

with the Commission and is available for public inspection:

*a. Application Type:* Transfer of License.

*b. Project No:* 2355-005.

*c. Date Filed:* June 13, 2000.

*d. Applicants:* PECO Energy Company and Exelon Generation Company, LLC (to be formed).

*e. Name of Project:* Muddy Run.

*f. Location:* The project is located on the Susquehanna River in Lancaster and York Counties, Pennsylvania. The project does not occupy federal or tribal lands.

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

*h. Applicant Contacts:* Vilna Waldron Gaston, H. Alfred Ryan, Assistant General Counsel, PECO Energy Company, 2301 Market Street, Philadelphia, Pennsylvania 19101, (215) 841-4265 and Brian J. McManus, Jones, Day, Reavis & Pogue, 51 Louisiana Avenue, NE, Washington, DC 20001-2113, (202) 879-5452.

*i. FERC Contact:* Any questions on this notice should be addressed to Dave Snyder at (202) 219-2385.

*j. Deadline for filing comments and or motions:* August 11, 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 (2355-005) on any comments or motions filed.

*k. Description of Transfer:* The applicants propose a transfer of the license for Project No. 2355 from PECO Energy Company (PECO) to Exelon Generation Company, LLC (GenCo), a still-to-be incorporated affiliate. GenCo will be a wholly-owned subsidiary of Exelon Corporation, a currently existing subsidiary of PECO. The transfer is being sought as part of a corporate restructuring of PECO. The application includes a proposal providing for PECO to operate the project's primary transmission lines according to the terms and conditions of a lease agreement.

*l. Locations 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. A copy is also available for inspection and reproduction at the address in item h above.

*m. Individuals desiring to be included on the Commission's mailing list should*

so indicate by writing to the Secretary of the Commission.

Comments, Protests, or Motions to Intervene—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .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 part to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

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, NE, Washington, DC 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.

**David P. Boergers,**

*Secretary.*

[FR Doc. 00-17553 Filed 7-11-00; 8:45 am]

**BILLING CODE 6717-01-M**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6734-1]

### Proposed Settlement Agreement, Clean Air Act Citizen Suit

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of proposed consent decree; request for public comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("Act"), 42 U.S.C. 7413(g), notice is hereby given of a proposed consent decree, which was lodged with the United States District Court for the District of Columbia by the United States Environmental Protection Agency ("EPA") on May 26, 1999, to address a lawsuit filed by the Midwest Ozone Group and the West Virginia Chamber of Commerce (collectively referred to as "MOG"). This lawsuit, which was filed pursuant to section 304(a) of the Act, 42 U.S.C. 7604(a), addresses EPA's alleged failure to meet mandatory deadlines under section 110(c) of the Act, 42 U.S.C. 7410(c), to promulgate federal implementation plans for certain areas establishing (1) attainment demonstrations; (2) inspection and maintenance ("I/M") programs, and (3) 15% rate-of-progress ("ROP") requirements. *Midwest Ozone Group et al., v. EPA*, No. 1:00CV01047 (D.D.C.).

**DATES:** Written comments must be received by August 11, 2000.

**ADDRESSES:** Written comments should be sent to Jan M. Tierney, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460. Copies of the proposed consent decree are available from Phyllis J. Cochran, (202) 564-7606. A copy of the proposed consent decree was lodged with the Clerk of the United States District Court for the District of Columbia on May 26, 2000.

**SUPPLEMENTARY INFORMATION:** MOG alleges that EPA has a mandatory duty to promulgate federal implementation plans ("FIPs") establishing (1) attainment demonstrations for the Greater Connecticut ozone nonattainment area; the Springfield, Massachusetts ozone nonattainment area; and the New York and Connecticut portions of the New York-Northern New Jersey-Long Island ozone nonattainment area; (2) I/M programs for Portland, Maine; Providence, Rhode Island; and the portions of the Boston-Lawrence-Worcester and Portsmouth-Dover-Rochester ozone nonattainment areas located in New Hampshire; and (3) a 15% ROP program for the Springfield, Massachusetts Ozone nonattainment area.

The proposed consent decree provides, in part, that EPA will promulgate full attainment demonstration FIPs by May 15, 2001 for the Greater Connecticut and Springfield ozone nonattainment areas if EPA has not fully approved attainment demonstration SIPs for each area as of

that date. The consent decree provides that EPA will promulgate full attainment demonstration FIPs for the New York and Connecticut portions of the New York-Northern New Jersey-Long Island ozone nonattainment by June 14, 2002 if EPA has not fully approved attainment demonstration SIPs for each area as of that date.

This portion of the consent decree addresses the same issues for these four areas as is addressed in a partial consent decree with Natural Resources Defense Council, et al., for which EPA published notice on December 21, 1999, 64 FR 71453, and that was entered into by the parties on May 31, 2000. The FIP proposal and promulgation dates in the two consent decrees are consistent.

The consent decree also provides that EPA will promulgate I/M FIPs for four ozone nonattainment areas by October 31, 2001 if EPA has not fully approved enhanced I/M SIPs for each area by that date. The four areas are: Portland, Maine; Providence, Rhode Island; and the portions of the Boston-Lawrence-Worcester and Portsmouth-Dover-Rochester ozone nonattainment areas located in New Hampshire.

