

Commission, 888 First St., NE, Room 1A, Washington, DC 20426.

9. Label one copy of the comments for the attention of Office of Market Oversight and Investigation.

10. Reference Docket No. RM01-12-000.

11. Mail your comments so that they will be received in Washington, DC on or before September 3, 2002.

12. Please note that we are continuing to experience delays in mail deliveries from the U.S. Postal Service. As a result, we will include all comments that we receive within a reasonable time frame in our environmental analysis of this proposal. However, the Commission encourages electronic filing of any comments to this proceeding. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site at <http://www.ferc.gov> under the "e-Filing" link and the link to the User's Guide. Before you can file comments you will need to create a free account which can be created by clicking on "Login to File" and then "New User Account."

13. *Scoping Meeting*: A public Scoping Meeting will be held at 2:00 PM, August 12, 2002, at FERC Headquarters; 888 First Street, NE., Washington, DC 20426. All those wishing to present oral comments at the scoping meeting are encouraged to contact Lonnie Lister, at (202) 208-2191, to have their name placed on the Speakers List. Further opportunity will be provided for anyone to present their comments at the meeting after the pre-registered speakers have made their statements. A court reporter will transcribe the meeting, and copies of the transcript will be available from the reporting service. A formal copy of the transcript will be placed in the public record in Docket No. RM01-12-000 approximately ten days after the meeting.

14. *Environmental Mailing List*: This notice is being sent to individuals, organizations, and government entities

interested in and/or potentially affected by the proposed rulemaking.

15. *Additional Information*: Additional information about the proposed rulemaking is available from the Commission's Office of External Affairs, call toll-free at 1-866-208-FERC, or you can call the FERC operator at 1-800-847-8885 and ask for External Affairs. Information is also available on the FERC website ([www.ferc.gov](http://www.ferc.gov)) using the "RIMS" link to information in this docket number. Click on the "RIMS" link, select "Docket #" from the RIMS Menu, and follow the instructions. For assistance with access to RIMS, the RIMS helpline can be reached at (202) 208-2222.

16. Similarly, the "CIPS" link on the FERC Internet website provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings. From the FERC Internet website, click on the "CIPS" link, select "Docket #" from the CIPS menu, and follow the instructions. For assistance with access to CIPS, the CIPS helpline can be reached at (202) 208-2222.

**Linwood A. Watson, Jr.,**

*Deputy Secretary.*

[FR Doc. 02-19411 Filed 7-31-02; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RM98-1-000]

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

July 26, 2002.

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 recently received in the Office of the Secretary. 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

Docket No.	Date filed	Presenter or Requester
CP01-415-000 .....	7-23-02	Medha Kochhar.
CP01-361-000 .....	7-25-02	Nancy and Dave Morris.

Linwood A. Watson, Jr.,

Deputy Secretary.

[FR Doc. 02-19410 Filed 7-31-02; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 12067-001]

#### BAE Energy; Notice of Surrender of Preliminary Permit

July 26, 2002.

Take notice that BAE Energy, permittee for the proposed Leishman Drop Project, has requested that its preliminary permit be terminated. The permit was issued on October 22, 2001, and would have expired on September 30, 2004. The project would have been located on the Saint Mary Canal System in Glacier County, Montana.

The permittee filed the request on June 24, 2002, and the preliminary permit for Project No. 12067 shall remain in effect through the thirtieth day after issuance of this notice unless that day is a Saturday, Sunday, or holiday as described in 18 CFR 385.2007, in which case the permit shall remain in effect through the first business day following that day. New applications involving this project site, to the extent provided for under 18 CFR part 4, may be filed on the next business day.

Linwood A. Watson, Jr.,

Deputy Secretary.

[FR Doc. 02-19409 Filed 7-31-02; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7253-3]

#### State Program Requirements; Application To Administer the National Pollutant Discharge Elimination System (NPDES) Program; Arizona

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

**ACTION:** Notice.

**SUMMARY:** The State of Arizona has submitted a request for approval of the Arizona Pollutant Discharge Elimination System (AZPDES) program pursuant to section 402(b) of the Clean Water Act (CWA or "the Act"). With this request, the Arizona Department of Environmental Quality (ADEQ) seeks approval to administer a partial program for discharges of pollutants into waters

of the United States under its jurisdiction. Today, EPA Region 9 is providing public notice of Arizona's request for AZPDES program approval and of both a public hearing and public comment period on the State's program approval submission. EPA will either approve or disapprove the State's request after considering all comments it receives.

