

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.

**Magalie R. Salas,**  
Secretary.

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**ENVIRONMENTAL PROTECTION AGENCY**

**[AMS-FRL-7375-6]**

**Control of Air Pollution From New Motor Vehicles; Low Sulfur Diesel Refinery Hardship Applications**

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

**ACTION:** Notice; request for comments.

**SUMMARY:** In January 2001, EPA promulgated new emission standards for 2007 and later model year highway diesel engines as well as low-sulfur diesel requirements that begin in 2006 (66 FR 5002, January 18, 2001). That action included a provision which allows refiners to seek temporary relief from the regulations based on a showing of unusual circumstances that impose extreme hardship and significantly affect their ability to comply by the required date, as well as other factors.

Through this document, we are informing the public that we have received applications from two refiners for hardship relief under these provisions.

The public is invited to provide input on this matter.

**DATES:** Comments should be provided by October 15, 2002.

**ADDRESSES:** Tad Wysor, U.S. EPA, National Vehicle and Fuels Emission Laboratory, Assessment and Standards Division, 2000 Traverwood, Ann Arbor MI 48105; e-mail wysor.tad@epa.gov.

**FOR FURTHER INFORMATION CONTACT:** Tad Wysor, at telephone (734) 214-4332, fax (734) 214-4816, e-mail wysor.tad@epa.gov.

**SUPPLEMENTARY INFORMATION:** In January 2001, EPA promulgated new emission standards for 2007 and later model year highway diesel engines as well as low-sulfur diesel requirements that begin in 2006 (66 FR 5002, January 18, 2001). That action included a provision which allows refiners to seek temporary relief from the regulations based on a showing of unusual circumstances that impose extreme hardship and significantly affect their ability to comply by the required date, as well as other factors. This provision also requires the refiners to make best efforts to comply with the low sulfur diesel fuel requirements (40 CFR 80.560).

Hardship applications were due to EPA by June 1, 2002. We have received applications from two refiners for hardship relief under the diesel sulfur program by that deadline, as presented in the following table.

Refinery	Refinery location(s)	Crude capacity (bpcd)*
Giant Industries, Inc .....	Yorktown, VA** .....	59,000
Farmland Industries, Inc .....	Coffeyville, KS .....	112,000

\* Based on data from the Department of Energy's Energy Information Administration Petroleum Supply Annual 2001, Vol. 1 as of January 1, 2002.

\*\* Giant also owns two refineries in New Mexico that are not the subject of its application.

We are now in the process of reviewing and evaluating these hardship applications according to the provisions of 40 CFR 80.270. Although the review and determination associated with these applications does not involve a rulemaking, we believe it is important to provide public notice of these applications and to provide opportunity for public comment. The applicants have requested that we treat most of the information in their applications as business proprietary "Confidential Business Information" under 40 CFR part 2.

Any party wishing to provide us input on these applicants in the context of 40 CFR 80.560 or to provide what they otherwise consider to be relevant materials should direct these to the contact person listed above by October 15, 2002. We will consider any relevant information provided in our evaluation of these applications.

Dated: September 3, 2002.

**Robert Brenner,**  
Acting Assistant Administrator for Office of Air and Radiation.

[FR Doc. 02-23263 Filed 9-11-02; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY**

**[FRL-7375-7]**

**Ambient Air Monitoring Reference and Equivalent Methods: Designation of Two New Equivalent Methods for SO<sub>2</sub> and O<sub>3</sub>**

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

**ACTION:** Notice of designation of two new equivalent methods for monitoring ambient air quality.

**SUMMARY:** Notice is hereby given that the Environmental Protection Agency (EPA) has designated, in accordance with 40 CFR part 53, one new equivalent method for measuring concentrations of sulfur dioxide (SO<sub>2</sub>) in ambient air and one new equivalent method for measuring concentrations of ozone (O<sub>3</sub>) in ambient air.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Hunike, Human Exposure and Atmospheric Sciences Division (MD-D205-03), National Exposure Research Laboratory, U.S. EPA, Research Triangle Park, North Carolina 27711. Phone: (919) 541-3737, e-mail: [Hunike.Elizabeth@epa.gov](mailto:Hunike.Elizabeth@epa.gov).

