

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.

n. 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.

o. 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.

p. 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.

q. 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, 385.211, 385.214. 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.

r. 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", "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.

s. 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.

David P. Boergers,  
Secretary.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RM98-1-000]

### Regulations Governing Off-the-Record Communications; Public Notice

October 26, 2001.

This constitutes notice, in accordance with 18 CFR 385.2201(h), of the receipt of exempt and prohibited off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive an exempt or a prohibited off-the-record communication relevant to the merits of a contested on-the-record proceeding, to deliver a copy of the communication, if written, or a summary of the substance of any oral communication, to the Secretary.

Prohibited communications will be included in a public, non-decisional file associated with, but not part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication, and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such requests only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication should serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications will be included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of exempt and prohibited off-the-record communications received in the Office of the Secretary within the preceding 14 days. Copies of this filing are on file with the Commission and are available for public inspection. The documents may be viewed on the Web at <http://www.ferc.gov> using the "RIMS" link, select "Docket#" and follow the instructions (call 202-208-2222 for assistance).

#### Exempt

*Project or Docket, Date, and Name*

1. Project Nos. 1975, 2061 and 2777  
10-15-01, Susan P. Neitzel
2. Project No. 2778-000  
10-15-01, Susan P. Neitzel
3. Project No. 2114-000  
10-16-01, Adeline Fredin
4. Project No. 2114-000  
10-16-01, William J. Judge
5. Project No. 2661-000  
10-16-01, Edward C. Cole
6. Docket No. ER97-1523-065, *et al.*  
10-17-01, Theodore Glick
7. Project No. 2342-000  
10-17-01, Frank Winchell
8. Project No. 2030-000  
10-18-01, Nan Allen
9. Project No. 2030-000  
10-18-01, Fred Winchell
10. Docket No. RP00-241-000  
10-18-01, Brian R. Hellebuyck
11. Project No. 2042-000  
10-23-01, Tim Bachelder

12. Docket No. CP01-415-000  
10-25-01, Medha Kochhar

**David P. Boergers,**  
*Secretary.*

[FR Doc. 01-27535 Filed 11-1-01; 8:45 am]

**BILLING CODE 6717-01-P**

## **ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7097-6]

### **Agency Information Collection Activities: Proposed Collection; Comment Request; Protection of Stratospheric Ozone—Recordkeeping and Periodic Reporting of the Production Import, Export, Recycling, Destruction, Transshipment and Feedstock Use of Ozone-Depleting Substances**

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit the following proposed and/or continuing Information Collection Request (ICR) to the Office of Management and Budget (OMB):

Recordkeeping and Periodic Reporting of the Production Import, Export, Recycling, Destruction, Transshipment and Feedstock Use of Ozone-Depleting Substances ICR #1432.20, OMB Control No. 2060-0170, Expiration Date 9/28/01. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below.

**DATES:** Comments must be submitted on or before January 2, 2002.

**ADDRESSES:** Copies of the material supporting this ICR renewal notice are available free of charge from The Stratospheric Ozone Protection Hotline at 1-800-269-1996 between the hours of 10 am and 4 pm Eastern Standard Time.

**FOR FURTHER INFORMATION CONTACT:** Suzanne Bratis, Telephone: (202) 564-3515, Fax: (202) 564-2155, E-mail: Bratis.Suzanne@epa.gov.

#### **SUPPLEMENTARY INFORMATION:**

*Affected entities:* Entities potentially affected by this action are those which produce, use feedstocks, import, export, and/or destroy the ozone-depleting substance, methyl bromide.

*Title:* Recordkeeping and Periodic Reporting of the Production Import,

Export, Recycling, Destruction, Transshipment and Feedstock Use of Ozone-Depleting Substances (OMB Control No. 2060-0170; ICR #1432.20).

*Abstract:* This action revises reporting requirements so companies may produce and import for special exempted uses of methyl bromide for quarantine and preshipment applications during the interim period when production and consumption is capped at 50% of the 1991 baseline level. In order to monitor each company's production, import, export, destruction, and transformation, the reporting system continues to require information to check industry compliance with the stratospheric ozone protection regulations. Compliance during the reduction steps for methyl bromide mean that companies can produce and import 50% of 1991 baseline levels, except for the specific exemption created by this action. The information required satisfies statutory mandates for reporting and monitoring under section 603 of Title VI of CAAA and will be used to generate reports to Congress as mandated under section 603(d) of Title VI.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR part 9 and 48 CFR Chapter 15. Give enough background information so someone could comment on points (i)-(iv) below.

The EPA would like to solicit comments to:

(i) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(ii) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(iii) Enhance the quality, utility, and clarity of the information to be collected; and

(iv) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

*Burden Statement:* The burden hours shown below represent the hours for the information collection request (ICR). The ICR provides a detailed explanation of this estimate, which is only briefly

summarized in this notice. The annual public burden for collection of information associated with the reporting is estimated to average 865 hours. This estimate accounts for all responses provided by all effected entities per year.

The following is a summary of the estimates taken from the ICR:

*Estimated total number of potential respondents:* 536.

*Frequency of response:* Quarterly.

*Estimated total/average number of responses for each respondent:* 1-10.

*Estimated total annual burden hours:* 865.

*Estimated O&M costs:* \$141.87.

*Estimated total annual burden costs:* \$52,275.

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

Dated: October 29, 2001.

**Paul Stolpmann,**

*Director, Office of Atmospheric Programs.*

[FR Doc. 01-27590 Filed 11-1-01; 8:45 am]

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## **ENVIRONMENTAL PROTECTION AGENCY**

[ER-FRL-6622-3]

### **Environmental Impact Statements; Notice of Availability**

Responsible Agency: Office of Federal Activities, General Information (202) 564-7167 or [www.epa.gov/oeca/ofa](http://www.epa.gov/oeca/ofa). Weekly receipt of Environmental Impact Statements  
Filed October 22, 2001 Through October 26, 2001

Pursuant to 40 CFR 1506.9.

EIS No. 010401, DRAFT SUPPLEMENT, FEW, MI, US-31 Petoskey Area Improvement Study, To Reduce Congestion on US-31 in the City of Petoskey and Resort and Bear Creek Townships, COE Section 404 Permit, Emmet County, MI, Due: December