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David P. Boergers, Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RM98-1-000]

Regulations Governing Off-the-Record Communications; Public Notice

June 2, 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. 696 5-24-00 Thomas H. Nelson.
2. CP00-59-001 5-5-00 Curtis B. James.
3. CP00-232-000 5-23-00 Charles de la Rock.
4. Project No. 2551 5-4-00 Frank M. Simms.
5. CP99-392-000 4-25-00 Don L. Klima.
6. CP00-6-000 5-30-00 Ken Huntington.

Prohibited:

- 1. ER00-1262-001 5-31-00 Lydia B. Vollmer.

David P. Boergers, Secretary.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-6713-4]

Adequacy Status of Motor Vehicle Emissions Budgets in Submitted State Implementation Plans for Transportation Conformity Purposes; Pennsylvania; Revised Attainment and ROP Plans for the Philadelphia-Wilmington-Trenton Ozone Nonattainment Area

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of adequacy status.

SUMMARY: EPA is announcing that the revised motor vehicle emissions budgets (budgets) contained in the revised attainment plan for the Philadelphia-Wilmington-Trenton Ozone Nonattainment Area and in the revised Rate of Progress Plans (ROP) for the Pennsylvania portion of the area submitted by the Commonwealth of Pennsylvania as a State Implementation Plan (SIP) revision are adequate for

transportation conformity purposes. The Commonwealth submitted the revised plans to EPA on February 25, 2000. The plans consist of the 2005 attainment demonstration for the Philadelphia-Wilmington-Trenton Ozone Nonattainment Area and the 1999, 2002, and 2005 ROP plans for the Pennsylvania portion of the Philadelphia-Wilmington-Trenton Ozone Nonattainment Area. EPA has found the budgets for the Philadelphia-Wilmington-Trenton Ozone Nonattainment Area in the revised attainment and ROP plans submitted by the Pennsylvania Department of Environmental Protection (DEP) on February 25, 2000 adequate for transportation conformity purposes.

DATES: The findings that the budgets are adequate were made in a letter dated May 31, 2000 from EPA Region III to the Pennsylvania Department of Environmental Protection and are effective on June 23, 2000.

FOR FURTHER INFORMATION CONTACT: Larry Budney, U.S. EPA, Region III, 1650 Arch Street, Philadelphia, PA 19103 at (215) 814-2184 or by e-mail at: Budney.Larry@epa.gov.

SUPPLEMENTARY INFORMATION: Throughout this document the terms "we," "us," or "our" refer to EPA. The

word "budgets" refers to the motor vehicle emission budgets for volatile organic compounds (VOCs) and nitrogen oxides (NOx). The words "revised SIP" in this document refers to the revised attainment plan for the Philadelphia-Wilmington-Trenton Ozone Nonattainment Area and the revised ROP plans for the Pennsylvania portion of the area submitted to EPA by the Pennsylvania DEP on February 25, 2000. The revised SIP includes the revised attainment demonstration for the one-hour National Ambient Air Quality Standard (NAAQS) for ozone for the Philadelphia-Wilmington-Trenton Ozone Nonattainment Area and the revised ROP plans (1999, 2002 and 2005) for the Pennsylvania portion of the area. The Pennsylvania portion of the nonattainment area consists of Philadelphia, Delaware, Chester, Montgomery, and Bucks Counties.

On March 2, 1999, the D.C. Circuit Court ruled that the budgets contained in submitted SIPs cannot be used for transportation conformity determinations until EPA has affirmatively found them adequate.

By a transmittal letter dated February 25, 2000, PADEP submitted its revised SIP for the Philadelphia-Wilmington-Trenton Ozone Nonattainment Area. On March 13, 2000, we posted the