

license articles in the new license all relevant provisions of the Settlement Agreement, Amendment, and the Governmental Parties' Final Terms and Conditions filed with the Commission in connection with this agreement. Comments, reply comments, and any revised recommendations, terms and conditions, and prescriptions are due on the dates listed above in item j.

l. A copy of the Amendment is 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 excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at 1-866-208-3676, or for TTY, (202) 502-8659. A copy is also available for inspection and reproduction at the address in item h above.

Magalie R. Salas,  
Secretary.

[FR Doc. 03-3538 Filed 2-12-03; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7452-1]

### EPA Science Advisory Board; Executive Committee Teleconference; Notification of Public Advisory Committee Meeting

Pursuant to the Federal Advisory Committee Act, Public Law 92-463, notice is hereby given that the Executive Committee of the U.S. EPA Science Advisory Board (SAB) will meet on Wednesday, March 5, 2003 from 11 am-2 pm Eastern Time. The meeting will be coordinated through a conference call connection in Room 6013 in the USEPA, Ariel Rios Building, 1200 Pennsylvania Avenue, NW., Washington, DC 20460. The public is encouraged to attend the meeting in the conference room noted above. However, the public may also attend through a telephonic link, to the extent that lines are available. Additional instructions about how to participate in the conference call can be obtained by calling Ms. Betty Fortune (see contact information below). The meeting is open to the public, however, seating is limited and available on a first come basis. *Important Notice:* Documents that are the subject of SAB reviews are normally available from the originating EPA office and are not available from the SAB Office—information concerning availability of

documents from the relevant Program Office is included in the FR citations given below.

*Purpose of the Meeting*—In this meeting, the Executive Committee plans to review reports from some of its Committees/Subcommittee, most likely including the following:

- (a) *Science and Technology Review Panel (S&TRP) (EC)*—Review of the FY2004 Science and Technology (S&T) Budget: An SAB Report (see 67 FR 79912, December 31, 2002 for further details).
- (b) *Contaminant Sediment Science Plan Review Panel (EC)*—Review of the Contaminated Sediment Science Plan: An SAB Report (see 67 FR 61622, October 1, 2002 for further details).
- (c) *Human Health Research Strategy Review Panel (EC)*—Review of the Human Health Research Strategy (HHRS): An SAB Report (see 67 FR 63422, October 11, 2002 for further details).

Please check with Ms. Betty Fortune (see contact information below) prior to the meeting to determine which reports will be on the agenda as last minute changes can take place.

*Availability of Review Materials:* Drafts of the SAB reports that will be reviewed at the meeting will be available to the public at the SAB Web site under the heading for the Executive Committee Public Teleconference, March 5, 2003 (<http://www.epa.gov/sab/whatsnew.htm>) approximately two weeks prior to the meeting.

*Charge to the Executive Committee:* The focus of the EC review of these reports will be on the following questions: (a) Has the SAB adequately responded to the questions posed in the Charge? (b) Are the statements and/or responses in the draft report clear? And (c) Are there any errors of fact in the report?

In accord with the Federal Advisory Committee Act (FACA), the public and the Agency are invited to submit written comments on these three questions that are the focus of the review. Written comments should be received in the SAB Staff Office by February 27, 2003. Forward comments to Ms. Betty Fortune (see contact information below).

The SAB will have a brief period available for applicable public comment. Therefore, anyone wishing to make oral comments on the three focus questions above, but that are not duplicative of the written comments, should contact the Designated Federal Officer for the Executive Committee, Mr. A. Robert Flaak (see contact information below).

*For Further Information*—Any member of the public wishing further

information concerning this meeting or wishing to submit brief oral comments (3 minutes or less) must contact Mr. A. Robert Flaak, Designated Federal Officer, EPA Science Advisory Board (1400A), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; telephone (202) 564-4546; FAX (202) 501-0582; or via e-mail at [flaak.robert@epa.gov](mailto:flaak.robert@epa.gov). Requests for oral comments must be *in writing* (e-mail, fax or mail) and received by Mr. Flaak no later than noon Eastern Standard Time on February 27, 2003. Written comments should be sent to: Ms. Betty Fortune, EPA Science Advisory Board, Mail Code 1400A, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460 (Telephone (202) 564-4533, FAX (202) 501-0323; or via e-mail at: [fortune.betty@epa.gov](mailto:fortune.betty@epa.gov). Submission by e-mail to Ms. Fortune will maximize the time available for review by the Executive Committee.

### Providing Oral or Written Comments at SAB Meetings

It is the policy of the EPA Science Advisory Board to accept written public comments of any length, and to accommodate oral public comments whenever possible. The EPA Science Advisory Board expects that public statements presented at its meetings will not be repetitive of previously submitted oral or written statements. *Oral Comments:* In general, each individual or group requesting an oral presentation at a face-to-face meeting will be limited to a total time of ten minutes (unless otherwise indicated above). For teleconference meetings, opportunities for oral comment will usually be limited to no more than three minutes per speaker and no more than fifteen minutes total. Deadlines for getting on the public speaker list for a meeting are given above. Speakers should bring at least 35 copies of their comments and presentation slides for distribution to the reviewers and public at the face-to-face meetings. *Written Comments:* Although the SAB accepts written comments until the date of the meeting (unless otherwise stated), written comments should be received in the SAB Staff Office at least one week prior to the meeting date so that the comments may be made available to the committee for their consideration. Comments should be supplied to the appropriate DFO at the address/contact information noted above in the following formats: one hard copy with original signature, and one electronic copy via e-mail (acceptable file format: WordPerfect, Word, or Rich Text files (in IBM-PC/Windows 95/98 format).

