

**DEPARTMENT OF ENERGY****Environmental Management Site-Specific Advisory Board, Fernald****AGENCY:** Department of Energy.**ACTION:** Notice of open meeting.

**SUMMARY:** This notice announces a meeting of the Environmental Management Site-Specific Advisory Board (EM SSAB), Fernald. The Federal Advisory Committee Act (Public Law 92-463, 86 Stat. 770) requires that public notice of these meetings be announced in the **Federal Register**.

**DATES:** Saturday, April 20, 2002, 8:30 p.m.-12 p.m.

**ADDRESSES:** Public Environmental Information Center, 10995 Hamilton-Cleves Highway, Harrison, OH.

**FOR FURTHER INFORMATION CONTACT:** Doug Sarno, Phoenix Environmental, 6186 Old Franconia Road, Alexandria, VA 22310, at (703) 971-0030 or (513) 648-6478, or e-mail; [dsarno@theperspectivesgroup.com](mailto:dsarno@theperspectivesgroup.com).

**SUPPLEMENTARY INFORMATION: Purpose of the Board:** The purpose of the Board is to make recommendations to DOE in the areas of environmental restoration, waste management, and related activities.

**Tentative Agenda**

8:30 a.m. Call to Order  
 8:30-8:45 a.m. Chair's Remarks and Ex Officio Announcements  
 8:45-9:00 a.m. Results of Chair's Meeting  
 9:00-10:30 a.m. Silos Presentations and Discussion  
 10:30-10:45 a.m. Break  
 10:45-11:15 a.m. Silos—FCAB Next Steps  
 11:15-11:45 a.m. Planning for Design Charrette  
 11:45-12:00 p.m. Public Comment  
 12:00 p.m. Adjourn

**Public Participation:** The meeting is open to the public. Written statements may be filed with the Board chair either before or after the meeting. Individuals who wish to make oral statements pertaining to agenda items should contact the Board chair at the address or telephone number listed below. Requests must be received five days prior to the meeting and reasonable provision will be made to include the presentation in the agenda. The Deputy Designated Federal Officer, Gary Stegner, Public Affairs Office, Ohio Field Office, U.S. Department of Energy, is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Each individual wishing to make public comment will be provided a maximum of five minutes to present their comments. This **Federal Register** notice is being published less

than 15 days prior to the meeting date due to programmatic issues that had to be resolved prior to the meeting date.

**Minutes:** The minutes of this meeting will be available for public review and copying at the Freedom of Information Public Reading Room, 1E-190, Forrestal Building, 1000 Independence Avenue, SW, Washington, DC, 20585 between 9:00 a.m. and 4:00 p.m., Monday-Friday, except Federal holidays. Minutes will also be available by writing to the Fernald Citizens' Advisory Board, c/o Phoenix Environmental Corporation, MS-76, Post Office Box 538704, Cincinnati, OH 43253-8704, or by calling the Advisory Board at (513) 648-6478.

Issued at Washington, DC, on April 2, 2002.

**Rachel Samuel,**

*Deputy Advisory Committee Management Officer.*

[FR Doc. 02-8234 Filed 4-4-02; 8:45 am]

**BILLING CODE 6450-01-P**

On Monday, April 8, the aquatics-hydrology workgroup will meet from 9 am until 3 pm and the project economics workgroup will meet from 3 pm to 5 pm. On Tuesday, April 9, the terrestrial workgroup will meet from 11 am to 5 pm. Both meetings will be held in the Folsom Hilton Garden Inn, located at 221 Iron Point Road, Folsom, California.

For further information, please contact Elizabeth Molloy at (202) 208-0771 or John Mudre at (202) 219-1208.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. 02-8236 Filed 4-4-02; 8:45 am]

**BILLING CODE 6717-01-P**

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission****Notice of Intent To File Application for a New License**

April 1, 2002.

Take notice that the following notice of intent has been filed with the Commission and is available for public inspection:

a. **Type of filing:** Notice of Intent to File an Application for New License.

b. **Project No:** 2170.

c. **Date filed:** March 1, 2002.

d. **Submitted By:** Chugach Electric Association, Inc.

e. **Name of Project:** Cooper Lake Hydroelectric Project.

f. **Location:** Project is located near Cooper Landing on the Kenai Peninsula in south-central Alaska.

g. **Filed Pursuant to:** Section 15 of the Federal Power Act, 18 CFR 16.6.

h. Pursuant to Section 16.19 of the Commission's regulations, the licensee is required to make available the information described in Section 16.7 of the regulations. Such information is available from the licensee in the Planning Department Library, Chugach Electric Association, Inc., 5601 Minnesota Drive, Anchorage, Alaska 99518.

i. **FERC Contact:** Vince Yearick, 202-219-3073, [Vince.Yearick@Ferc.Gov](mailto:Vince.Yearick@Ferc.Gov).

j. **Expiration Date of Current License:** April 30, 2007.

k. **Project Description:** Cooper Lake Dam, powerhouse containing two turbine, A tunnel, conduit, and penstock with two transmission lines. The installed capacity is 19.4 megawatts.

l. The licensee states its unequivocal intent to submit an application for A new license for Project No. 2170 Pursuant to 18 CFR 16.9(b)(1) each

application for a new license and any competing license applications must be filed with the Commission at least 24 months prior to the expiration of the existing license. All applications for license for this project must be filed by April 30, 2005.

