefits.

On February 15, 2000, EPA announced the availability of the draft FPA and Test Plan in the **Federal Register** (65 FR 7546) and requested comments by March 16, 2000. No comments were received as a result of the announcement.

International Paper will develop, test, and implement a computer model that can estimate pollutant emissions on a continuous basis. Currently, International Paper is required to measure some of these pollutants only once every year. If successfully developed and implemented, this computer model will provide the company and make available to the community, information on emissions that is continuous and reliable. To accomplish this, IP will be granted regulatory flexibility in two areas. The first is to allow potential minor exceedances above existing permit limits for the waste fuel incinerator to

develop the computer model. However, as set forth more fully in the FPA, IP will offset any emission increases. The second area of flexibility will involve the frequency of stack testing and the replacement of continuous emission monitoring with the computer model, if the computer model proves successful.

**Elizabeth Shaw,**

*Deputy Associate Administrator, Office of Reinvention Programs.*

[FR Doc. 00-11143 Filed 5-3-00; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[OPPTS-62163A; FRL-6553-1]

### Asbestos-Containing Materials in Schools; State Request for Waiver From Requirements; Notice of Final Decision

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

**ACTION:** Notice of final decision on requested waiver.

**SUMMARY:** EPA is issuing a final decision which approves the request from Oklahoma for a waiver from the Agency's asbestos-in-schools program. A waiver of these requirements is granted since EPA has determined, after notice and comment and opportunity for a public hearing, that Oklahoma is implementing or intends to implement a program of asbestos inspection and management at least as stringent as EPA's program. This notice announces the official grant of the waiver.

**ADDRESSES:** A copy of the complete waiver application submitted by the State, identified by docket control number OPPTS-62163, is on file and available for review at the EPA Region VI office in Dallas, TX.

**FOR FURTHER INFORMATION CONTACT:** Neil Pflum, Asbestos Coordinator, (6PD-T), Region VI, Environmental Protection Agency, 1445 Ross Ave., Dallas, TX 75202; telephone: (214) 665-2295; e-mail: [pflum.neil@epa.gov](mailto:pflum.neil@epa.gov).

**SUPPLEMENTARY INFORMATION:**

#### I. General Information

##### A. Does This Action Apply to Me?

This action is directed to the public in general. This action may, however, be of special interest to teachers and other school personnel, their representatives, and parents in Oklahoma, and asbestos professionals working in Oklahoma. Since other entities may also be interested, the Agency has not attempted to describe all entities that

may be affected by this action. If you have any questions regarding the applicability of this action to any entity, contact the person under **FOR FURTHER INFORMATION CONTACT**.

##### B. How Can I Get Additional Information, Including Copies of This Document or Other Related Documents?

EPA has established an official record for this action under docket control number OPPTS-62163. The official record consists of the documents referenced in this action and is available by contacting the person under **FOR FURTHER INFORMATION CONTACT**.

## II. Background

### A. What Action is the Agency Taking and Under What Authority?

In the **Federal Register** of January 10, 2000 (65 FR 1387) (FRL-6397-2), EPA published a notice on the proposed grant of a waiver of the asbestos-in-schools program in Oklahoma, soliciting written comments and providing an opportunity for a public hearing. No comments and no requests for a public hearing were received during the comment period, which ended on March 9, 2000. Consequently, no public hearing was held.

EPA is granting, with conditions, a waiver of the asbestos-in-schools program to Oklahoma. The waiver is issued under section 203(m) of TSCA and 40 CFR 763.98. Section 203 is within Title II of TSCA, the Asbestos Hazard Emergency Response Act (AHERA).

In 1987, under TSCA section 203, the Agency promulgated regulations that require the identification and management of asbestos-containing material by local education agencies (LEAs) in the nation's elementary and secondary school buildings: the "AHERA Schools Rule" (40 CFR part 763, subpart E). Under section 203(m) of TSCA and 40 CFR 763.98, upon request by a State Governor and after notice and comment and opportunity for a public hearing in the State, EPA may waive, in whole or in part, the requirements of the asbestos-in-schools program (TSCA section 203 and the AHERA schools rule) if EPA determines that the State has established and is implementing or intends to implement a program of asbestos inspection and management that contains requirements that are at least as stringent as those in the Agency's asbestos-in-schools program. A State seeking a waiver must submit its request to the EPA Region in which the State is located.

The Agency recognizes that a waiver granted to any State does not encompass