

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission****[Docket No. RM98-1-000]****Regulations Governing Off-the-Record Communications; Public Notice**

June 1, 2001.

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. Any person identified below as having made a prohibited off-the-record communication should serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

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, 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. EL00-95-017; 5-21-01; Barry R. Wallerstein.
2. Project No. 2042; 5-21-01; Timothy B. Bachelder.
3. CP00-165-000; 5-22-01; Roy L. Harris.
4. Project No. 2042-013; 5-22-01; Tim Welch.
5. CP00-232-001; 5-18-01; Kent P. Sanders.
6. CP00-40-002; 5-23-01; David L. Hankla.
7. Project No. 1986-010; 5-22-01; Dave Justus.

David P. Boergers,*Secretary.*

[FR Doc. 01-14350 Filed 6-6-01; 8:45 am]

BILLING CODE 6717-01-M**ENVIRONMENTAL PROTECTION AGENCY****[AL-056-200106; FRL-6993-4]****Adequacy Status of the Birmingham, AL, Ozone Attainment Demonstration for Transportation Conformity Purposes****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice of adequacy.

SUMMARY: In this notice, EPA is notifying the public that we have found that the motor vehicle emissions budgets in the Birmingham, Alabama ozone attainment demonstration submitted on November 1, 2000, are adequate for conformity purposes. On March 2, 1999, the D.C. Circuit Court ruled that submitted State Implementation Plans (SIPs) cannot be used for conformity determinations until EPA has affirmatively found them adequate. As a result of our finding, the Birmingham ozone nonattainment area must use the motor vehicle emissions budgets from the submitted ozone attainment demonstration for future conformity determinations.

DATES: This finding is effective June 22, 2001.

FOR FURTHER INFORMATION CONTACT: The finding and the response to comments will be available at EPA's conformity 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 SIP is available for public viewing at the United States Environmental Protection Agency, 61 Forsyth Street, SW., Atlanta, Georgia, 30303. You can request a copy of the SIP submission by contacting Kelly Sheckler, Regulatory

Planning Section, United States Environmental Protection Agency, 61 Forsyth Street, SW., Atlanta, Georgia 30303, Phone: (404) 562-9042, Fax: (404) 562-9019, E-mail: Sheckler.Kelly@epa.gov.

SUPPLEMENTARY INFORMATION:**Background**

This notice is simply an announcement of a finding that we have already made. EPA Region 4 sent a letter to the Alabama Department of Environmental Management on May 22, 2001, stating that the motor vehicle emissions budgets in the Birmingham, Alabama, ozone attainment demonstration for 2003 are adequate. This finding has been announced on EPA's conformity website referenced above.

EPA Region 4 received comments on the motor vehicle emissions budget for transportation conformity purposes contained in the Birmingham, Alabama, 1-hour ozone attainment demonstration. EPA Region 4 has prepared a response to those comments and has posted the response on the website referenced above.

Transportation conformity is required by section 176(c) 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. Conformity to a SIP means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the national ambient air quality standards.

We have described our process for determining the adequacy of submitted SIP budgets in guidance (May 14, 1999 memo titled "Conformity Guidance on Implementation of March 2, 1999 Conformity Court Decision"). This guidance was used in making our adequacy determination. The criteria by which we determine whether a SIP's motor vehicle emission budgets are adequate for conformity purposes are outlined in 40 CFR 93.118(e)(4). Please note that an adequacy review is separate from EPA's completeness review, and it also should not be used to prejudge EPA's ultimate action to approve or disapprove the SIP. The SIP could later be disapproved for reasons unrelated to the transportation conformity even though the budgets have been deemed adequate.

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

Dated: May 21, 2001.

A. Stanley Meiburg,

Acting Regional Administrator, Region 4.

[FR Doc. 01-14375 Filed 6-6-01; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL MARITIME COMMISSION

Notice of Agreement(s) Filed

The Commission hereby gives notice of the filing of the following agreement(s) under the Shipping Act of 1984. Interested parties can review or obtain copies of agreements at the Washington, DC offices of the Commission, 800 North Capitol Street, NW., Room 940. Interested parties may submit comments on an agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 10 days of the date this notice appears in the **Federal Register**.

