

Island and the Cape Cod mainland. The northernmost turbines would be approximately 4.1 miles from the nearest land mass (Point Gammon), the southeastern most turbines would be approximately 11 miles from Nantucket, and the westernmost turbines will be approximately 5.5 miles from Martha's Vineyard. The array of generators was established in a northwest to southeast alignment to provide optimum utilization of the wind energy potential. The proposed submarine cable landfall location is Yarmouth, Massachusetts. Each wind power generating structure would generate up to 2.7 megawatts of electricity and would be up to 420 feet above the water surface. The proposed submarine cable system, consisting of two 115kV solid dielectric cable circuits, would be jet-plow embedded into the seabed to a depth of approximately 6 feet. The foundations of the WTGs may require scour protection. Scour protection would require the placement of stone riprap or concrete matting on the seabed surface surrounding the foundation. The overland cable system would be installed underground within existing public rights-of-way and roadways in the town of Yarmouth, Massachusetts, ultimately connecting to an existing 115kV electric transmission line for distribution. The approximate construction start date for the proposed project is 2004, with commercial operation starting in 2005.

Alternatives to be addressed in the EIS will include: the no action alternative; alternative wind park locations, including offshore vs. upland; submarine cable route alternatives; alternative landfall and overland cable route locations, and alternative connections to an NSTAR transmission line.

Significant issues to be analyzed in depth in the EIS will include impacts associated with construction, operation, maintenance and decommissioning of the wind turbines on the following resources: recreational and commercial boating and fishing activities, endangered marine mammals and reptiles, birds, aviation, benthic habitat, aesthetics, cultural resources, radio and television frequencies, ocean currents, and land resources.

*Other Environmental Review and Consultation Requirements:* To the fullest extent possible, the EIS will be integrated with analyses and consultation required by the Endangered Species Act of 1973, as amended (Pub. L. 93-205; 16 U.S.C. 1531, *et seq.*); the Magnuson-Stevens Fishery Conservation and Management Act, as amended (Pub. L. 94-265; 16

U.S.C. 1801, *et seq.*), the National Historic Preservation Act of 1966, as amended (Pub. L. 89-655; 16 U.S.C. 470, *et seq.*); the Fish and Wildlife Coordination Act of 1958, as amended (Pub. L. 85-624; 16 U.S.C. 661, *et seq.*); the Coastal Zone Management Act of 1972, as amended (Pub. L. 92-583; 16 U.S.C. 1451, *et seq.*); and the Clean Water Act of 1977, as amended (Pub. L. 92-500; 33 U.S.C. 1251, *et seq.*), Section 10 of the Rivers and Harbors Act of 1899, 33 U.S.C. 403 *et seq.*; the Outer Continental Shelf Lands Act (Pub. L. 95-372; 43 U.S.C. 1333(e)), and applicable and appropriate Executive Orders. Additionally, this EIS will be prepared concurrently with the requirements of the Massachusetts Environmental Policy Act (301 CMR 11.00 *et seq.*).

*Scoping:* The Corps will conduct an open scoping and public involvement process during the development of the EIS. The purpose of the scoping meetings is to assist the Corps in defining the issues that will be evaluated in the EIS. Scoping meetings will be held on March 6, 2002 starting at 1:30 pm at the JFK Federal Building, 55 New Sudbury St., Conference Room C, Boston, Massachusetts, and on March 7, 2002 starting at 6:30 pm at the Mattacheese Middle School, 400 Higgins Crowell Rd., West Yarmouth, Massachusetts. All interested Federal, State and local agencies, affected Indian tribes, interested private and public organizations, and individuals are invited to attend these scoping meetings.

The Draft EIS is anticipated to be available for public review in the summer of 2003.

