

supply conduits, each measuring 46 feet wide by 66.5 feet high; (c) a forebay; (d) the Lewiston Pump-Generating Plant, measuring 975 feet long by 240 feet wide by 160 feet high; (e) the 1,900-acre Lewiston Reservoir at a maximum water surface elevation of 658 feet United States Lake Survey Datum; (f) the Robert Moses Niagara power plant, including an intake structure, measuring 1,100 feet long by 190 feet wide by 100 feet high; (g) a switch yard; and (h) appurtenant facilities.

m. Pursuant to 18 CFR 16.8, 16.9, and 16.10 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 August 31, 2005.

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

*Deputy Secretary.*

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BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Protests

August 14, 2002.

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

a. *Type of Application:* Preliminary Permit.

b. *Project No.:* 12305-000.

c. *Date filed:* July 15, 2002.

d. *Applicant:* Universal Electric Power Corporation.

e. *Name and Location of Project:* The Caesar Creek Lake Dam Hydroelectric Project would be located on Caesar Creek in Warren County, Ohio. The project would utilize the U.S. Army Corps of Engineers' existing Caesar Creek Lake Dam.

f. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)-825(r).

g. *Applicant Contact:* Mr. Raymond Helter, Universal Electric Power Corporation, 1145 Highbrook Street, Akron, OH 44301, (330) 535-7115.

h. *FERC Contact:* James Hunter, (202) 502-6086.

i. *Deadline for filing comments, protests, and motions to intervene:* 60 days from the issuance date of this notice.

All documents (original and eight copies) should be filed with: Magalie R. Salas, Secretary, Federal Energy

Regulatory Commission, 888 First Street, NE., Washington, DC 20426. Motions to intervene, protests and comments 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. The Commission strongly encourages electronic filings. Please include the project number (P-12305-000) on any comments or motions filed.

The Commission's Rules of Practice and Procedure require all interveners filing documents with the Commission to serve a copy of that document on each person in the official service list for the project. Further, if an intervener files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

j. *Description of Project:* The proposed project, using the existing Caesar Creek Lake and Dam, would consist of: (1) A 84-inch-diameter, 40-foot-long penstock connecting to the existing discharge conduit, (2) a powerhouse containing one generating unit with an installed capacity of 1.5 megawatts, (3) a 500-foot-long, 14.7-kilovolt transmission line connecting to an existing substation, and (4) appurtenant facilities. The project would have an average annual generation of 9 gigawatthours.

k. This filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website at <http://www.ferc.gov> using the "FERRIS" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, call (202) 502-8222 or for TTY, (202) 208-1659. A copy is also available for inspection and reproduction at the address in item g. above.

l. *Preliminary Permit—*Anyone desiring to file a competing application for preliminary permit for a proposed project must submit the competing application itself, or a notice of intent to file such an application, to the Commission on or before the specified comment date for the particular application (see 18 CFR 4.36). Submission of a timely notice of intent allows an interested person to file the competing preliminary permit application no later than 30 days after the specified comment date for the particular application. A competing preliminary permit application must conform with 18 CFR 4.30(b) and 4.36.

m. *Preliminary Permit—*Any qualified development applicant desiring to file a competing development application must submit to the Commission, on or before a specified comment date for the particular application, either a competing development application or a notice of intent to file such an application. Submission of a timely notice of intent to file a development application allows an interested person to file the competing application no later than 120 days after the specified comment date for the particular application. A competing license application must conform with 18 CFR 4.30(b) and 4.36.

n. *Notice of intent—*A notice of intent must specify the exact name, business address, and telephone number of the prospective applicant, and must include an unequivocal statement of intent to submit, if such an application may be filed, either a preliminary permit application or a development application (specify which type of application). A notice of intent must be served on the applicant(s) named in this public notice.

o. *Proposed Scope of Studies under Permit—*A preliminary permit, if issued, does not authorize construction. The term of the proposed preliminary permit would be 36 months. The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on the results of these studies, the Applicant would decide whether to proceed with the preparation of a development application to construct and operate the project.

p. *Comments, Protests, or Motions to Intervene—*Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

q. *Filing and Service of Responsive Documents—*Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "MOTION TO INTERVENE", as applicable, and the Project Number of the particular

application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. An additional copy must be sent to Director, Division of Hydropower Administration and Compliance, Federal Energy Regulatory Commission, at the above-mentioned address. A copy of any notice of intent, competing application or motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

r. Agency Comments—Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

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

*Deputy Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP02-356-000]

#### Canyon Creek Compression Company; Notice of Technical Conference

August 14, 2002.