Finally, the consent decree provides that EPA will promulgate a 15% ROP FIP for the Springfield, Massachusetts ozone nonattainment area by April 2, 2001 if EPA has not fully approved a 15% ROP SIP for the area by that date.

For a period of thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the proposed consent decree from persons who were not named as parties or intervenors to the litigation in question. EPA or the Department of Justice may withdraw or withhold consent to the proposed consent decree if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless EPA or the Department of Justice determine, following the comment period, that consent is inappropriate, the final consent decree will be entered with the court and will establish deadlines for promulgation of federal implementation plans in the absence of approved state plans.

Dated: June 23, 2000.

**Gary S. Guzy,**

*General Counsel.*

[FR Doc. 00-17616 Filed 7-11-00; 8:45 am]

BILLING CODE 6560-50-M

## ENVIRONMENTAL PROTECTION AGENCY

[FRL—6734-4]

### Science Advisory Board; Notification of Public Advisory Committee Meeting

Pursuant to the Federal Advisory Committee Act, Public Law 92-463, notice is hereby given that the Clean Air Scientific Advisory Committee (CASAC) will meet on Friday, July 28, 2000 from 11:00 am to 1:00 pm Eastern Daylight Time to review a report developed by its Technical Subcommittee on Fine Particle Monitoring. The meeting will be coordinated through a conference call connection in Room 6013 in the USEPA, Ariel Rios Building North, 1200 Pennsylvania Avenue, NW., Washington, DC 20460. The public is encouraged to attend the meeting in the conference room noted above. However, the public may also attend through a telephonic link, to the extent that lines are available (phone lines will be very limited). Additional instructions about how to participate in the meeting can be obtained by calling Ms. Diana Pozun prior to the meeting at (202) 564-4544, or via e-mail at <pozun.diana@epa.gov>.

#### Background

The CASAC Technical Subcommittee on Fine Particle Monitoring (the Subcommittee) was established in 1996 to provide advice and comment to EPA (through CASAC) on appropriate methods and network strategies for monitoring fine particles in the context of implementing the revised national ambient air quality standards (NAAQS) for particulate matter. Most recently, EPA has asked the Subcommittee to review EPA's report to Congress as required by Section 6102(e) of the Transportation Equity Act for the 21st Century (see 65 **Federal Register** 35926, June 6, 2000 for more details).

#### Purpose of the Meeting

At this meeting, the Clean Air Scientific Advisory Committee, chartered under 42 U.S.C. 7409, will review a report (*Clean Air Scientific Advisory Committee Review of the US EPA Response to Section 6102(e) of the Transportation Equity Act for the 21st Century*) developed by its Technical Subcommittee on Fine Particle Monitoring.

#### Availability of Review Materials

Single copies of the USEPA review document *Response to Section 6102(e) of the Transportation Equity Act for the 21st Century*, (Report number: EPA 600/R-00/033, May 2000) and the Subcommittee's draft review report

(*Clean Air Scientific Advisory Committee Review of the US EPA Response to Section 6102(e) of the Transportation Equity Act for the 21st Century*) are available from Ms. Diana Pozun, Clean Air Scientific Advisory Committee, Science Advisory Board (1400A), U.S. EPA, 1200 Pennsylvania Avenue, NW, Washington, DC 20460. Ms. Pozun can also be reached by telephone at (202) 564-4544, fax at (202) 501-0582, or e-mail:

<pozun.diana@epa.gov>. The Subcommittee's draft report is also available on the SAB Website ([www.epa.gov/sab](http://www.epa.gov/sab)) under the *Reports* heading, and *Draft Reports* subheading.

#### FOR FURTHER INFORMATION CONTACT:

Members of the public desiring additional information about the meeting should contact Mr. Robert Flaak, Designated Federal Officer, Clean Air Scientific Advisory Committee, Science Advisory Board (1400A), Suite 6450, U.S. EPA, 1200 Pennsylvania Avenue, NW, Washington, DC 20460; telephone/voice mail at (202) 564-4546; fax at (202) 501-0582; or via e-mail at <flaak.robert@epa.gov>. A copy of the draft agenda is available from Ms. Diana Pozun at (202) 564-4544 or by FAX at (202) 501-0582 or via e-mail at <pozun.diana@epa.gov>.

Members of the public who wish to make a brief oral presentation to the Subcommittee (in Room 6013 only) must contact Mr. Flaak in writing (by letter or by fax—see previously stated information) no later than 12 noon Eastern Daylight Savings Time, Thursday, July 20, 2000 in order to be included on the Agenda. Public comments will be limited to five minutes per speaker or organization; 15 minutes total. The request should identify the name of the individual making the presentation, and the organization (if any) they will represent. *Please note:* If we receive more requests than we can accommodate, time of receipt in the CASAC office will determine priority, with the first three requests granted time (additional requests may be granted to the extent that time is available, as determined by the CASAC Chair at the time of the meeting). All others will have to provide written comments. Written comments of any length may be submitted to Mr. Flaak at any time until the date of the meeting. Please provide at least 25 copies. The Science Advisory Board expects that public statements presented at its meetings will not be repetitive of previously submitted oral or written statements.

Individuals requiring special accommodation at this meeting,