

consumers in the western part of our nation where the same conditions exist and are much worse.

I am very concerned with the economic effects the current market meltdown is having. An article in yesterday's Wall Street Journal reported that the current western energy crisis could cut disposable household income by \$1.7 billion and cost 43,000 jobs over the next three years in Washington state alone. Some fear that it could tip the region into a recession. Moreover, the current volatile and high prices, which will be worse by magnitudes this coming summer, are devastating consumer and investor confidence in a market based approach to electricity regulation. Over the past three months, I have attended and spoken at two separate conferences sponsored by the Western Governors Association dealing with these issues. Scores of market participants and western public officials spoke passionately and eloquently about the nature of the problems they face. Certainly the issue of supply is a big problem that must be addressed, but so is the issue of price. Without protection, there is huge concern about what the summer will bring in terms of high prices and volatility. If the west experiences another summer like the last, I fear for the future viability of this agency's policy favoring wholesale competition. The political viability of a market based approach for electricity may suffer irreparably.

Thus, this order should have established an investigation under section 206 of the Federal Power Act into the appropriateness of effective price mitigation until the longer term solutions are in place and the markets operate normally. This investigation would assess, through comments, whether conditions in the western interconnection are preventing competitive market operation, how long those conditions are expected to last, and what the Commission can do to provide immediate price mitigation to ensure that prices are just and reasonable. We would also inquire about how any mitigation measures should be applied and how long they should last. A specific sunset provision is important to maintain investor confidence that price mitigation is temporary and imposed only to deal with a poorly functioning market and to provide an incentive to ensure that the market problems are addressed expeditiously.

And finally, a section 206 investigation into wholesale electricity prices in the western interconnection would set a refund effective date 60 days hence so that the Commission can

protect consumers if our investigation finds that prices are not just and reasonable.

I attach the utmost importance to initiating such an investigation. I dissent from this order for its failure to do so.

Having said that, I support many of the measures that today's order puts in place immediately, such as: extending and broadening temporary waivers of QF standards; facilitating market based rate authority for sales from back up and self generation at business locations; authorizing customers to "sell" load reduction at wholesale and at market based rates; facilitating wholesale contract changes to allow demand side management and facilitating demand side cost recovery in wholesale contracts. Many of these same actions were authorized by the Commission last year in our May 2000 reliability initiative. They were good ideas last year and they are good ideas now.

Beyond those measures, I have strong reservations about the proposed premium on equity returns for certain transmission and interconnection facilities. Some of these proposals could result in a 14.5% return on equity. There is no particular rationale for that level of return other than to simply throw money at the problem. Moreover, the Commission was very careful just a little over a year ago in Order No. 2000 to limit such incentive rate treatments to RTO participation. The premiums offered here are done so outside of the RTO context. I therefore must dissent from this order's proposal on equity premiums.

I also have concerns with the hydro provisions of this order. The Commission urges all WSCC hydropower licenses to examine their projects for the purpose of reporting possible efficiency modifications that could result in increased generation and to identify any environmental impacts that could occur if the efficiency changes are made. The primary focus of my concern relates to the notion that the Commission might urge licensees to unilaterally modify discretionary operations to increase electricity generation, without taking adequate responsibility for any environmental downside associated with such a decision. Healthy fisheries in California and the west are not a frill, but an integral part of the region's economy.

There is already great concern about these facilities. For example:

- The Columbia River and most of its tributaries are draining an abnormal amount of rain, providing concern that there will not be nearly enough water to allow juvenile salmon to reach the

ocean. Reservoirs across western Washington, most notably on the Cowlitz River, are down to some of the lowest levels since dams were constructed in the 1960's.

- The 717 foot high Dworshak Dam which contains one of the most critical storage reservoir in the West, is a half-million acre feet short of water. The 54 mile reservoir is nearly 50 feet lower than normal. This facility is critical to the survival of the endangered chinook salmon. So far, almost 200,000 acre feet of water have been diverted from Dworshak.

For the above reasons, I will dissent in part to today's order.