**Brian E. Osterndorf,**  
*Col, En, Commander.*

[FR Doc. 02-2217 Filed 1-29-02; 8:45 am]

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## DEPARTMENT OF EDUCATION

### Privacy Act of 1974; System of Records—Investigative Files of the Inspector General (18-10-01)

**AGENCY:** Department of Education.

**ACTION:** Correction.

**SUMMARY:** We publish this notice to correct the Investigative Files of the Inspector General (18-10-01) by restoring two items to the purpose clause, correcting the numbering of the routine uses, moving the substance of the computer matching routine use to the general list of routine uses and amending the introduction to the

routine uses to include a statement that any of the routine use disclosures may be made on a case-by-case basis or through computer matching if the requirements for computer matching have been met, eliminating language in Disclosure 5, and clarifying the language of the Debarment and Suspension Disclosure. Our regular review of our system notices revealed the need for these clarifications and corrections.

**DATES:** The corrections in this notice are effective on January 30, 2002.

**FOR FURTHER INFORMATION CONTACT:** John Tressler, Office of Chief Information Officer, U.S. Department of Education, 400 Maryland Avenue, SW., room 5624 Regional Office Building 3, Washington, DC 20202-4580. Telephone: (202) 708-8900. If you use a telecommunications device for the deaf (TDD), you may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to the contact person listed under **FOR FURTHER INFORMATION CONTACT**.

### Corrections

The following corrections are made in the Notice of New, Amended, Altered and Deleted Systems of Records published in the **Federal Register** on June 4, 1999 (64 FR 30105):

On pages 30152 and 30153, beginning with the "PURPOSE(S)" section through the end of the "ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:" section on page 30153, first column, the notice is revised to read as follows:

### PURPOSE(S):

Pursuant to the Inspector General Act, the system is maintained for the purposes of: (1) Conducting and documenting investigations by the Office of Inspector General (OIG) or other investigative agencies regarding Department of Education programs and operations and reporting the results of investigations to other Federal agencies, other public authorities or professional organizations which have the authority to bring criminal prosecutions or civil or administrative actions, or to impose other disciplinary sanctions; (2) documenting the outcome of OIG investigations; (3) maintaining a record of the activities that were the subject of investigations; (4) reporting investigative findings to other

Department of Education components for their use in operating and evaluating their programs or operations, and in the imposition of civil or administrative sanctions; (5) maintaining a record of complaints and allegations received relative to Department of Education programs and operations and documenting the outcome of OIG reviews of such complaints and allegations; (6) coordinating relationships with other Federal agencies, State and local governmental agencies, and nongovernmental entities in matters relating to the statutory responsibilities of the OIG; and (7) acting as a repository and source for information necessary to fulfill the reporting requirements of the Inspector General Act, 5 U.S.C. Appendix 3, 5.

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

Information contained in a record in this system of records may be disclosed under the routine uses listed in this system of records without the consent of the individual if the disclosure is compatible with the purposes for which the record was collected. These disclosures may be made on a case-by-case basis, or if the requirements of the Computer Matching and Privacy Protection Act have been met under a computer matching agreement.

(1) *Disclosure for Use by Other Law Enforcement Agencies.* Information from this system of records may be disclosed as a routine use to any Federal, State, local, or foreign agency or other public authority responsible for enforcing, investigating, or prosecuting violations of administrative, civil, or criminal law or regulation where that information is relevant to any enforcement, regulatory, investigative, or prosecutorial responsibility of the receiving entity.

(2) *Disclosure to Public and Private Entities to Obtain Information Relevant to Department of Education Functions and Duties.* Information from this system of records may be disclosed as a routine use to public or private sources to the extent necessary to obtain information from those sources relevant to a Department investigation, audit, inspection or other inquiry.

(3) *Disclosure for Use in Employment, Employee Benefit, Security Clearance, and Contracting Decisions.*

(a) *For Decisions by the Department.* Information from this system of records may be disclosed as a routine use to a Federal, State, local, or foreign agency maintaining civil, criminal or other relevant enforcement or other pertinent records, or to another public authority or professional organization, if

necessary to obtain information relevant to a Department decision concerning the hiring or retention of an employee or other personnel action, the issuance or retention of a security clearance, the letting of a contract, or the issuance or retention of a license, grant, or other benefit.

