

CP01-386, 002, Islander East Pipeline Company, LLC  
 CP01-387, 002, Algonquin Gas Transmission Company  
 C-3.  
 Docket# CP01-176, 004, Georgia Strait Crossing Pipeline LP  
 Other#S CP01-177, 002, Georgia Strait Crossing Pipeline LP  
 CP01-178, 002, Georgia Strait Crossing Pipeline LP  
 CP01-179, 002, Georgia Strait Crossing Pipeline LP

**Magalie R. Salas,**

*Secretary.*

[FR Doc. 03-832 Filed 1-10-03; 11:08 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Meeting, Notice of Vote, Explanation of Action Closing Meeting and List of Persons to Attend; Sunshine Act

January 8, 2003.

The following notice of meeting is published pursuant to Section 3(a) of the Government in the Sunshine Act (Pub. L. No. 94-409), 5 U.S.C. 552b:

**AGENCY HOLDING MEETING:** Federal Energy Regulatory Commission.

**DATE AND TIME:** January 15, 2003, (Within a relatively short time before or after the regular Commission Meeting).

**PLACE:** Hearing Room 6, 888 First Street, NE., Washington, DC 20426.

**STATUS:** Closed.

**MATTERS TO BE CONSIDERED:** Non-Public Investigations and Inquiries, And Enforcement Related Matters.

**CONTACT PERSON FOR MORE INFORMATION:** Magalie R. Salas, Secretary, Telephone (202) 502-8400.

Chairman Wood and Commissioners Massey and Brownell voted to hold a closed meeting on January 15, 2003. The certification of the General Counsel explaining the action closing the meeting is available for public inspection in the Commission's Public Reference Room at 888 First Street, NE., Washington, DC 20426.

The Chairman and the Commissioners, their assistants, the Commission's Secretary and her assistant, the General Counsel and members of her staff, and a stenographer are expected to attend the meeting. Other staff members from the Commission's program offices who will

advise the Commissioners in the matters discussed will also be present.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. 03-833 Filed 1-10-03; 11:08 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2000-036]

#### New York Power Authority; Notice Modifying a Restricted Service List for Comments on a Programmatic Agreement for Managing Properties Included in or Eligible for Inclusion in the National Register of Historic Places

January 7, 2003.

On April 14, 2000, the Federal Energy Regulatory Commission (Commission) issued a notice for the St. Lawrence-FDR Power Project proposing to establish a restricted service list for the purpose of developing and executing a Programmatic Agreement (PA) for managing properties included in or eligible for inclusion in the National Register of Historic Places. On June 5, 2000, the restricted service list was modified to include the Department of the Interior (Interior). On August 2, 2001, the restricted service list was modified to: (1) Change the address for Mr. Thomas Tatham; (2) change the contact for the Saint Regis Mohawk Tribe; (3) change the contact for Interior; and (4) delete Mr. Robert Dean. On June 26, 2002, the restricted service list was modified to change for the Bureau of Indian Affairs. The St. Lawrence-FDR Power Project is located on the St. Lawrence River, in St. Lawrence County, New York. The New York Power Authority is the licensee.

Rule 2010 of the Commission's Rules of Practice and Procedure provides that, to eliminate unnecessary expense or improve administrative efficiency, the Secretary may establish a restricted service list for a particular phase or issue in a proceeding.<sup>1</sup> The restricted service list should contain the names of persons on the service list who, in the judgment of the decisional authority establishing the list, are active participants with respect to the phase or issue in the proceeding for which the list is established. The following changes to the existing restricted service list are noted.

The address for Mr. James Teitt has changed. Remove Chief Brian Skidders

<sup>1</sup> 18 CFR 385.2010.

as the contact for the Mohawk Nation Council of Chiefs.

As a result of these changes, the revised final restricted service list, for the purpose of commenting on the PA for the St. Lawrence-FDR Power Project, is as follows:

Dr. Robert Kuhn,

Dr. Laura Henley Dean, NY Office of Parks, Recreation, Advisory Council on Historic Preservation, and Historic Preservation, The Old Post Office Building, Suite 803, Peebles Island, PO Box 189, 1100 Pennsylvania Avenue, NW., Waterford, NY 12188-0189 Washington, DC 20004

William Slade, New York Power Authority, 123 Main Street, White Plains, NY 10601

Thomas Tatham, New York Power Authority, 123 Main Street, White Plains, NY 10601

Kevin Mendik, National Park Service, 15 State Street, Boston, MA 02109

Judith M. Stolfo, Department of the Interior, Office of the Regional Solicitor, One Gateway Center, Suite 612, Newton, MA 02458-2802

Dr. James Kardatzke, Eastern Region Office, Bureau of Indian Affairs, 711 Stewarts Ferry Pike, Nashville, TN 37214

Francis Boots, THPO, Saint Regis Mohawk Tribe, 412 State Route 37, Hogsansburg, NY 13655