**SUPPLEMENTARY INFORMATION:** In accordance with regulations at 40 CFR part 53, the EPA evaluates various methods for monitoring the concentrations of those ambient air pollutants for which EPA has established National Ambient Air Quality Standards (NAAQSs), set forth in 40 CFR part 50. Monitoring methods that are determined to meet specific requirements for adequacy are designated by the EPA as either reference methods or equivalent methods (as applicable), thereby permitting their use under 40 CFR part 58 by States and other agencies for determining attainment of the NAAQSs.

The EPA hereby announces the designation of one new equivalent method for measuring concentrations of sulfur dioxide (SO<sub>2</sub>) in ambient air and one new equivalent method for measuring concentrations of ozone (O<sub>3</sub>) in ambient air. These designations are made under the provisions of 40 CFR part 53, as amended on July 18, 1997 (62 FR 38764).

The new equivalent method for SO<sub>2</sub> is an automated method (analyzer) that utilizes a measurement principle based on ultraviolet fluorescence. The newly designated equivalent method is identified as follows:

EQSA-0802-149, "Environnement S.A. Model AF22M UV Fluorescence Sulfur Dioxide Analyzer," operated with a full scale range of 0-500 ppb, at any temperature in the range of 10 °C to 35 °C, with a 5-micron PTFE sample particulate filter, with a response time setting of 11 (Automatic response time), with the automatic "ZERO-REF" cycle ON and set for activation every 24 hours, and with or without either of the following options: Permeation oven, Rack mount slides.

An application for an equivalent method determination for this method was received by the EPA on April 30, 2002. The method is available commercially from the applicant, Environnement S.A., 111, Boulevard Robespierre, 78304 Poissy, France (<http://www.environnement-sa.com>).

The new equivalent method for O<sub>3</sub> is an automated method (analyzer) that utilizes a measurement principle based on absorption of ultraviolet light by ozone at a wavelength of 254 nm. The newly designated equivalent method is identified as follows:

EQQA-0992-087, "Teledyne—Advanced Pollution Instrumentation Model 400E UV Photometric Ozone Analyzer," operated on any full scale range between 0-100 ppb and 0-1000 ppb, with any range mode (Single, Dual, or Auto Range), at any ambient temperature in the range of 5 °C to 40 °C, on input power of 115 or 230 Vac (nominal) and 50-60 Hz, with a PTFE sample particulate filter, with a sample flow rate of 800 ±80 cm<sup>3</sup>/min (sea level), with the dilution factor set to 1, with Dynamic Zero ON or OFF, with Dynamic Span OFF, with Temp/Press compensation ON, and with or without any of the following options: Internal or external sample pump, Sample/Cal valve option, Internal Zero/Span (IZS), Rack mount with or without slides, 4-20 mA isolated current loop output.

An application for an equivalent method determination for this method was received by the EPA on June 4, 2002. The Model 400E is a modified and updated version of the Advanced Pollution Instrumentation Model 400/400A, which was previously designated as an equivalent method (57 FR 44565) and continues to be so designated. The model 400E is available commercially from the applicant, Teledyne Instruments, Advanced Pollution Instrumentation Division, 6565 Nancy Ridge Drive, San Diego, California (<http://www.teledyne-api.com>).

A test analyzer representative of each of these methods has been tested by the respective applicant in accordance with the applicable test procedures specified in 40 CFR part 53 (as amended on July 18, 1997). After reviewing the results of those tests and other information submitted by the applicants, EPA has determined, in accordance with part 53, that each of these methods should be designated as an equivalent method. The information submitted by the applicants will be kept on file, either at EPA's National Exposure Research Laboratory, Research Triangle Park, North Carolina 27711 or in an approved archive storage facility, and will be available for inspection (with advance notice) to the extent consistent with 40 CFR part 2 (EPA's regulations implementing the Freedom of Information Act).