(b) *For Decisions by Other Public Agencies and Professional Organizations.* Information from this system of records may be disclosed as a routine use to a Federal, State, local, or foreign agency or other public authority or professional organization, in connection with the hiring or retention of an employee or other personnel action, the issuance or retention of a security clearance, the letting of a contract, or the issuance or retention of a license, grant or other benefit.

(4) *Disclosure to Public and Private Sources in Connection with the Higher Education Act of 1965, as Amended ("HEA").* Information from this system of records may be disclosed as a routine use to any accrediting agency which is or was recognized by the Secretary of Education pursuant to the HEA; to any guaranty agency which is or was a party to an agreement with the Secretary of Education pursuant to the HEA; or to any agency which is or was charged with licensing or legally authorizing the operation of any educational institution or school which was eligible, is currently eligible, or may become eligible to participate in any program of Federal student assistance authorized by the HEA.

(5) *Litigation Disclosure.*

(a) *Disclosure to the Department of Justice.* If the disclosure of certain records to the Department of Justice is relevant and necessary to litigation and is compatible with the purpose for which the records were collected, those records may be disclosed as a routine use to the Department of Justice. Such a disclosure may be made in the event that one of the parties listed below is involved in the litigation, or has an interest in the litigation:

(i) The Department, or any component of the Department;

(ii) Any employee of the Department in his or her official capacity;

(iii) Any employee of the Department in his or her individual capacity where the Department of Justice has agreed to represent the employee or in connection with a request for such representation; or

(iv) The United States, where the Department determines that the litigation is likely to affect the Department or any of its components.

(b) *Other Litigation Disclosure.* If disclosure of certain records to a court, adjudicative body before which the Department is authorized to appear, individual or entity designated by the Department or otherwise empowered to resolve disputes, counsel or other representative, or potential witness is relevant and necessary to litigation and is compatible with the purpose for which the records were collected, those records may be disclosed as a routine use to the court, adjudicative body, individual or entity, counsel or other representative, or potential witness. Such a disclosure may be made in the event that one of the parties listed below is involved in the litigation, or has an interest in the litigation:

(i) The Department, or any component of the Department;

(ii) Any employee of the Department in his or her official capacity;

(iii) Any employee of the Department in his or her individual capacity where the Department has agreed to represent the employee; or

(iv) The United States, where the Department determines that the litigation is likely to affect the Department or any of its components.

(6) *Disclosure to Contractors and Consultants.* Information from this system of records may be disclosed as a routine use to the employees of any entity or individual with whom or with which the Department contracts for the purpose of performing any functions or analyses that facilitate or are relevant to an OIG investigation, audit, inspection, or other inquiry. Before entering into such a contract, the Department shall require the contractor to maintain Privacy Act safeguards, as required under 5 U.S.C. 552a(m) with respect to the records in the system.

(7) *Debarment and Suspension Disclosure.* Information from this system of records may be disclosed as a routine use to another Federal agency considering suspension or debarment action where the information is relevant to the suspension or debarment action. Information may also be disclosed to another agency to gain information in support of the Department's own debarment and suspension actions.

(8) *Disclosure to the Department of Justice.* Information from this system of records may be disclosed as a routine use to the Department of Justice, to the extent necessary for obtaining its advice on any matter relevant to Department of Education operations.

(9) *Congressional Member Disclosure.* Information from this system of records may be disclosed to a member of Congress from the record of an individual in response to an inquiry

from the member made at the written request of that individual. The member's right to the information is no greater than the right of the individual who requested it.

(10) *Benefit Program Disclosure.*

Records may be disclosed as a routine use to any Federal, State, local or foreign agency, or other public authority, if relevant to the prevention or detection of fraud and abuse in benefit programs administered by any agency or public authority.

(11) *Overpayment Disclosure.* Records may be disclosed as a routine use to any Federal, State, local or foreign agency, or other public authority, if relevant to the collection of debts and overpayments owed to any agency or public authority.

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To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO); toll free, at 1-888-293-6498; or in the Washington, DC area at (202) 512-1530.

