

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, .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.

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.

Linwood A. Watson, Jr.,

Deputy Secretary.

[FR Doc. 02-20542 Filed 8-13-02; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Application Tendered for Filing With the Commission, Soliciting Additional Study Requests, and Establishing Procedural Schedule for Relicensing and a Deadline for Submission of Final Amendments

August 7, 2002.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* New Major License.

b. *Project No.:* 2726-012.

c. *Date Filed:* July 29, 2002.

d. *Applicant:* Idaho Power Company.

e. *Name of Project:* Upper and Lower Malad Hydroelectric Project.

f. *Location:* On the Malad River in Gooding County, Idaho, approximately 3 miles north of Hagerman, Idaho.

g. *Filed Pursuant to:* Federal Power Act 16 U.S.C. 791 (a)-825").

h. *Applicant Contact:* Robert W. Stahman, Idaho Power Company, P.O. Box 70, Boise, Idaho 83707, (208) 388-2676.

i. *FERC Contact:* John Blair (202) 502-6092 or john.blair@FERC.gov.

j. *Cooperating agencies:* We are asking Federal, state, local, and tribal agencies with jurisdiction and/or special expertise with respect to environmental issues to cooperate with us in the preparation of the environmental document. Agencies who would like to request cooperating status should follow the instructions for filing comments described in item k below.

k. Pursuant to Section 4.32(b)(7) of 18 CFR of the Commission's regulations, if any resource agency, Indian Tribe, or person believes that an additional scientific study should be conducted in order to form an adequate factual basis for a complete analysis of the application on its merit, the resource agency, Indian Tribe, or person must file

a request for a study with the Commission not later than 60 days from the date of filing of the application, and serve a copy of the request on the applicant.

l. **Deadline for filing additional study requests and requests for cooperating agency status:** September 26, 2002.

All documents (original and eight copies) should be filed with: Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

The Commission's Rules of Practice require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor 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.

Additional study requests and requests for cooperating agency status may be filed electronically via the Internet in lieu of paper. The Commission strongly encourages electronic filings. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site (<http://www.ferc.gov>) under the "e-Filing" link.

m. This application is not ready for environmental analysis at this time.

n. The existing project consists of: (1) An upper diversion dam consisting of a gated spillway section 100 feet long and a flume section 123 feet long; (2) A concrete flume 4,635 feet long between the upper diversion dam and the upper intake structure; (3) The upper concrete intake structure 80.5 feet long and approximately 21 feet wide; (4) A steel penstock 10 feet in diameter and approximately 238 feet long connected to the upper powerhouse; (5) The upper reinforced concrete powerhouse containing one generating unit having an installed nameplate capacity of 8.27 megawatts; (6) A lower diversion dam consisting of a gated spillway section 163 feet long and a flume section 136 feet long; (7) A concrete flume 5,318 feet long between the lower diversion dam and the lower intake structure; (8) The lower concrete intake structure 85 feet long and approximately 23 feet wide; (9) A steel penstock 12 feet in diameter and approximately 301 feet long connected to the lower powerhouse; (10) The lower reinforced concrete powerhouse containing one generating unit having an installed nameplate capacity of 13.5 megawatts; and (11) Other appurtenances.

o. A copy of the application is on file with the Commission and is available

for public inspection. This filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website 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, call (202) 502-8222 or for Text Telephone (TTY) call (202) 208-1659. A copy is also available for inspection and reproduction at the address in item h above.

p. With this notice, we are initiating consultation with the *Idaho State Historic Preservation Officer (SHPO)*, as required by § 106, National Historic Preservation Act, and the regulations of the Advisory Council on Historic Preservation, 36 CFR 800.4.

q. Procedural schedule and final amendments: The application will be processed according to the following Hydro Licensing Schedule. Revisions to the schedule will be made as appropriate.

Issue Acceptance Letter—October 2002;
Request Additional Information—
October 2002;

Issue Scoping Document 1 for
comments—January 2003;

Request Additional Information—March
2003;

Issue Scoping Document 2—April 2003;
Notice of application is ready for
environmental analysis—May 2003;

Notice of the availability of the draft
EA—October 2003;

Notice of the availability of the final
EA—January 2004;

Ready for Commission's decision on the
application—February 2004;

Final amendments to the application
must be filed with the Commission no
later than 30 days from the issuance
date of the notice of ready for
environmental analysis.

Linwood A. Watson, Jr.,

Deputy Secretary.

[FR Doc. 02-20545 Filed 8-13-02; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL -7259-1]

Notice of Outer Continental Shelf Final Determination for McCovey Prospect

AGENCY: Environmental Protection
Agency ("EPA").

