

## SALT LAKE CITY AREA PROJECTS POST-2004 POWER POOL FINAL ALLOCATIONS—Continued

Indian Tribes or Organizations	Summer Energy (kWh)	Winter Energy (kWh)	Summer CROD (kW)	Winter CROD (kW)
Santa Ana Pueblo .....	1,007,669	977,463	464	421
Skull Valley Band of Goshute Indians .....	33,427	35,292	15	15
Southern Ute Indian Tribe .....	2,489,955	2,886,844	1,148	1,245
Tohono O'odham Utility Authority .....	1,263,833	1,814,028	583	782
Tonto Apache Tribe .....	837,790	832,681	386	359
Ute Indian Tribe .....	1,013,717	1,692,229	467	730
Ute Mountain Ute Tribe .....	1,057,428	1,248,391	487	538
White Mountain Apache Tribe .....	12,786,934	14,387,553	5,894	6,203
Wind River Reservation .....	1,074,186	1,207,269	495	521
Yavapai Apache Nation .....	4,147,563	3,493,615	1,912	1,506
Yavapai Prescott Indian Tribe .....	768,247	812,225	354	350
Yomba Shoshone Tribe .....	68,806	72,645	32	31
Total .....	203,251,178	217,281,509	93,679	93,680

The tribes' SLCA/IP allocations, combined with existing and future Western hydropower benefits, total approximately 55.7 percent of eligible load in the Summer season and 58.8 percent in the Winter season based on the adjusted seasonal energy data submitted by each tribe. The allocation process considered the current Western hydroelectric benefits received through serving utilities and future Western hydroelectric benefits that will be received by serving utilities as a result of this allocation process. The final allocations of power shown in the table are based on the SLCA/IP marketable resource currently available. If the SLCA/IP marketable resource is adjusted in the future, all allocations will be adjusted accordingly.

#### IV. Review Under the Regulatory Flexibility Act

The Regulatory Flexibility Act, 5 U.S.C. 601–621, requires Federal agencies to perform a regulatory flexibility analysis if a final rule is likely to have a significant economic impact on a substantial number of small entities and there is a legal requirement to issue a general notice of proposed rulemaking. Western has determined that this action does not require a regulatory flexibility analysis since it is a rulemaking of particular applicability involving rates or services applicable to public property.

#### V. Environmental Compliance

Western has completed an environmental impact statement on the Program, pursuant to the National Environmental Policy Act of 1969 (NEPA). The Record of Decision was published in the **Federal Register** (60 FR 53181, October 12, 1995). Western's NEPA review assured all environmental

effects related to these procedures have been analyzed.

#### VI. Determination 12866

DOE has determined that this is not a significant regulatory action because it does not meet the criteria of Executive Order 12866, 58 FR 51735. Western has an exemption from centralized regulatory review under Executive Order 12866; accordingly, this notice requires no clearance by the Office of Management and Budget.

#### VII. Small Business Regulatory Enforcement Fairness Act

Western has determined that this rule is exempt from congressional notification requirements under 5 U.S.C. 801 because the action is a rulemaking of particular applicability relating to rates or services and involves matters of procedure.

Dated: January 17, 2002.

**Michael S. Hacsakaylo,**

*Administrator.*

[FR Doc. 02–2594 Filed 2–1–02; 8:45 am]

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#### ENVIRONMENTAL PROTECTION AGENCY

[FRL–7137–5]

#### Proposed Settlement Agreement, Clean Air Act Petition for Review

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

**ACTION:** Notice of proposed settlement agreement providing for rulemaking to amend regulations issued pursuant to section 112(d) of the Clean Air Act.

**SUMMARY:** EPA hereby gives notice of a proposed settlement agreement in the cases entitled *American Crop Prot. Ass'n v. EPA*, No. 99–1332 and *BASF*

*Corp. v. EPA*, No 99–1334 (D.C. Cir.). EPA issues this notice in accordance with section 113(g) of the Clean Air Act (the "Act"), 42 U.S.C. 7413(g), which requires EPA to give notice and provide an opportunity for public comment on proposed settlement agreements.

The litigation challenges EPA's promulgation of the final rule entitled National Emissions Standards for Hazardous Air Pollutants: Pesticide Active Ingredient Production ("PAI NESHAP" or the "rule"). 64 FR 33550 (June 23, 1999). Petitioners the American Crop Protection Association and BASF Corp. filed petitions for review of the rule under section 307(b) of the Act, 42 U.S.C. 7607(b).

The proposed Settlement Agreement provides that EPA will undertake a rulemaking to amend the PAI NESHAP. Among the rulemaking commitments, the Settlement Agreement calls for EPA to clarify applicability of the rule to "reconstructed" sources, make technical corrections to performance testing requirements, and amend standards and applicability provisions related to wastewater units and storage tanks covered by the rule. A copy of the proposed Settlement Agreement is available from Phyllis Cochran, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, Ariel Rios Building, 1200 Pennsylvania Avenue, NW., Washington, DC 20460, (202) 564–5566.

For a period of thirty (30) days following the date of publication of this notice, EPA will accept written comments regarding the proposed Settlement Agreement from persons who are not named as parties or intervenors to this litigation. Written comments should be sent to Paul R. Cort, at the above address and must be submitted on or before March 6, 2002.

EPA or the Department of Justice may withhold or withdraw consent to the proposed Settlement Agreement if the comments disclose facts or circumstances that indicate the agreement is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless EPA or the Department of Justice makes such a determination following the comment period, EPA will take the actions set forth in the Settlement Agreement.

