

the use of automated collection techniques to the addresses listed above. Please refer to EPA ICR Number 0938.08 and OMB Control Number 2030-0020 in any correspondence.

Dated: October 5, 2001.

**Oscar Morales,**

*Director, Collection Strategies Division.*

[FR Doc. 01-25896 Filed 10-12-01; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7021-1]

### Notice of Availability for Draft Guidance on Source Determinations for Combined Heat and Power Facilities Under the Clean Air Act New Source Review and Title V Programs

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

**ACTION:** Notice of availability.

**SUMMARY:** The EPA is making available for public review and comment a preliminary draft of its pending guidance on Source Determinations for Combined Heat and Power (CHP) Facilities under the Clean Air Act New Source Review and Title V Programs. The combined generation of heat and power, also known as cogeneration, has been an energy supply option for nearly 100 years and is used in many sectors of the economy. In light of ever increasing demand for energy, electric power industry restructuring and cross-program pollution prevention initiatives, EPA is committed to improving the efficiency at which we convert fuels into useful energy. Properly designed and implemented CHP is a key element to achieving the nation's energy goals, because CHPs are capable of independently providing power to the grid or customers other than the host facility and therefore can help alleviate power shortfalls. Recognizing this, the Report of the National Energy Policy Development Group recommends "that the President direct the EPA Administrator to promote CHP through flexibility in environmental permitting."

A draft of EPA's guidance is available for public review and comment. The EPA does not intend to respond to individual comments, but rather to consider the comments from the public in the preparation of the final guidance. It is important that the draft guidance being made available today for public review and comment does not represent

official EPA policy or a formal position on the subject matter discussed and therefore is not to be relied on in interpreting EPA policy.

**DATES:** The comment period on the draft guidance will close on November 14, 2001.

**ADDRESSES:** Written comments should be sent to Pamela J. Smith, Information Transfer and Program Integration Division (MD-12), Office of Air Quality Planning and Standards, U.S. EPA, Research Triangle Park, North Carolina 27711, telephone 919-541-0641, telefax 919-541-5509 or e-mail [smith.pam@epa.gov](mailto:smith.pam@epa.gov).

**FOR FURTHER INFORMATION CONTACT:** Kathy Kaufman, Office of Air Quality Planning and Standards, U.S. EPA, MD-12, Research Triangle Park, NC 27711, telephone 919-541-0102 or e-mail [kaufman.kathy@epa.gov](mailto:kaufman.kathy@epa.gov).

**SUPPLEMENTARY INFORMATION:** A copy of the draft guidance document may be obtained by calling or E-mailing Pamela J. Smith. The draft guidance may also be downloaded from the NSR Web site <http://www.epa.gov/ttn/nsr> under the topic "What's New on NSR."

Dated: July 18, 2001.

**Henry C. Thomas,**

*Acting Director, Office of Air Quality Planning and Standards.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7082-1]

### Clean Water Act Section 303(d): Availability of Total Maximum Daily Loads (TMDLs) and Determinations That TMDLs Are Not Needed

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

**ACTION:** Notice of availability

**SUMMARY:** This notice announces the availability for comment of the administrative record file for forty-five TMDLs and the calculations for these TMDLs prepared by EPA Region 6 for waters listed in the Mermentau and Vermilion/Teche river basins, under section 303(d) of the Clean Water Act (CWA). These TMDLs were completed in response to a court order dated October 1, 1999, in the lawsuit *Sierra Club, et al. v. Clifford et al.*, No. 96-0527, (E.D. La.). Under this court order, EPA is required to prepare TMDLs when needed for waters on the Louisiana 1998

section 303(d) list by December 31, 2007. The court order also requires EPA to add or delete waters to the schedule as new data confirms that waters are or are not meeting water quality standards.

This notice also announces the availability for comment of EPA determinations that TMDLs are not needed for six waterbody/pollutant combinations in the Mermentau and Vermilion/Teche river basins because new data and information show that water quality standards are being met. This proposed action would result in the removal of six waterbody/pollutant combinations from the Louisiana 303(d) list.

**DATES:** Comments must be submitted in writing to EPA on or before November 14, 2001.

**ADDRESSES:** Comments on the forty-five TMDLs and the determinations that TMDLs are not needed for six waterbody/pollutant combinations should be sent to Ellen Caldwell, Environmental Protection Specialist, Water Quality Protection Division, U.S. Environmental Protection Agency Region 6, 1445 Ross Ave., Dallas, TX 75202-2733. For further information, contact Ellen Caldwell at (214) 665-7513. The administrative record file for these TMDLs and the determinations that TMDLs are not needed are available for public inspection at this address as well. Documents from the administrative record file may be viewed at [www.epa.gov/region6/water/tmdl.htm](http://www.epa.gov/region6/water/tmdl.htm), or obtained by calling or writing Ms. Caldwell at the above address. Please contact Ms. Caldwell to schedule an inspection.

**FOR FURTHER INFORMATION CONTACT:** Ellen Caldwell at (214) 665-7513.

**SUPPLEMENTARY INFORMATION:** In 1996, two Louisiana environmental groups, the Sierra Club and Louisiana Environmental Action Network (plaintiffs), filed a lawsuit in Federal Court against the EPA, styled *Sierra Club, et al. v. Clifford et al.*, No. 96-0527, (E.D. La.). Among other claims, plaintiffs alleged that EPA failed to establish Louisiana TMDLs in a timely manner. Discussion of the court's order may be found at 65 FR 54032 (September 6, 2000).

### EPA Seeks Comments on Forty-five TMDLs

By this notice EPA is seeking comments on the following forty-five TMDLs for waters located within the Mermentau and Vermilion/Teche basins: