

at (202) 219-1208 or e-mail address: [john.mudre@ferc.gov](mailto:john.mudre@ferc.gov). The Commission cannot accept comments, recommendations, motions to intervene or protests sent by e-mail; these documents must be filed as described below.

j. *Deadline for Filing Comments, Terms and Conditions, Motions To Intervene, and Protests:* 21 days from the issuance date of this notice.

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 and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears 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.

Comments, recommendations, terms and conditions, 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. k. Pacific Gas and Electric Company (PGE) has filed an application to temporarily reduce, between May 15, and September 15, 2002, the minimum flow requirement set forth in Article 38 to help protect the fishery and recreational resources of Pillsbury reservoir during the 2002 summer season, also to ensure the continued minimum flow releases to the Eel and Russian rivers during the 2003 water-year.

Article 38 requires the following minimum flow releases:

	Dry water-year (cfs)	Normal water-year (cfs)
East Branch Russian River: September 16 to May 14 ..	35	35
May 15 to September 15 .....	40	75
Eel River Below Scott Dam: December 1 to May 31 ..	40	100
June 1 to No- vember 30	40	60

The 2002 water-year is classified as a normal water-year, as defined by Article 38. Specifically, PGE requests a waiver

of the 75 cfs minimum flow to the East Branch Russian River from May 15 to September 15, and proposes to release 40 cfs in its place, conserving approximately 8,600 acre-feet of storage, to be used for the protection of fishery and recreational resources in Pillsbury reservoir and help ensure the continued minimum flow releases to the Eel and Russian rivers are met during the 2003 water-year.

l. A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room at 888 First Street NE., Room 2A, Washington, DC 20426, or by calling (202) 208-1371. The application may be viewed on the web at <http://www.ferc.gov>. Call (202) 208-2222 for assistance. A copy is also available for inspection and reproduction at the address in item (h) above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

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.

Any filings must bear in all capital letters the title "COMMENTS," "RECOMMENDATIONS FOR TERMS AND CONDITIONS," "PROTEST," or "MOTION TO INTERVENE," as applicable, and the Project Number of the particular application to which the filing refers. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

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. 02-12796 Filed 5-21-02; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RM93-11-000]

#### Revisions to Oil Pipeline Regulations Pursuant to the Energy Policy Act of 1992; Annual Change in Producer Price Index for Finished Goods

May 15, 2002.

**AGENCY:** Federal Energy Regulatory Commission, Department of Energy.

**ACTION:** Notice of annual change in the producer price index for finished goods, minus one percent.

**SUMMARY:** The Commission is issuing the index that oil pipelines must apply to their July 1, 2001—June 30, 2002 index ceiling levels to compute their index ceiling levels for the period July 1, 2002 through June 30, 2003, in accordance with 18 CFR 342.3(d). This index, which is the percent change (expressed as a decimal) in the annual average Producer Price Index for Finished Goods from 2000 to 2001, minus one percent, is 0.009565. Oil pipelines must multiply their July 1, 2001—June 30, 2002 index ceiling levels by 1.009565 to compute their index ceiling levels for the period July 1, 2002 through June 30, 2003.

#### FOR FURTHER INFORMATION CONTACT:

David Ulevich, Division of Tariffs and Rates Central, Central Group 4, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 208-0678.

#### SUPPLEMENTARY INFORMATION:

#### Notice of Annual Change in the Producer Price Index for Finished Goods, Minus One Percent

May 15, 2002.

The Commission's regulations include a methodology for oil pipelines to change their rates through use of an index system that establishes ceiling levels for such rates. The index system as set forth at 18 CFR 342.3 is based on the annual change in the Producer Price Index for Finished Goods (PPI-FG), minus one percent. The regulations provide that each year the Commission will publish an index reflecting the final change in the PPI-FG, minus one percent, after the final PPI-FG is made available by the Bureau of Labor Statistics in May of each calendar year.

The annual average PPI-FG index figure for 2000 was 138.0 and the annual average PPI-FG index figure for

2001 was 140.7.<sup>1</sup> Thus, the percent change (expressed as a decimal) in the annual average PPI-FG from 2000 to 2001, minus one percent, is 0.009565.<sup>2</sup> Oil pipelines must multiply their July 1, 2001–June 30, 2002 index ceiling levels by 1.009565<sup>3</sup> to compute their index ceiling levels for the period July 1, 2002, through June 30, 2003, in accordance with 18 CFR 342.3(d). For guidance in calculating the ceiling levels for each period beginning January 1, 1995,<sup>4</sup> see Explorer Pipeline Company, 71 FERC 61,416 at n.6 (1995).

#### Document Availability

In addition to publishing the full text of this document in the **Federal Register**, the Commission also provides all interested persons an opportunity to inspect or copy the contents of this document during normal business hours in the Public Reference Room at 888 First Street, NE, Room 2A, Washington, DC 20426.

The Commission Issuance Posting System (CIPS) provides access to the texts of formal documents issued by the Commission from November 14, 1994, to the present. CIPS can be accessed via Internet through FERC's Home Page (<http://www.ferc.gov>) on CIPS in ASCII and WordPerfect 6.1. User assistance is available at 202–208–2222 or by E-mail to [cips.master@ferc.gov](mailto:cips.master@ferc.gov).