In the Commission's order issued on June 27, 2002,<sup>1</sup> the Commission directed that a technical conference be held to address issues raised by the filing.

Take notice that a telephone conference will be held on Tuesday, September 10, 2002, at 10 a.m.

Parties will be sent instruction on how to join the telephone conference.

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

*Deputy Secretary.*

[FR Doc. 02-21156 Filed 8-19-02; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP01-415-000]

#### East Tennessee Natural Gas Company; Notice of Meeting

August 14, 2002.

The staff of the Federal Energy Regulatory Commission (FERC) will conduct a meeting with the Blue Ridge Coalition and any other interested persons pertaining to East Tennessee Natural Gas Company's proposed natural gas pipeline Patriot Project in Tennessee, Virginia, and North Carolina. The meeting will be held in Room 3M-3 of the FERC headquarters in Washington DC, 888 First Street, NE., on August 22 starting at 3 p.m. Any interested persons may attend.

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

*Deputy Secretary.*

[FR Doc. 02-21146 Filed 8-19-02; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7263-1]

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

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

**ACTION:** Notice of proposed settlement agreement providing for a proposal to find that the Wallula, Washington PM-10 Nonattainment Area attained the PM-10 NAAQS by December 31, 2001, and related matters.

**SUMMARY:** EPA hereby gives notice of a proposed Settlement Agreement in the case entitled *The Port of Walla Walla and The Boise Cascade Corp. v. EPA and Christine Todd Whitman, Administrator*, No. 01-70576 (9th Cir.). EPA issues this notice in accordance with section 113(g) of the Clean Air Act, as amended (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 previous finding that the Wallula, Washington Nonattainment Area failed to attain the National Ambient Air Quality Standards ("NAAQS") for particulate matter with an aerodynamic diameter of less than or equal to 10 microns ("PM-10") by December 31, 1997, the attainment date for moderate PM-10 nonattainment areas. EPA

published this finding at 66 FR 9663 (February 9, 2001). The Boise Cascade Corporation and the Port of Walla Walla filed a petition for review of this EPA action under section 307(b)(1) of the Act, 42 U.S.C. 7607(b)(1).

The proposed Settlement Agreement provides that EPA will undertake a rulemaking that will propose to find that the Wallula area did attain the PM-10 NAAQS by December 31, 2001, the attainment date for serious area PM-10 nonattainment areas, based upon a proposed finding that the exceedences of the PM-10 standards that occurred on certain dates were the result of natural events.

For a period of thirty (30) days following the date of publication of this notice, EPA will accept written comments relating to the proposed Settlement Agreement from persons who are not named as parties or interveners to this litigation. 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 that 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.

A copy of the proposed Settlement Agreement is available from Donna Deneen, Office of Air Quality, QAQ-107, 1200 Sixth Avenue, Seattle, Washington 98101, telephone (206) 553-6706. Written comments should be sent to Julie Vergeront, Esq., Office of Regional Counsel, ORC-158, 1200 Sixth Avenue, Seattle, Washington 98101, telephone (206) 553-1497. Comments must be submitted on or before September 19, 2002.

**Lisa K. Friedman,**

*Associate General Counsel.*

[FR Doc. 02-21197 Filed 8-19-02; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7262-9]

#### Operating Permits Program; Notice of Location of Response Letters to Citizens Concerning Program Deficiencies in Georgia, Louisiana, Missouri, and Ohio

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

**ACTION:** Notice of availability.

<sup>1</sup> Canyon Creek Compression Company, 99 FERC ¶ 61,351 (2002).