Salli Benedict, Henry Lickers, Mohawk Council of Akwesasne, PO Box 579, Cornwall, Ontario K6H 5T3

Maxine Cole, Akwesasne Task Force on the Environment, PO Box 992, Hogsansburg, NY 13655

David Blaha, Environmental Resources Management, 2666 Riva Road, Suite 200, Annapolis, MD 21401

James Teitt, Environmental Resources Management, Northwoods II, Suite 30, 8101 N. High Street, Columbus, OH 43235

Kimberly Owens

Mohawk Nation Council of Chiefs, 1849 C Street, NW. Washington, DC 20240, Department of the Interior, Box 366, Rooseveltown, NY 13683

**Magalie R. Salas,**

*Secretary.*

[FR Doc. 03-698 Filed 1-13-03; 8:45 am]

BILLING CODE 6717-01-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7438-3]

### 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 the following case: Communities for a Better Environment, *et al.* v. U.S. EPA, No. 02-70191 (9th Circuit). This case concerns the U.S. Environmental Protection Agency's (EPA) full approval of the part 70 operating permit program for the Bay Area Air Quality Management District in the State of California, published at 66 FR 63503 (December 7, 2001). The proposed settlement agreement was signed by the last party on January 7, 2003.

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 interveners 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.

**DATES:** Written comments on the proposed settlement agreement must be received by February 13, 2003.

**ADDRESSES:** Written comments should be sent to Paul Cort, Office of Regional Counsel, U.S. EPA (ORC-2), 75 Hawthorne Street, San Francisco, CA 94105. A copy of the proposed settlement agreement is available on EPA's webpage at <http://www.epa.gov/region09/air/index.html>. You may also obtain a copy from David Wampler, Region IX Air Permits Office, U.S. EPA (AIR-3), 75 Hawthorne Street, San Francisco, CA 94109, (415) 972-3975.

**SUPPLEMENTARY INFORMATION:** EPA granted full approval of the 34 California part 70 operating permit programs (also known as "title V" permit programs) on November 29, 2001. 66 FR 63503 (December 7, 2001). Communities for a Better Environment and Our Children's Earth Foundation filed petitions challenging EPA's approval of the Bay Area Air Quality Management District ("BAAQMD" or "District") part 70 program. Petitioners alleged deficiencies in the District's program related to the exemption for

portable equipment and the definition of "administrative permit amendment." The parties engaged in settlement discussions and entered the Ninth Circuit Mediation Program.

The proposed settlement agreement outlines rulemaking actions and deadlines to be met by the District. If the District fails to take any of the outlined actions or fails to meet any of the specified deadlines, the settlement agreement provides that EPA will send a proposed Notice of Deficiency (NOD) for publication to the Office of the Federal Register no later than 30 days from the relevant deadline. After considering comment on the proposed NOD, EPA shall forward to the Office of Federal Register a final rulemaking on the NOD within 90 days after publication of the proposal.

As appropriate, the proposed NOD will inform the District that the portable engine exemption in BAAQMD Rule 2-6-113 must be revised to be consistent with the term "stationary source" as it is defined in the Clean Air Act, 42 U.S.C. 7602(z), and EPA's implementing regulations, 40 CFR 70.2, as well as the definition of "nonroad engine" at 40 CFR 89.2. In addition, if applicable, the notice of proposed rulemaking shall inform the District that the definition of "administrative permit amendment" in BAAQMD Rule 2-6-201 must be revised to be consistent with the definition of "administrative permit amendment" set forth in 40 CFR 70.7(d)(i)-(iv).

Dated: January 7, 2003.

**Lisa K. Friedman,**

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

[FR Doc. 03-738 Filed 1-13-03; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[OPP-2002-0359; FRL-7286-5]

### Modified Acrylic Polymer; Notice of Filing a Pesticide Petition to Establish a Tolerance for a Certain Pesticide Chemical in or on Food

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the initial filing of a pesticide petition proposing the establishment of regulations for residues of a certain pesticide chemical in or on various food commodities.

**DATES:** Comments, identified by docket ID number OPP-2002-0359, must be received on or before February 13, 2003.

**ADDRESSES:** Comments may be submitted electronically, by mail, or through hand delivery/courier. Follow the detailed instructions as provided in Unit I. of the **SUPPLEMENTARY INFORMATION**.

**FOR FURTHER INFORMATION CONTACT:** Treva C. Alston, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8373; e-mail address: [alston.treva@epa.gov](mailto:alston.treva@epa.gov).

## SUPPLEMENTARY INFORMATION:

### I. General Information

#### A. Does this Action Apply to Me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected entities may include, but are not limited to:

- Crop production (NAICS code 111)
- Animal production (NAICS code 112)
- Food manufacturing (NAICS code 311)
- Pesticide manufacturing (NAICS code 25532)

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in this unit could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

#### B. How Can I Get Copies of this Document and Other Related Information?

1. *Docket.* EPA has established an official public docket for this action under docket ID number OPP-2002-0359. The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although, a part of the official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public docket is the