As a designated reference or equivalent method, each method is acceptable for use by states and other air monitoring agencies under the requirements of 40 CFR part 58, Ambient Air Quality Surveillance. For such purposes, the method must be

used in strict accordance with the operation or instruction manual associated with the method and subject to any specifications and limitations (e.g., measurement range, operational settings, or temperature range) specified in the applicable designation method description (see the identifications of the methods above). Use of the method should also be in general accordance with the guidance and recommendations of applicable sections of the "Quality Assurance Handbook for Air Pollution Measurement Systems, Volume I," EPA/600/R-94/038a and "Quality Assurance Handbook for Air Pollution Measurement Systems, Volume II, Part 1," EPA-454/R-98-004. Vendor modifications of a designated reference or equivalent method used for purposes of part 58 are permitted only with prior approval of the EPA, as provided in part 53. Provisions concerning modification of such methods by users are specified under section 2.8 of appendix C to 40 CFR part 58 (Modifications of Methods by Users).

In general, a method designation applies to any sampler or analyzer which is identical to the sampler or analyzer described in the application for designation. In some cases, similar samplers or analyzers manufactured prior to the designation may be upgraded or converted (e.g., by minor modification or by substitution of the approved operation or instruction manual) so as to be identical to the designated method and thus achieve designated status. The manufacturer should be consulted to determine the feasibility of such upgrading or conversion.

Part 53 requires that sellers of designated reference or equivalent method analyzers or samplers comply with certain conditions. These conditions are specified in 40 CFR 53.9 and are summarized below:

(a) A copy of the approved operation or instruction manual must accompany the sampler or analyzer when it is delivered to the ultimate purchaser.

(b) The sampler or analyzer must not generate any unreasonable hazard to operators or to the environment.

(c) The sampler or analyzer must function within the limits of the applicable performance specifications given in 40 CFR parts 50 and 53 for at least one year after delivery when maintained and operated in accordance with the operation or instruction manual.

(d) Any sampler or analyzer offered for sale as part of a reference or equivalent method must bear a label or sticker indicating that it has been designated as part of a reference or

equivalent method in accordance with part 53 and showing its designated method identification number.

(e) If such an analyzer has two or more selectable ranges, the label or sticker must be placed in close proximity to the range selector and indicate which range or ranges have been included in the reference or equivalent method designation.

(f) An applicant who offers samplers or analyzers for sale as part of a reference or equivalent method is required to maintain a list of ultimate purchasers of such samplers or analyzers and to notify them within 30 days if a reference or equivalent method designation applicable to the method has been canceled or if adjustment of the sampler or analyzer is necessary under 40 CFR 53.11(b) to avoid a cancellation.

(g) An applicant who modifies a sampler or analyzer previously designated as part of a reference or equivalent method is not permitted to sell the sampler or analyzer (as modified) as part of a reference or equivalent method (although it may be sold without such representation), nor to attach a designation label or sticker to the sampler or analyzer (as modified) under the provisions described above, until the applicant has received notice under 40 CFR 53.14(c) that the original designation or a new designation applies to the method as modified, or until the applicant has applied for and received notice under 40 CFR 53.8(b) of a new reference or equivalent method determination for the sampler or analyzer as modified.

Aside from occasional breakdowns or malfunctions, consistent or repeated noncompliance with any of these conditions should be reported to: Director, Human Exposure and Atmospheric Sciences Division (MD-E205-01), National Exposure Research Laboratory, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711.

Designation of these new equivalent methods is intended to assist the States in establishing and operating their air quality surveillance systems under 40 CFR part 58. Questions concerning the commercial availability or technical aspects of the method should be directed to the applicant.

Dated: September 4, 2002.

