

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 1501.6, made under 18 CFR 385.2201(e)(1)(v).

#### EXEMPT

Docket No.	Date filed	Presenter or requester
1. CP98-150-000 .....	5-21-02	Senator Hillary Rodham, Clinton.
2. Project No. 2342-013 .....	5-28-02	Frank Winchell/Pat Weslowski.
3. Project No. 1354-000 and .....	5-31-02	Glenn Caruso.

The following is a list of exempt and prohibited off-the-record communications recently received in the Office of the Secretary. Copies of this filing are on file with the Commission and are available for public inspection. The documents may 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).

**Linwood A. Watson, Jr.,**

*Deputy Secretary.*

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#### DEPARTMENT OF ENERGY

##### Federal Energy Regulatory Commission

[Docket No. PL02-4-000]

##### Rate Ceiling for Capacity Release Transactions; Notice of Staff Paper

May 30, 2002.

Take notice that the Commission's Staff is posting a Staff Paper presenting data on capacity release transactions relating to the experimental period when the rate ceiling on released capacity was waived. The purpose of this paper is to stimulate comment that can guide the development of policies relating to this issue. This paper, as well as additional information and a spreadsheet will be posted on the Commission's Web site at <http://www.ferc.fed.us/gas/gas.htm>.

Comments on this paper should be filed within 30 days of the issuance of the instant notice. Comments may be filed electronically or in paper format. For electronic filings via the Internet, see 18 CFR 385.2001(a)(1)(iii) (2001) and the instructions on the Commission's Web site under the "e-Filing" link. For paper filings, the original and 14 copies of the comments should be submitted to the Office of the Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington DC 20426. All comments will be placed in the Commission's public files and will be available for inspection in the Commission's Public Reference Room at 888 First Street, NE, Washington DC 20426, during regular business hours. Additionally, all comments may be viewed, printed, or downloaded remotely via the Internet through FERC's home page using the RIMS link. User assistance for RIMS is available at 202-208-2222, or by e-mail to [rimsmaster@ferc.gov](mailto:rimsmaster@ferc.gov).

Questions regarding this Notice should be directed to:

Robert McLean, Office of General Counsel, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. 202-208-1179. [Robert.Mclean@ferc.gov](mailto:Robert.Mclean@ferc.gov).

**Magalie R. Salas,**

*Secretary.*

[FR Doc. 02-14148 Filed 6-5-02; 8:45 am]

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#### ENVIRONMENTAL PROTECTION AGENCY

[FRL -7225-1]

##### EPA Science Advisory Board, Metals Assessment Panel; Request for Nominations

**ACTION:** Notice; request for nominations to serve on the Metals Assessment Panel of the Environmental Protection Agency's Science Advisory Board.

**SUMMARY:** The U.S. Environmental Protection Agency's (Agency, EPA) Science Advisory Board (SAB) is re-announcing the formation of a Metals Assessment Panel and its solicitation of nominations of qualified individuals to serve on this Panel. An earlier solicitation of nominations for qualified individuals was published April 3, 2002 in the **Federal Register** (67 FR 15802).

The SAB provides independent scientific and technical advice to the EPA Administrator on Agency positions; in this case, the SAB will advise on a Metals Action Plan that the Agency will use to guide the development of a Framework and Guidance for assessing hazards and risks posed by metals and metal compounds. Those selected to serve on the SAB's Metals Assessment Panel will review the Action Plan this summer. The same Panel is also likely to review the Framework and Guidance Documents in 2003.

The approved policy under which the EPA Science Advisory Board selects review panels is described in a recent SAB Commentary [*EPA Science Advisory Board (SAB) Panel Formation*].