ACTION: Notice of Final Action.

SUMMARY: EPA Region 10 is hereby
providing notice that it issued an Outer
Continental Shelf (OCS) permit to

EnCana Oil & Gas (USA) Inc. The permit
(Authority to Construct) was issued on
May 29, 2002, and became effective July
4, 2002.

EnCana proposes to conduct
exploratory oil and gas drilling in the
OCS near-shore waters of the Beaufort
Sea at the McCovey Prospect
exploration site, north-northeast of the
Midway Islands, in the vicinity of
Prudhoe Bay, Alaska. EnCana proposes
to utilize a mobile offshore drilling unit
consisting of a converted crude tanker
with topside drilling facilities that sits
on top of an all steel submersible barge.
Exploratory drilling will be conducted
from November 2002 through March
2003, and / or, from November 2003
through March 2004.

The proposed facility is subject to the
State of Alaska requirements applicable
to OCS sources. See 40 CFR part 55,
Appendix A. The facility has proposed
and accepted operating restrictions to
avoid PSD review. No New Source
Performance Standards (40 CFR part 60)
or National Emissions Standards for
Hazardous Air Pollutants (40 CFR parts
61 and 63) apply to emission units at
the facility.

40 CFR 55.6(a)(3) requires EPA to
follow the procedures in 40 CFR part
124 used to issue PSD permits. In
accordance with those procedures,
comments were received during the
public comment period. EPA Region 10
responded to comments, and certain
proposed permit conditions were
changed in the final permit. EnCana
received the final permit on June 3,
2002. A copy of the final permit was
concurrently provided to commentors.
Review of the final permit by the
Environmental Appeals Board was not
requested within 30 days of EnCana's
receipt of the final permit, pursuant to
40 CFR 124.19, and thus the final permit
became effective July 4, 2002.

40 CFR 124.19(f)(2) requires notice of
any final agency action regarding a PSD
(OCS) permit to be published in the
Federal Register Review. This notice
satisfies that requirement.

FOR FURTHER INFORMATION CONTACT: If
you have any questions or would like a
copy of the permit, please contact Dan
Meyer at (206) 553-4150. You may also
contact Mr. Meyer by mail at: Office of
Air Quality (OAQ-107), U.S.
Environmental Protection Agency,
Region 10, 1200 Sixth Avenue, Seattle,
WA 98101.

Dated: August 6, 2002.

L. John Iani,

Regional Administrator, Region 10.

[FR Doc. 02-20582 Filed 8-13-02; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[OPPT-2002-0032; FRL-7191-2]

Access to Confidential Business Information by Midwest Research Institute (MRI)

AGENCY: Environmental Protection
Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has authorized Midwest
Research Institute (MRI) of Kansas City,
MO access to information which has
been submitted to EPA under sections 4
and 5 of the Toxic Substances Control
Act (TSCA). Some of the information
may be claimed or determined to be
confidential business information (CBI).

DATES: Access to the confidential data
submitted to EPA under sections 4 and
5 of TSCA occurred as a result of an
approved waiver dated June 24, 2002.

FOR FURTHER INFORMATION CONTACT: By
mail: Barbara A. Cunningham, Acting
Director, Environmental Assistance
Division (7408M), Office of Pollution
Prevention and Toxics, Environmental
Protection Agency, 1200 Pennsylvania
Ave., NW., Washington, DC 20460;
telephone number: (202) 554-1404; e-
mail address: TSCA-
Hotline@epamail.epa.gov.

SUPPLEMENTARY INFORMATION:

I. Does this Notice Apply to Me?

This action is directed to the public
in general. This action may, however, be
of interest to those persons who are or
may be required to conduct testing of
chemical substances under the Toxic
Substances Control Act (TSCA). Since
other entities may also be interested, the
Agency has not attempted to describe all
the specific entities that may be affected
by this action. If you have any questions
regarding the applicability of this action
to a particular entity, consult the person
listed under **FOR FURTHER INFORMATION
CONTACT**.

II. How Can I Get Additional Information, Including Copies of this Document or Other Related Documents?

You may obtain electronic copies of
this document, and certain other related
documents that might be available
electronically, from the EPA Internet
Home Page at <http://www.epa.gov/>. To
access this document, on the Home Page
select "Laws and Regulations,"
"Regulations and Proposed Rules," and
then look up the entry for this document
under the "**Federal Register**—
Environmental Documents." You can
also go directly to the **Federal Register**
listings at <http://www.epa.gov/fedrgrstr/>.