

Cache National Forest lands and private in-holdings.

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 Guy McBride, Electric Power Superintendent, Hyrum City Offices, 83 West Main, Hyrum, UT 84319, (435) 245-6033.

i. *FERC Contact:* Gaylord Hoisington, 202-502-6032.
Gaylord.Hoisington@ferc.gov.

j. *Expiration Date of Current License:* April 30, 2008.

k. *Project Description:* The project includes an earth-filled diversion dam containing a concrete spillway 35 feet wide, a concrete penstock inlet with trash racks, a concrete block powerhouse housing a 400-kilowatt turbine generator, and 100 feet of underground transmission lines.

l. The licensee states its unequivocal intent to submit an application for a new license for Project No. 946. 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 28, 2006.

This filing is available for review at the Commission or may be viewed on the Commission's Web site 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, contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll-free at (866)208-3676, or for TTY, contact (202)502-8659. A copy is also available for inspection and reproduction at the address in item h above.

Magalie R. Salas,
Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

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

June 9, 2003.

Take notice that the following hydroelectric applications have been filed with the Commission and are available for public inspection:

a. *Type of Applications:* Preliminary Permit (Competing).

b. *Applicants, Project Numbers, and Dates Filed:*

Stuyvesant Falls Hydro Corporation (SFHC) filed the application for Project No. 12438-000 on February 3 and clarified Exhibit 1 on March 5, 2003.

Intermountain Hydro Resources (Intermountain) filed the application for Project No.12439-000 on February 3 and supplemented Exhibits 1 and 4 on April 14 and 28, 2003, respectively.

SFHC also filed the application for Project No.12438-001 on February 4, clarified Exhibit 1 on March 5, and verified its application on March 13, 2003.

c. Name of the project is Stuyvesant Falls Hydroelectric Project. Each application is for a proposed redevelopment of the previously licensed Project No. 2696. The project would be located on Kinderhook Creek in Columbia County, New York. It would not occupy federal or tribal lands.

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

e. *Applicants Contacts:* For SFHC: Mr. James A Besha, Stuyvesant Falls Hydro Corporation, c/o Albany Engineering Corporation, 447 New Karner Road, Albany, NY 12205, (518) 456-7712. For Intermountain: Mr. Douglas A. Spaulding, Spaulding Consultants, 1433 Utica Avenue South, Suite 162, Minneapolis, MN 55416, (952) 544-8133.

f. *FERC Contact:* Robert Bell, (202) 502-6062.

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

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.

h. *Description of Projects:* The project proposed by SFHC would be operated in a run-of-river mode and would utilize existing project works consisting of: (1) A 240-foot-long, 13-foot-high masonry gravity dam, (2) a reservoir with a surface area of 46 acres at spillway crest elevation 174.3 feet, (3) a gated intake structure, (4) two 2,860-foot-long, 7.5-foot-diameter steel pipelines, (5) a 25-foot-diameter surge tank, (6) two 200-foot-long, 7.5-foot-diameter steel penstocks, (7) a powerhouse containing a 2.8 megawatt (MW) generating unit, (8) 40-foot-long, 34.5-kilovolt primary leads connecting to an existing substation, and (9) appurtenant facilities. SFHC proposes to repair or replace sections of the two 2,860-foot pipelines and add: (1) A 35-kilowatt (kW) minimum flow generating unit at the dam, (2) a 3.6-MW generating unit, and (3) a 440-kW minimum flow generating unit in the powerhouse. The SFHC project would have an average annual generation of 16.5 gigawatt hours.

The project proposed by Intermountain would be operated in a run-of-river mode and would utilize the existing project works described above. Intermountain proposes to study the feasibility of repairing the two pipelines or replacing them with a single 10-foot-diameter pipeline. Intermountain does not propose to add capacity to the project.

i. These filings are available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the "FERRIS" link. Enter the docket number, here P-12438 or P-12439, in the docket number field to access the document. For assistance, call toll-free 1-866-208-3676 or e-mail FERCOnlineSupport@ferc.gov. For TTY, call (202) 502-8659. Copies are also available for inspection and reproduction at the addresses in item e. above.

j. *Competing 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.

k. **Competing Development Application**—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.

l. **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.

m. **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.

n. **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.

o. **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 eight copies to: Magalie R. Salas, 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.

p. **Comments, protests, and interventions** 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.

q. **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

[FRL-7514-2]

Prevention of Significant Deterioration (PSD) Program; Massachusetts; Notice of Ending of Delegation Agreement Between EPA and Massachusetts Department of Environmental Protection

AGENCY: Environmental Protection Agency (EPA).

ACTION: Information notice.

SUMMARY: This notice announces that effective March 3, 2003, the Massachusetts Department of Environmental Protection (DEP) ended its agreement with EPA to implement the Prevention of Significant Deterioration (PSD) program. Therefore, effective that date, EPA is the implementing authority for the PSD

program in Massachusetts. This notice explains the consequences of this change for owners and operators of sources that have PSD permits or that will need such permits in the future.

DATES: Massachusetts' decision to end the agreement between the State and EPA that allowed DEP to implement the Federal PSD program became effective on March 3, 2003.

ADDRESSES: Copies of the documents relevant to Massachusetts PSD program delegation are available for public inspection during normal business hours, by appointment at the Office of Ecosystem Protection, U.S. Environmental Protection Agency, Region I, One Congress Street, 11th floor, Boston, MA during normal business hours.

FOR FURTHER INFORMATION CONTACT: Brendan McCahill, EPA Region I, (617) 918-1652, or send email to Mccahill.Brendan@epa.gov.

SUPPLEMENTARY INFORMATION: By letter dated February 27, 2003, the DEP has notified the Regional Administrator of EPA New England that the DEP will not accept authority for the implementation of the amended PSD program and is ending its June 30, 1982, agreement with EPA to assume responsibility for implementing the Federal PSD regulations (1982 Agreement).

On December 31, 2002, EPA published in the **Federal Register** revisions to the Federal PSD regulations (67 FR 80186). A final rule revising the Federal portions of implementation plans in 40 CFR part 52 to include the revisions to the Federal PSD regulations was published in the **Federal Register** on March 10, 2003. Both of these actions were effective on March 3, 2003.

The letter from the DEP explained that the DEP will no longer implement the Federal PSD program as of March 3, 2003. Consequently, as of March 3, 2003, sources of air pollution located in Massachusetts that are subject to the Federal PSD program must apply for and receive a PSD permit from EPA New England before beginning actual construction. Developers planning projects in Massachusetts that are expected to increase air pollution should refer to 40 CFR 52.21 or contact Brendan McCahill (see "FOR FURTHER INFORMATION CONTACT" above) at the EPA New England office for information regarding program applicability and permit application requirements.

Please note that the DEP's air permitting requirements under 310 CMR 7.02 are not affected by the state's decision to end the 1982 Agreement. The DEP interprets its regulations as