Agreement No.: 010746-009

Title: Columbus/P&O Nedlloyd Space Charter and Sailing Agreement

Parties:

Hamburg-Sud
P&O Nedlloyd Limited

Synopsis: The proposed modification revises the geographic scope by deleting U.S. Pacific Coast ports and ports on various Pacific Islands and adding ports in Jamaica and Panama. The modification also updates and restates the agreement.

Agreement No.: 011683-001

Title: Contship/CMA CGM/Marfret Space Charter and Sailing Agreement

Parties:

CMA CGM, S.A.
Compagnie Maritime Marfret
Contship Containerlines Limited

Synopsis: The proposed amendment adds Jamaica and Panama to the agreement's scope, increases the number of vessels currently employed from 8 to 9, increases the maximum authorized from 10 to 12 vessels, and revises space allocations.

Dated: June 1, 2001.

By Order of the Federal Maritime Commission.

Bryant L. VanBrakle,

Secretary.

[FR Doc. 01-14296 Filed 6-6-01; 8:45 am]

BILLING CODE 6730-01-P

FEDERAL MARITIME COMMISSION

Ocean Transportation Intermediary License; Applicants

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission an

application for licenses as Non-Vessel Operating Common Carrier and Ocean Freight Forwarder—Ocean Transportation Intermediary pursuant to section 19 of the Shipping Act of 1984 as amended (46 U.S.C. app. 1718 and 46 CFR 515).

Persons knowing of any reason why the following applicants should not receive a license are requested to contact the Office of Transportation Intermediaries, Federal Maritime Commission, Washington, DC 20573.

Non-Vessel-Operating Common Carrier Ocean Transportation Intermediary Applicants

Quick Freight Group, Inc. d/b/a
Accufreight Group, 147-35 Farmers Blvd., #201, Jamaica, NY 11434,
Officers: Han Goo Choi, President
(Qualifying Individual)

Sunfreight Cargo International, Inc.,
3541 Taffrail Lane, Oxnard, CA
93035, Officers: Paulino J. Gerardo,
CFO (Qualifying Individual), Rolando
P. Gipulan, President

Extrans International U.S.A., 758
Glasgow Avenue, 2nd Floor,
Inglewood, CA 90301, Officers: Andy
Song, Treasurer/Managing Director
(Qualifying Individual), Kyu Seung
Shin, CEO

Scorpion Express Line Corp., 4995 NW
72 Avenue, Suite 406, Miami, FL
33166, Officers: Ricardo Amable,
President (Qualifying Individual),
Raul Campos, Vice President

Hemisphere International Shipping,
Inc., P.O. Box 13401, Santvrie, Puerto
Rico 00908, Officers: Wayne M.
Siegel, Vice President (Qualifying
Individual)

Non-Vessel Operating Common Carrier and Ocean Freight Forwarder Transportation Intermediary Applicant

STS North America Inc., 12727 NE 20th
Street, Suite 23, Bellevue, WA 98005,
Officers: Nickolay Nickolaychuk,
Director (Qualifying Individual),
Rustam Yuldashev, Director

Ocean Freight Forwarder—Ocean Transportation Intermediary Applicant

Shoreline Exprss, Inc., 13231 Eastern
Avenue, Suite No. 3 Palmetto, FL
34221, Officers: Mildred Reba Hunt,
Secretary (Qualifying Individual),
Timmy S. Adams, President

Dated: June 1, 2001.

Bryant L. VanBrakle,

Secretary.

[FR Doc. 01-14297 Filed 6-6-01; 8:45 am]

BILLING CODE 6730-01-P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The application also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States. Additional information on all bank holding companies may be obtained from the National Information Center website at www.ffiec.gov/nic/.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than July 2, 2001.

A. Federal Reserve Bank of Chicago
(Phillip Jackson, Applications Officer)
230 South LaSalle Street, Chicago,
Illinois 60690-1414:

1. *Harvard Bancorp, Inc.*, Harvard, Illinois; to acquire 100 percent of the voting shares of Hebron Bancshares, Inc., Hebron, Illinois, and thereby indirectly acquire voting shares of Hebron State Bank, Hebron, Illinois.

2. *Marshall & Ilsley Corporation*, Milwaukee, Wisconsin; to merge with National City Bancorporation, Minneapolis, Minnesota, and thereby indirectly acquire voting shares of National City Bank of Minneapolis, Minneapolis, Minnesota.

In connection with this application, Applicant also has applied to acquire Diversified Business Credit, Inc., Minneapolis, Minnesota, and thereby engage in extending credit and servicing