This document is also available through the Commission's Records and Information Management System (RIMS), an electronic storage and retrieval system of documents submitted to and issued by the Commission after November 16, 1981. Documents from November 1995 to the present can be viewed and printed. RIMS is available in the Public Reference Room or remotely via Internet through FERC's Home Page using the RIMS link or the Energy Information online icon. User

<sup>1</sup> The final figure for the annual average PPI-FG is published by the Bureau of Labor Statistics in mid-May of each year. This figure is publicly available from the Division of Industrial Prices and Price Indexes of the Bureau of Labor Statistics, at (202) 691–7705, and is available in print in August in Table 1 of the annual data supplement to the BLS publication *Producer Price Indexes*. The PPI data are also available via the Internet. The Internet address is <http://www.bls.gov/ppi/>. To obtain the BLS data, click on Get Detailed Statistics, then click on Commodity Data under the Create Customized Tables (one screen) heading. At step 1, scroll all the way to the bottom and choose SOP. At step 2, scroll and choose SOP3000. At step 3, check the Not Seasonally Adjusted box and then click on Get Data at step 4.

<sup>2</sup>  $[140.7 - 138.0] / 138.0 = 0.019565 - .01 = 0.009565$ .

<sup>3</sup>  $1 + 0.009565 = 1.009565$ .

<sup>4</sup> For a listing of all prior multipliers issued by the Commission, see the Commission's website, [www.ferc.gov](http://www.ferc.gov). The table of multipliers can be found under the headings "Oil" and "Index".

assistance is available at 202–208–2222, or by E-mail to [rismaster@ferc.gov](mailto:rismaster@ferc.gov).

Finally, the complete text on diskette in WordPerfect format may be purchased from the Commission's copy contract; American Electronic Imaging Company, Inc. American Electronic Imaging Company, Inc., is located at 888 First Street, NE., Suite 2A–16, Washington, DC 20426.

**Magalie R. Salas**

*Secretary*

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## ENVIRONMENTAL PROTECTION AGENCY

[CA077–NOD; FRL–7215–1]

### Notice of Deficiency for 34 Clean Air Act Operating Permits Programs in California

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

**ACTION:** Notice of deficiency.

**SUMMARY:** Pursuant to our authority at Clean Air Act section 504(i) and the implementing regulations at 40 CFR 70.10(b)(1), EPA is publishing this Notice of Deficiency for the following 34 Clean Air Act title V Operating Permits Programs in the State of California: Amador County Air Pollution Control District (APCD), Bay Area Air Quality Management District (AQMD), Butte County AQMD, Calaveras County APCD, Colusa County APCD, El Dorado County APCD, Feather River AQMD, Glenn County APCD, Great Basin Unified APCD, Imperial County APCD, Kern County APCD, Lake County AQMD, Lassen County APCD, Mariposa County APCD, Mendocino County APCD, Modoc County APCD, Mojave Desert AQMD, Monterey Bay Unified APCD, North Coast Unified AQMD, Northern Sierra AQMD, Northern Sonoma County APCD, Placer County APCD, Sacramento Metro AQMD, San Diego County APCD, San Joaquin Valley Unified APCD, San Luis Obispo County APCD, Santa Barbara County APCD, Shasta County APCD, Siskiyou County APCD, South Coast AQMD, Tehama County APCD, Tuolumne County APCD, Ventura County APCD, and Yolo-Solano AQMD. The Notice of Deficiency is based upon EPA's finding that the State's agricultural permitting exemption at Health and Safety Code 42310(e) unduly restricts the local districts' ability to adequately administer and enforce their title V programs, which have previously been granted full approval status. Therefore,

EPA finds that the 34 districts' title V programs do not meet the minimum requirements required by Federal law. Publication of this notice is a prerequisite for withdrawal of title V program approval for the 34 districts, but does not effect such a withdrawal. Withdrawal of program approval, if necessary, will be accomplished through subsequent rulemaking.

**EFFECTIVE DATE:** May 22, 2002. Because this NOD is an adjudication and not a final rule, the Administrative Procedure Act's 30-day deferral of the effective date of a rule does not apply.

**FOR FURTHER INFORMATION CONTACT:** Gerardo C. Rios, Chief, Permits Office, Air Division, U.S. EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105, (415) 972–3974.

**SUPPLEMENTARY INFORMATION:** Throughout this document, "we," "us," or "our" means EPA.

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#### I. Description of Action and Identification of Program Deficiency

We are publishing this Notice of Deficiency (NOD) for thirty-four (34) Clean Air Act (CAA or Act) operating permits programs in California. EPA promulgated final full approval of all 34 districts' title V operating permits programs on November 30, 2001. See 66 FR 63503 (December 7, 2001).<sup>1</sup> This document is being published to satisfy 40 CFR 70.10(b)(1), which provides that EPA shall publish in the **Federal Register** a notice of any determination that a title V permitting authority is not adequately administering or enforcing its title V operating permits program.

EPA has determined that all 34 local permitting authorities in California that have fully approved title V operating permit programs are not adequately administering or enforcing their programs because state law at Health and Safety Code 42310(e) exempts from permitting, "equipment used in agricultural operations in the growing of crops or the raising of fowl or animals."

Title V of the Act does not provide for this exemption and requires that all permitting authorities have the authority to "issue permits and assure compliance by all sources required to

<sup>1</sup> Although there are 35 separate permitting authorities in California, one permitting authority, Antelope Valley APCD, was not included in our final action because it only recently obtained its authority to issue part 70 permits and is still under its initial interim approval status granted on December 19, 2000 (65 FR 79314).