

assistance with access to CIPS, the CIPS helpline can be reached at (202) 208-2474.

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.

[FR Doc. 00-14395 Filed 6-7-00; 8:45 am] BILLING CODE 6717-01-M

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

availability of the revised SIP and motor vehicle emission budgets on our conformity website for the purpose of soliciting public comment on the adequacy of the mobile budgets. The comment period closed on April 24, 2000.

On May 31, 2000, we sent a letter to the Pennsylvania DEP that constituted final Agency actions on the adequacy of the budgets contained in the revised SIP. Those actions were EPA's findings that the budgets in the revised SIP are adequate for transportation conformity purposes. As a result of our findings, the budgets contained in the revised SIP submitted on February 25, 2000 by Pennsylvania DEP for the Philadelphia-Wilmington-Trenton Ozone Nonattainment Area may be used for future conformity determinations. This is an announcement of adequacy findings that we already made on May 31, 2000. The effective date of these findings is June 23, 2000. These findings will also be announced on EPA's website: <http://www.epa.gov/oms/traq>, (once there, click on the "Conformity" button, then look for "Adequacy Review of SIP Submissions for Conformity"). The website will contain a detailed analysis of our adequacy findings and our responses to the public comments received.

Transportation conformity is required by section 176 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 so. Conformity to a SIP means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the NAAQS. The criteria by which we determine whether a SIP's budgets are adequate for conformity purposes are outlined in 40 CFR 93.118(e)(4).

Please note that an adequacy finding of mobile budgets in a submitted SIP is separate from EPA's completeness determination on that SIP, and separate from EPA's final action as to whether or not the SIP is approvable. Even if we find budgets adequate, the SIP could later be disapproved. We describe our process for determining the adequacy of submitted SIP budgets in a guidance memorandum dated May 14, 1999 entitled "Conformity Guidance on Implementation of March 2, 1999 Conformity Court Decision". We followed this guidance in making our adequacy findings for the budgets contained in the revised SIP submitted on February 25, 2000 by the Commonwealth of Pennsylvania. You

may obtain a copy of this guidance from EPA's conformity website referred to above or by calling the contact name listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice.

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

**Dated:** June 1, 2000.

**Bradley M. Campbell,**

*Regional Administrator, Region III.*

[FR Doc. 00-14598 Filed 6-7-00; 8:45 am]

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## **ENVIRONMENTAL PROTECTION AGENCY**

**[FRL-6713-3]**

### **Adequacy Status of Motor Vehicle Budgets in Submitted State Implementation Plans for Transportation Conformity Purposes; District of Columbia, Maryland, Virginia; Revised Phase II Plans for the Metropolitan Washington D.C. 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 Phase II Plans for the Metropolitan Washington D.C. Ozone Nonattainment Area submitted by the Maryland Department of the Environment, Virginia Department of Environmental Quality and the District of Columbia Environmental Regulation Administration as State Implementation Plans (SIPs) revisions are adequate for transportation conformity purposes. The revised Phase II Plans were submitted to EPA on February 9, 2000 (VA), February 14, 2000 (MD) and on February 16, 2000 (DC). The revised Phase II SIPs consist of the revised attainment demonstration (attainment plan) for the Metropolitan Washington D.C. Ozone Nonattainment Area. EPA has found the attainment budgets in the submitted revised Phase II SIPs for the Metropolitan Washington D.C. area adequate for transportation conformity purposes.

**DATES:** The finding that the budgets of the revised attainment plan are adequate were made in letters dated May 31, 2000 from EPA Region III to the Maryland Department of the Environment, Virginia Department of Environmental Quality and the District of Columbia Environmental Regulation Administration are effective on June 23, 2000.

**FOR FURTHER INFORMATION CONTACT:** Paul T. Wentworth, P.E., U.S. EPA, Region

III, 1650 Arch Street, Philadelphia, PA 19103 at (215) 814-2183 or by e-mail at: [wentworth.paul@epa.gov](mailto:wentworth.paul@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

Throughout this document "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 (NO<sub>x</sub>). The word "SIP" in this document refers to the revised Phase II SIPs submitted on February 9, 2000, February 14, 2000 and February 16, 2000 by Virginia, Maryland and the District, respectively. The revised Phase II SIPs include the revised attainment plan for the one-hour National Ambient Air Quality Standard (NAAQS) for ozone for the Metropolitan Washington D.C. Nonattainment Area.

On March 2, 1999, the D.C. Circuit Court ruled that budgets contained in submitted SIPs cannot be used for conformity determinations until EPA has affirmatively found them adequate. By transmittal letters dated as shown below, the Virginia Department of Environmental Quality, the Maryland Department of the Environment, and the Washington D.C. Department of Health, Air Quality Division each formally submitted revisions to the attainment plan consisting of changes to the budgets for the Metropolitan Washington D.C. Ozone Nonattainment Area. The revised Phase II SIPs submittal dates are:

Virginia—February 9, 2000

Maryland—February 14, 2000

Washington D.C.—February 16, 2000

On March 2, 2000, we posted the availability of the revised Phase II SIPs and their budgets on our conformity website for the purpose of soliciting public comment on the adequacy of the budgets. The comment period closed on April 3, 2000.

On May 31, 2000, EPA Region III sent letters to the Virginia Department of Environmental Quality, the Maryland Department of the Environment, and the Washington D.C. Department of Health, Air Quality Division which constituted final Agency actions on the adequacy of the budgets contained in the revised Phase II SIPs. Those actions were EPA's finding that the mobile budgets contained in the revised attainment plan are adequate for transportation conformity purposes. As a result of our finding, the attainment budgets contained in the submitted revised Phase II SIPs for the Metropolitan Washington D.C. Nonattainment Area may be used for future conformity determinations. This is an announcement of an adequacy finding that we already made on May 31, 2000. The effective date of this finding is June