Those providing written comments and who attend face-to-face meeting are also asked to bring 35 copies of their comments for public distribution.

**General Information**—Additional information concerning the EPA Science Advisory Board, its structure, function, and composition, may be found on the SAB Web site (<http://www.epa.gov/sab>) and in *The FY2001 Annual Report of the Staff Director* which is available from the SAB Publications Staff at (202) 564-4533 or via fax at (202) 501-0256. Committee rosters, draft Agendas and meeting calendars are also located on our Web site.

**Meeting Access**—Individuals requiring special accommodation at this meeting, including wheelchair access to the conference room, should contact Ms. Fortune at least five business days prior to the meeting so that appropriate arrangements can be made.

Dated: February 5, 2003.

**Vanessa Vu,**

*Director, EPA Science Advisory Board Staff Office.*

[FR Doc. 03-3584 Filed 2-12-03; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7451-9]

### Recent Posting to the Applicability Determination Index (ADI) Database System of Agency Applicability Determinations, Alternative Monitoring Decisions, and Regulatory Interpretations Pertaining to Standards of Performance for New Stationary Sources, National Emission Standards for Hazardous Air Pollutants, and the Stratospheric Ozone Protection Program

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

**ACTION:** Notice of availability.

**SUMMARY:** This notice announces applicability determinations, alternative monitoring decisions, and regulatory interpretations that EPA has made under the New Source Performance Standards (NSPS), 40 CFR part 60; the National Emission Standards for Hazardous Air Pollutants (NESHAP), 40 CFR parts 61 and 63; and the Stratospheric Ozone Protection Program, 40 CFR part 82. This notice also clarifies the Notice of Availability published in the **Federal Register** on November 15, 2001 (66 FR 57453).

**FOR FURTHER INFORMATION CONTACT:** An electronic copy of each complete

document posted on the Applicability Determination Index (ADI) database system is available on the Internet through the Office of Enforcement and Compliance Assurance (OECA) Web site at: <http://www.epa.gov/compliance/assistance/applicability>. The document may be located by date, author, subpart, or subject search. For questions about the ADI or this notice, contact Maria Malave at EPA by phone at: (202) 564-7027, or by email at: [malave.maria@epa.gov](mailto:malave.maria@epa.gov). For technical questions about the individual applicability determinations or monitoring decisions, refer to the contact person identified in the individual documents, or in the absence of a contact person, refer to the author of the document.

#### SUPPLEMENTARY INFORMATION:

**Background:** The General Provisions to the NSPS in 40 CFR part 60 and the NESHAP in 40 CFR part 61 provide that a source owner or operator may request a determination of whether certain intended actions constitute the commencement of construction, reconstruction, or modification. EPA's written responses to these inquiries are broadly termed applicability determinations. See 40 CFR 60.5 and 61.06. Although the 40 CFR part 63 NESHAP and section 111(d) of the Clean Air Act regulations contain no specific regulatory provision that sources may request applicability determinations, EPA does respond to written inquiries regarding applicability for the part 63 and section 111(d) programs. The NSPS and NESHAP also allow sources to seek permission to use monitoring or recordkeeping which is different from the promulgated requirements. See 40 CFR 60.13(i), 61.14(g), 63.8(b)(1), 63.8(f), and 63.10(f). EPA's written responses to these inquiries are broadly termed alternative monitoring decisions. Furthermore, EPA responds to written inquiries about the broad range of NSPS and NESHAP regulatory requirements as they pertain to a whole source category. These inquiries may pertain, for example, to the type of sources to which the regulation applies, or to the testing, monitoring, recordkeeping or reporting requirements contained in the regulation. EPA's written responses to these inquiries are broadly termed regulatory interpretations.

EPA currently compiles EPA-issued NSPS and NESHAP applicability determinations, alternative monitoring decisions, and regulatory interpretations, and posts them on the Applicability Determination Index (ADI) on a quarterly basis. In addition, the

ADI contains EPA-issued responses to requests pursuant to the stratospheric ozone regulations, contained in 40 CFR part 82. The ADI is an electronic index on the Internet with over one thousand EPA letters and memoranda pertaining to the applicability, monitoring, recordkeeping, and reporting requirements of the NSPS and NESHAP. The letters and memoranda may be searched by date, office of issuance, subpart, citation, control number or by string word searches.

Today's notice comprises a summary of 55 such documents added to the ADI on December 20, 2002. The subject, author, recipient, date and header of each letter and memorandum are listed in this notice, as well as a brief abstract of the letter or memorandum. Complete copies of these documents may be obtained from the ADI through the OECA Web site at: <http://www.epa.gov/compliance/assistance/applicability>.

#### Clarification to November 15, 2001 Notice of Availability

EPA has received questions regarding the applicability of the documents whose availability was noticed in the November 15, 2001 Notice of Availability (66 FR 57453). EPA has reviewed those documents, and through today's notice clarifies that to the extent any of those documents constituted "final action of the Administrator" for purposes of section 307(b)(1) of the Clean Air Act, they were not "nationally applicable" actions within the meaning of section 307(b)(1). For purposes of establishing venue for judicial review of any such document, the document may be considered a "local or regionally applicable" action as that phrase is employed in section 307(b)(1).

#### Summary of Headers and Abstracts

The following table identifies the database control number for each document posted on the ADI database system on December 20, 2002; the applicable category; the subpart(s) of 40 CFR parts 60, 61, or 63 (as applicable) covered by the document; and the title of the document, which provides a brief description of the subject matter. We have also included an abstract of each document identified with its control number after the table. These abstracts are provided solely to alert the public to possible items of interest and are not intended as substitutes for the full text of the documents.