A copy of the notice of intent is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE., Room 2A, Washington, DC 20426, or by calling (202) 208-1371. The notice may be viewed on <http://www.ferc.fed.gov> using the "RIMS" link, select "Docket #" and follow the instructions (call (202) 208-2222 for assistance). A copy is also available for inspection and reproduction at the address in item h above.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. 02-8237 Filed 4-4-02; 8:45 am]

BILLING CODE 6717-01-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7168-3]

### Proposed Settlement Agreement

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of proposed settlement agreement; request for public comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended, 42 U.S.C. 7413(g), notice is hereby given of a proposed settlement agreement in *Aluminum Association v. U.S. EPA*, No. 00-1211 (D.C. Circuit). This case concerns the National Emission Standard for Hazardous Air Pollutants for Secondary Aluminum Production, 40 CFR part 63, subpart RRR, published at 65 FR 15710 on March 23, 2000. The proposed settlement agreement was lodged with the United States Court of Appeals for the District of Columbia Circuit on April 1, 2002.

**DATES:** Written comments on the proposed settlement agreement must be received by May 6, 2002.

**ADDRESSES:** Written comments should be sent to Timothy D. Backstrom, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20004. A copy of the proposed settlement agreement is available from Phyllis J. Cochran, (202) 564-7606. A copy of the proposed settlement agreement was also lodged in the case with the Clerk of the United

States Court of Appeals for the District of Columbia Circuit on April 1, 2002.

**SUPPLEMENTARY INFORMATION:** EPA promulgated the National Emission Standard for Hazardous Air Pollutants for Secondary Aluminum Production, 40 CFR Part 63, Subpart RRR, on March 23, 2000. 65 FR 15710. The Aluminum Association filed a timely petition for review and settlement discussions followed.

The proposed settlement agreement provides that some revisions to Subpart RRR will be made by a proposed rule, and some more urgent revisions will be made by a direct final rule. The proposed rule and direct final rule are to be signed by the EPA Administrator by May 10, 2002, and final action on the proposed rule is due by December 13, 2002.

One issue addressed by the settlement agreement is the desire of the Petitioner to allow for different sources within a secondary aluminum facility to be ducted to the same emission controls. The existing rule expressly provides for emission averaging within a secondary aluminum processing unit or SAPU, an affected source which may include multiple emission units. However, due to statutory constraints, the rule does not permit new emission units to be included in the same SAPU with existing emission units. The amendments to be proposed address this issue in two ways: (1) By permitting existing emission units to be redesignated as new, and (2) by establishing criteria which would permit compliance demonstrations for other commonly ducted units.

The proposed rule also includes alternative procedures for adoption of an operation, maintenance, and monitoring (OM&M) plan, and technical amendments addressing compliance by unvented in-line flux boxes, compliance by sidewall furnaces, procedures for conducting performance tests, alternative monitoring methods, and recordkeeping for flux boxes which do not use reactive flux. The direct final rule will be used to resolve confusion in the structure of the current rule concerning compliance dates, and to defer a few early compliance obligations which would otherwise come due before the principal rulemaking process can be concluded.

For a period of thirty (30) days following the date of publication of this notice, EPA will receive written comments relating to the proposed settlement agreement from persons who were not named as parties or intervenors to the litigation in question. EPA or the Department of Justice may withdraw or

withhold consent to the proposed settlement agreement if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless EPA or the Department of Justice determine, based on any comment which may be submitted, that consent to the settlement agreement should be withdrawn, the terms of the agreement will be affirmed.

Dated: April 1, 2002.

**Alan W. Eckert,**

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

[FR Doc. 02-8297 Filed 4-4-02; 8:45 am]

BILLING CODE 6560-50-U

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7168-5]

### Operating Permits Program; Notice of Location of Response Letters to Citizens Concerning Program Deficiencies in Texas

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

**ACTION:** Notice of availability.

**SUMMARY:** The EPA is adding a letter to its web site which responds to citizens' comments on alleged deficiencies in the Texas air operating permits programs. The citizen comments were submitted to EPA as a result of a 90-day comment period EPA provided for members of the public to identify deficiencies they perceive exist in State and local agency operating permits programs required by title V of the Clean Air Act (Act). The 90-day comment period was from December 11, 2000, until March 12, 2001.

**FOR FURTHER INFORMATION CONTACT:** Jeff Herring, C304-04, Information Transfer and Program Integration Division, Environmental Protection Agency, Research Triangle Park, North Carolina, 27711. Telephone: 919-541-3195. Internet address: [herring.jeff@epa.gov](mailto:herring.jeff@epa.gov).

**SUPPLEMENTARY INFORMATION:** On December 11, 2000 (65 FR 77376), EPA announced a 90-day comment period during which the public could submit comments identifying deficiencies they perceived to exist in State and local agency operating permits programs required by title V of the Act. The 90-day comment period ended on March 12, 2001.

The December 11, 2000 notice solicited comment from the public regarding either deficiencies in the elements of the approved program, such