Dated: January 29, 2002.

**Alan W. Eckert,**

*Associate General Counsel, Air and Radiation Law Office.*

[FR Doc. 02-2609 Filed 2-1-02; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7137-1]

### “Mobile Source Outreach Assistance Competition Fiscal Year 2002: Solicitation Notice”

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

**ACTION:** Notice.

**SUMMARY:** Today’s Notice announces the availability of funding and solicits proposals from state, local, multi-state and tribal air pollution control agencies for mobile source-related public education and outreach projects. The funding will be allocated by EPA’s Office of Transportation and Air Quality (OTAQ) through the competitive process described in this notice.

**DATES:** The deadline for submitting Final Proposals is Monday, April 15, 2002. To allow for efficient management of the competitive process, OTAQ is requesting agencies to submit an informal Intent to Apply by Friday, February 22, 2002. (Instructions for submitting final proposals and Intents to Apply are found in Section X. below.)

**ADDRESSES:** This proposal can also be found in two places on the Office of Transportation and Air Quality Web Page: “[www.epa.gov/OTAQ/](http://www.epa.gov/OTAQ/)” click on “What’s New” or “[www.epa.gov/OTAQ/rfp.htm](http://www.epa.gov/OTAQ/rfp.htm)”. Addresses for submitting final proposals can be found in Section X. below.

**FOR FURTHER INFORMATION CONTACT:** Susan Bullard, Director of Outreach, USEPA Office of Transportation and Air Quality (OTAQ), 1200 Pennsylvania Avenue NW., (mail code 6406J), Washington, DC, 20460. Telephone (202) 564-9856; Fax (202) 565-2085. Or email “[bullard.susan@epa.gov](mailto:bullard.susan@epa.gov)”.

**SUPPLEMENTARY INFORMATION:**

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### Deadline for Informal Intent To Apply—Friday, February 22, 2002

*Deadline for Final Proposal—Monday, April 15, 2002*

This proposal can also be found on the Office of Transportation and Air Quality Web Page: “[www.epa.gov/otaq/](http://www.epa.gov/otaq/)” Click on “What’s New” or [www.epa.gov/OTAQ/rfp.htm](http://www.epa.gov/OTAQ/rfp.htm)”.

### Mobile Source Outreach Assistance Agreements 2002: Request for Proposals Section I. Overview and Deadlines

#### A. Overview

Over the past five years, EPA’s Office of Transportation and Air Quality (OTAQ) has entered into agreements and established partnerships with a number of organizations to (1) provide national support for community-based mobile source public education efforts supporting implementation of the Clean Air Act and the Transportation Equity Act for the 21st Century, (2) encourage responsible choices for organizational and individual actions through public education. Current OTAQ/Section 105-Funded Outreach Projects are listed on the OTAQ web site “[www.epa.gov/otaq/whatsnew](http://www.epa.gov/otaq/whatsnew)” and emphasize transportation choices to reduce vehicle miles traveled; education of vehicle owners and drivers of the future; alternative fuels; car care and the role of the automotive technician; outreach to ethnic populations; environmental justice; and, related projects such as ozone mapping and small engines. EPA’s Office of Transportation and Air Quality receives set-aside funds from the State and Tribal Assistance Grants (STAG) account to provide support to community-based mobile source-related outreach projects. This Notice solicits proposals for public education and outreach projects which directly support state and local air management organizations in their efforts to improve air quality from mobile sources. Proposals will be accepted from state, local, tribal and multi-state air management agencies which are identified as such under section 302(b)

of the Clean Air Act. Interested persons can also obtain copies of this solicitation at no charge by accessing the OTAQ Web site at “[www.epa.gov/otaq/](http://www.epa.gov/otaq/)” Click on “What’s New” or “[www.epa.gov/OTAQ/rfp.htm](http://www.epa.gov/OTAQ/rfp.htm)”.

#### B. What Are the Deadlines for This Competition?

In order to efficiently manage the selection process, the Office of Transportation and Air Quality requests that an informal “Intent to Apply” be submitted by Friday, February 22, 2002. (Please provide project title or subject and email address for project contact). An “Intent to Apply” simply states in the form of e-mail, phone, or fax that your organization intends to submit a proposal to be received by the deadline. Submitting an “Intent to Apply” does not commit an organization to submit a final proposal. Those not submitting an Intent to Apply may still apply by the deadline. *The deadline for final proposals (original and six copies) is midnight on Monday, April 15, 2002.* The Office of Transportation and Air Quality expects to complete the Evaluation/Selection process in May, 2002.

### Section II. Eligible Organizations

#### C. Who Is Eligible To Submit Proposals?

According to funding policies associated with the State and Tribal Assistance Grants regulations (STAG funds), proposals can be accepted only from air pollution control agencies as defined under section 302(b) of the Clean Air Act, (for projects to be undertaken which will have replicability to other communities nationally), as well as multi-state organizations supporting section 302(b) agencies. OTAQ has no discretion over this requirement.

Interested air management, non-governmental or related organizations which are *not* air pollution control agencies as defined under section 302(b) of the Clean Air Act are encouraged to create partnerships with eligible organizations. In that situation, the eligible organization would be required to submit the final proposal and serve as the funding recipient if selected.

### Section III. Funding Issues

#### D. What Is the Amount of Available Funding?

A minimum of \$550K.

#### E. How Will Funds Be Allocated?

The competition process will be managed by OTAQ and selected cooperative agreements will be awarded by EPA’s Regional offices and funded