**DATES:** *Comments* The public comment period on the State's request for approval to administer the proposed AZPDES program will be from the date of publication until September 16, 2002. Comments must be received or post-marked by no later than midnight on September 16, 2002. *Public Hearing.* A public hearing will be held on September 4, 2002.

**ADDRESSES:** *Comments* Send all paper copy comments to: Mr. Matthew Mitchell (WTR-5), Water Division, EPA Region 9, 75 Hawthorne Street, San Francisco, CA, 94105. Comments may also be submitted electronically to the following e-mail address: [mitchell.matthew@epa.gov](mailto:mitchell.matthew@epa.gov).

Electronic comments should be identified by the docket number. EPA requests that electronic comments also include the commentor's postal mailing address. No Confidential Business Information (CBI) should be submitted through e-mail. Comments and data will also be accepted on disks in WordPerfect 8.0 format or ASCII file format.

A copy of each comment should be submitted to: Mr. Chris Varga, Federal Permits Unit, Arizona Department of Environmental Quality, 1110 W. Washington St., Phoenix, AZ 85007.

Public comments may be in either paper or electronic format. If submitting comments in paper format, please submit the original and three copies of your comments and enclosures (including references). To ensure that EPA can read, understand and therefore properly respond to comments, the Agency would prefer that comments be typed or legibly written and that commentors cite the paragraph(s) or sections in the notice or supporting documents to which each comment refers. Commentors who want EPA to acknowledge receipt of their comments should enclose a self-addressed stamped envelope.

*Public Hearing.* The public hearing will be held at the Best Western Executive Park Hotel, 1100 N. Central Ave., Phoenix, Arizona, beginning at 1 p.m. on September 4. The public hearing will be conducted in accordance with 40 CFR 124.12, and will provide interested parties with the opportunity

to provide written and/or oral comments for the official record.

*Viewing/Obtaining Copies of Documents* Copies of Arizona's AZPDES program approval submission (referred to throughout this notice as Arizona's "application") and all other documents in the official record are available for inspection from 9 am to 4 pm, Monday through Friday, excluding legal holidays, at EPA Region 9, 12th floor Water Division, 75 Hawthorne St., San Francisco, CA 94105.

A copy of Arizona's AZPDES application is also available for inspection from 8 am to 5 pm, Monday through Friday, excluding State holidays, at the Arizona Department of Environmental Quality, Records Management Center, 1110 W. Washington St., Phoenix, AZ 85007. Please call (602) 771-4378 to set up an appointment.

Copies of the entire State AZPDES program submission are available in paper format. Part or all of the State's application may be copied at the ADEQ office in Phoenix, or the EPA's office in San Francisco, at a minimal cost per page.

Copies of the documents available in electronic format are accessible on the Internet at the ADEQ web page at <http://www.adeq.state.az.us/enviro/water/permits/federal.html>

Every effort has been made to include each document relevant to EPA's decision on this matter in the official record. EPA invites input from the public on any document that the public feels should have been included in the official record, but has not been.

**FOR FURTHER INFORMATION CONTACT:** Mr. Matthew Mitchell at the EPA address listed above or by calling (415) 972-3508, e-mail: [mitchell.matthew@epa.gov](mailto:mitchell.matthew@epa.gov) or Mr. Chris Varga at the ADEQ address listed above or by calling (602) 771-4665, e-mail: [varga.chris@ev.state.az.us](mailto:varga.chris@ev.state.az.us).

**SUPPLEMENTARY INFORMATION:** Section 402 of the CWA created the NPDES program under which EPA may issue permits for the point source discharge of pollutants to waters of the United States under conditions required by the Act. Section 402(b) requires EPA to authorize a State to administer an equivalent state program, upon the Governor's request, provided the State has appropriate legal authority and a program sufficient to meet the Act's requirements.

The regulatory requirements for state program approval are set forth in 40 CFR part 123. 40 CFR 123.21 lists the basic elements of an approvable application. EPA Region 9 considers the documents submitted by the State of Arizona administratively complete at