**William L. Massey,**

*Commissioner.*

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**BILLING CODE 6717-01-M**

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## **ENVIRONMENTAL PROTECTION AGENCY**

[FRL-6954-5]

### **Effluent Guidelines Plan; Announcement of Meeting**

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

**ACTION:** Announcement of meeting.

**SUMMARY:** Under section 304(m) of the Clean Water Act (CWA), EPA is required to publish a plan every two years which, in part, identifies industry categories for new or revised effluent guidelines. EPA is convening a group of stakeholders and technical experts to participate in a two-day workshop in Baltimore, MD. The purpose of this workshop is to evaluate processes that may be effective in providing a meaningful, transparent assessment of whether revision of existing effluent guidelines is appropriate or whether there is a new category of sources that should be regulated by new effluent guidelines. This meeting is a working session of invited participants selected to represent a broad range of viewpoints and expertise. The meeting is open to the public. The public may make oral statements on April 3, 2001 from 3:45-4:45 PM.

**DATES:** EPA is conducting the two-day workshop on April 2, 2001 from 8:30 AM-5:30 PM and April 3, 2001 from 8:15 AM to 5:30 PM.

**ADDRESSES:** The workshop will be held at The Admiral Fell Inn located at 888 South Broadway, Market Square at Thames Street, Baltimore, MD 21231, (800-292-4667).

**FOR FURTHER INFORMATION CONTACT:** Ms. Jan Matuszko at (202) 260-9126 or Ms.

Yu-Ting Liu at (202) 260-3596 or by E-mail: matuszko.jan@epa.gov or liu.yu-ting@epa.gov.

**SUPPLEMENTARY INFORMATION:**

Additional information on effluent guidelines and the current effluent guidelines plan is available on the Internet at <http://www.epa.gov/ost/guide>.

Dated: March 9, 2001.

**Geoffrey H. Grubbs,**

Director, Office of Science and Technology.  
[FR Doc. 01-7026 Filed 3-20-01; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY**

[OPP-30508; FRL-6770-6]

**Pesticide Products; Plant-Pesticides Registration Applications**

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

**ACTION:** Notice.

**SUMMARY:** This notice announces receipt of applications to register pesticide products containing new active ingredients not included in any previously registered products pursuant to the provisions of section 3(c)(4) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended.

**DATES:** Written comments, identified by the docket control number OPP-30508, must be received on or before May 7, 2001.

**ADDRESSES:** Comments may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Unit I. of the

**SUPPLEMENTARY INFORMATION.** To ensure proper receipt by EPA, it is imperative that you identify docket control number OPP-30508 in the subject line on the first page of your response.

**FOR FURTHER INFORMATION CONTACT:** The Regulatory Action Leader listed in the table below:

Regulatory Action Leader	Telephone number/e-mail address	Mailing address	File symbol
Mike Mendelsohn	(703) 308-8715; mendelsohn.mike@epa.gov	Biopesticides and Pollution Prevention Division (7511C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., Washington, DC 20460	524-LET
Willie Nelson	(703) 308-8682; nelson.willie@epa.gov	Do.	524-LEE

**SUPPLEMENTARY INFORMATION:**

**I. General Information**

*A. Does this Action Apply to Me?*

You may be affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected categories and entities may include, but are not limited to:

Cat-egories	NAICS codes	Examples of potentially affected entities
Industry	111 112 311 32532	Crop production Animal production Food manufacturing Pesticide manufacturing

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in the table could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether or not this action might apply to certain entities. If you have questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

*B. How Can I Get Additional Information, Including Copies of this Document and Other Related Documents?*

1. *Electronically.* You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at <http://www.epa.gov/>. To access this document, on the Home Page select "Laws and Regulations," "Regulations and Proposed Rules," and then look up the entry for this document under the "**Federal Register**--Environmental Documents." You can also go directly to the **Federal Register** listings at <http://www.epa.gov/fedrgstr/>.

2. *In person.* The Agency has established an official record for this action under docket control number OPP-30508. The official record consists of the documents specifically referenced in this action, any public comments received during an applicable comment period, and other information related to this action, including any information claimed as confidential business information (CBI). This official record includes the documents that are physically located in the docket, as well as the documents that are referenced in those documents. The public version of the official record does not include any information claimed as CBI. The public version of the official record, which includes printed, paper versions of any electronic comments submitted during

an applicable comment period, is available for inspection in the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305-5805.

*C. How and to Whom Do I Submit Comments?*

You may submit comments through the mail, in person, or electronically. To ensure proper receipt by EPA, it is imperative that you identify docket control number OPP-30508 in the subject line on the first page of your response.

1. *By mail.* Submit your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

2. *In person or by courier.* Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Highway,