**Note:** The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: <http://www.access.gpo.gov/nara/index.html>

Dated: January 25, 2002.

**Craig B. Luigart,**

*Chief Information Officer.*

[FR Doc. 02-2226 Filed 1-29-02; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP02-73-000]

#### **Cargill, Incorporated, Complainant, v. Saltville Gas Storage Company, LLC, Respondent; Notice of Complaint**

January 24, 2002.

Take notice that on January 23, 2002, pursuant to sections 5, 7, and 16 of the Natural Gas Act (NGA) and Rule 206 of the Commission's Rules of Practice and Procedure, 18 CFR 385.206, Cargill, Incorporated, (Cargill) filed a Complaint against Saltville Gas Storage Company,

LLC ("Saltville LLC") requesting that the Commission issue an order requiring Saltville LLC to cease and desist from the construction of jurisdictional salt cavern storage facilities without a certificate. The Complaint alleges that Saltville LLC is attempting to circumvent the jurisdiction of this Commission by constructing and operating an interstate natural gas storage facility, in Saltville, Virginia under claim of State jurisdiction despite the fact that the overriding purpose of the facilities is to provide natural gas storage service in interstate commerce. Accordingly, Cargill respectfully requests that the Commission assert jurisdiction over Saltville LLC, order it to cease and desist from all construction activities, and require it to file an application for a certificate of public convenience and necessity with this Commission. Alternatively, Cargill requests that the Commission issue a cease and desist order accompanied by an order requiring Saltville LLC to show cause why the proposed storage facilities are not subject to the Commission's NGA jurisdiction.

Any person desiring to be heard or to protest this filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests must be filed on or before February 12, 2001. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Answers to the complaint shall also be due on or before February 12, 2001. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the Web at <http://www.ferc.gov> using the "RIMS" link, select "Docket#" and follow the instructions (call 202-208-2222 for assistance). Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link.

**C.B. Spencer,**

*Acting Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2107-010 California]

#### **Pacific Gas and Electric Company; Notice Rejecting Application and Soliciting Applications**

January 24, 2002.

On October 2, 2001, the Pacific Gas and Electric Company (PG&E), licensee for the Poe Hydroelectric Project No. 2107, filed an application for a new license for the project, pursuant to section 15(b)(1) of the Federal Power Act (Act). The application was untimely filed, however, and a request for a license amendment that would have cured that deficiency was denied by the Commission in an order issued January 16, 2002.<sup>1</sup> Consequently, that license application is hereby rejected.

The project is located on the North Fork Feather River, in Butte County, California and occupies lands of the United States within the Plumas National Forest. The project consists of: (1) The 400-foot-long, 60-foot tall Poe Diversion Dam, including four 50-foot-wide by 41-foot-high radial flood gates, a 20-foot-wide by 7-foot-high small radial gate, and a small skimmer gate that is no longer used; (2) the 53-acre Poe Reservoir; (3) a concrete intake structure located on the shore of Poe Reservoir; (4) a pressure tunnel about 19 feet in diameter with a total length of about 33,000 feet; (5) a differential surge chamber located near the downstream end of the tunnel; (6) a steel underground penstock about 1,000 feet in length and about 14 feet in diameter; (7) a reinforced concrete powerhouse, 175-foot-long by 114-foot-wide, with two vertical-shaft Francis-type turbines rated at 76,000 horsepower connected to vertical-shaft synchronous generators rated at 79,350 kVA with a total installed capacity of 143 MW and an average annual generation of 584 gigawatt hours; (8) the 370-foot-long, 61-foot tall, concrete gravity Big Bend Dam; (9) the 42-acre Poe Afterbay Reservoir; and (10) appurtenant facilities.

As a result of the rejection of PG&E's application and pursuant to section 16.25 of the Commission's Regulations, the Commission is soliciting license applications from potential applicants. This is necessary because the deadline for filing an application for new license and any competing license applications, pursuant to section 16.9 of the regulations, was October 1, 2001, and no

<sup>1</sup> 98 FERC ¶ 61,032 (2002)