**Jewel F. Morris,**

*Acting Director, National Exposure Research Laboratory.*

[FR Doc. 02-23261 Filed 9-11-02; 8:45 am]

**BILLING CODE 6560-50-P**

## **ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7375-8]

### **Implementation of the Small Business Liability and Brownfields Revitalization Act**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of public meetings.

**SUMMARY:** The Environmental Protection Agency (EPA) is holding two public meetings to discuss EPA's draft of the fiscal year 2003 Brownfields Assessment, Cleanup, and Revolving Loan Fund Grant Application Guidelines (FY 03 Guidelines). The public meetings will be held on Thursday, September 26, 2002 in Washington, DC at the times and location specified below. EPA will make the draft Brownfields Grant guidelines available to the public on the Agency's Web site at <http://www.epa.gov/brownfields> on September 18, 2002. Interested stakeholders and the public are encouraged to download and review the draft guidelines prior to the public meetings.

The purpose of the public meetings is for EPA's Office of Brownfields Cleanup and Redevelopment to listen to the views of public stakeholders on the Agency's draft Brownfields Grant Guidelines. During the public meetings, EPA officials will discuss the draft Guidelines, as well as reserve a limited amount of time at the meetings to discuss other implementation issues regarding the new Brownfields Law.

**DATES:** The public meetings will be held on September 26, 2002 in Learning Forum Rooms A and B of the Marriott Learning Complex in the Ronald Reagan Building at 1300 Pennsylvania Avenue NW., Washington, DC 20004. The first session will be held from 10 a.m.-11:30 p.m. The second session will be held from 2 p.m.-3:30 p.m.

**ADDRESSES:** Both public meetings will be held in Learning Forum Rooms A and B of the Marriott Learning Complex in the Ronald Reagan Building and International Trade Center at 1300 Pennsylvania Avenue NW., Washington, DC 20004. The Marriott Learning Center Complex is on the concourse level of the Ronald Reagan Building just inside the building entrance from the Federal Triangle Metro station.

Those parties that wish to submit written comments on the draft Brownfields Grants Guidelines must submit their comments to EPA no later than September 26, 2002. To ensure that EPA has adequate time to consider any

written comments, the Agency encourages parties to submit their comments to the Agency in electronic format. Electronic comments may be submitted to EPA's Office of Brownfields Cleanup and Redevelopment at [BF.comments@epa.gov](mailto:BF.comments@epa.gov). Parties wishing to submit their comments via the United States Postal Service should address their comments to: Ms. Patricia Overmeyer, U.S. Environmental Protection Agency, Office of Brownfields Cleanup and Redevelopment, MC-5105T, 1200 Pennsylvania Avenue, Washington, DC 20460. Hand deliveries should be sent to Ms. Patricia Overmeyer, U.S. Environmental Protection Agency, Office of Brownfields Cleanup and Redevelopment, Room 2406, 1301 Constitution Ave. NW., Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** For additional information, contact EPA's Office of Brownfields Cleanup and Redevelopment at 202-566-2777.

**SUPPLEMENTARY INFORMATION:** The FY2003 Brownfields Grant Guidelines will be the first that EPA will issue under Section 104(b)(5) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) as amended by the recently enacted Small Business Liability Relief and Brownfields Revitalization Act, Public Law 107-118 (SBLRBRA). Guidelines for grant programs are exempt from notice and comment requirements under 5 U.S.C. 553(a)(2). However, the Agency has decided that consultation with public stakeholders prior to issuing the final version of the Brownfields Grant Guidelines is an appropriate step in effectively implementing the new Brownfields Law.

Both meetings are open to the general public. Stakeholders that have actively worked with EPA on Brownfields issues, including those representing state, tribal, and local government associations, industry trade associations, environmental interest groups, and environmental justice interest groups will be invited by EPA. The focus of the morning session will be on issues of general interest to state and local governments, environmental justice organizations, and environmental interest groups. The afternoon session generally will focus on insights that industry trade associations and commercial organizations may have on how the draft Brownfields Grant Guidelines can leverage private investment in Brownfields revitalization. Interested