

Please include the docket number (D100-3-000) on any comments or motions filed.

k. *Description of Project:* The proposed project would consist of: (1) a 20-foot-high diversion dam; (2) a 6,350-foot-long penstock; (3) a powerhouse with two generating units, with a total generating capacity of 1,000 kW; (4) a 5.8-mile overland with a 0.9-mile underwater transmission line; and (5) appurtenant facilities. The proposed project would supply electric power to the City of Angoon. Angoon is electrically isolated from any other system.

When a Declaration of Intention is filed with the Federal Energy Regulatory Commission, the Federal Power Act requires the Commission to investigate and determine if the interests of interstate or foreign commerce would be affected by the project. The Commission also determines whether or not the project: (1) would be located on a navigable waterway; (2) would occupy or affect public lands or reservations of the United States; (3) would utilize surplus water or water power from a government dam; or (4) if applicable, has involved or would involve any construction subsequent to 1935 that may have increased or would increase the project's head or generating capacity, or have otherwise significantly modified the project's pre-1935 design or operation.

l. *Locations of the Application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room located at 888 First Street, NE., Room 2A, Washington, DC 20426, or by calling (202) 208-1371. This filing may be viewed on <http://www.ferc.fed.us/online/rims.htm> (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.

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 filed 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.

Filing and Service of Responsive Documents—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. 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. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

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**

April 7, 2000.

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.

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. The documents may be viewed on the Internet at <http://www.ferc.fed.us/online/rims.htm> (call 202-208-2222 for assistance).

**Exempt:**

1. CP00-17-000 and CP00-19-000 .....	2/4/00	Edwin M. Eudaly.
2. CP00-6-000 .....	3/23/00	Ken Huntington.
3. CP00-6-000 .....	3/22/00	Ken Huntington.
4. CO00-6-000 .....	3/22/00	Ken Huntington.
5. CP00-14-000 .....	3/25/00	Nadine Foley.
6. Project Nos. 2318-002, 2047-004, 2482-014 and 2554-003 .....	3/24/00	David A. Stilwell.
7. CP00-14-000, CP00-15-000 and CP00-16-000 .....	3/29/00	Todd Mattson.
8. CP00-14-000, CP00-15-000 and CP00-16-000 .....	3/27/00	Mark Cline.

9. CP00-40-000 .....	3/31/00	Lauren O'Donnell.
10. CP99-392-000 .....	4/3/00	John Wisniewski.
Prohibited:		
1. CP97-315-000, <i>et al.</i> .....	3/31/00	Ed Gilliard.
2. Project No. 9974-040 .....	4/5/00	Phyllis Gerth.
3. Project No. 9974-040 .....	4/5/00	Dean Reichert.
4. Project No. 9974-040 .....	4/5/00	Patricia & Bert Hesse.
5. Project No. 9974-040 .....	4/5/00	Kenneth J. Robillard and Brenda H. Robillard.
6. Project No. 9974-040 .....	4/5/00	Earl J. Weihert.

**David P. Boergers,**

*Secretary.*

[FR Doc. 00-9171 Filed 4-12-00; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6576-8]

### Slotted Guidepoles at Certain Petroleum and Organic Liquid Storage Vessels

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

**ACTION:** Notice of storage tank emission reduction partnership program.

**SUMMARY:** The United States Environmental Protection Agency ("EPA") is today announcing an opportunity for the regulated community to participate in the Storage Tank Emission Reduction Partnership Program described in this notice.

**DATES:** Companies electing to participate in this program must submit a notice of intent by June 12, 2000, and an executed partnership agreement by December 11, 2000.

**ADDRESSES:** Both the notice of intent and executed partnership agreement should be sent to: Storage Tank Emission Reduction Partnership Program, Air Enforcement Division (Mail Code 2242A), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** Mr. James K. Jackson, Air Enforcement Division (2242A), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW Washington, DC 20460, telephone (202) 564-2002.

**SUPPLEMENTARY INFORMATION:** Slotted guidepoles are hollow poles with holes or "slots" that perforate the length of the pole and that are typically a foot-long and 1-2 inches wide. Where the pole passes through a floating roof, there is an opening in the roof and a gap between the pole and the roof. These holes, slots and gaps have exactly the same emissions effect as any other roof opening: they constitute a pathway for

evaporative product losses and volatile organic compound (VOC) emissions. VOCs include a wide variety of hydrocarbons, some of which are hazardous air pollutants (*e.g.*, benzene, toluene, xylene and ethyl benzene). Depending on the size, location and contents of a tank, uncontrolled emissions from the use of slotted guidepoles can exceed 25,000 pounds per year. Simple and inexpensive solutions exist to minimize these emissions and reduce evaporative losses.

A substantial but undetermined number of NSPS Subpart Ka/Kb tanks have slotted guidepoles. They may be found at any facility that stores substantial quantities of volatile organic liquids, including petroleum products (*e.g.*, refineries, gasoline distribution terminals, chemical plants and other facilities). EPA previously determined and recently reaffirmed that uncontrolled slotted guidepoles do not comply with the "no visible gap" requirement in NSPS Subparts Ka and Kb. See 65 FR 2336 (January 14, 2000). In the interests of promoting fast, efficient and widespread emission reductions from slotted guidepoles, EPA is today offering to enter into agreements with those companies that have installed or will install controls to reduce their slotted guidepole emissions at NSPS Subpart Ka/Kb tanks.

EPA solicited public comment on a proposed program that had been developed in cooperation with the American Petroleum Institute. 65 FR 2391 (January 14, 2000). EPA discussed its proposal with State and Territorial Air Pollution Program Administrators/ Association of Local Air Pollution Control Officials (STAPPA/ALAPCO) and received twelve comments (*e.g.*, companies, trade associations and equipment vendors), all of which supported establishing a program. The more salient features of the Storage Tank Emission Reduction Partnership Program announced today are summarized below:

- Each company intending to participate must notify EPA of its intent to participate within 60 days and there identify each facility it intends to

include under this program, using its unique EPA Identification Number.

- Participating companies must assess all of their NSPS Subpart Ka/Kb external floating roof tanks with slotted guidepoles and are encouraged to assess all of their NSPS Subpart Ka/Kb internal floating roof tanks with slotted guidepoles. *See discussion infra.*

- Acceptable slotted guidepole controls under this program are identified. *See Appendix I.* Use of such controls does not affect other regulatory obligations that may exist under state or federal law (*e.g.*, to sample tank contents for compliance with other regulatory programs).

- EPA is not requiring that penalties be paid as a condition of program participation, but if a participating company fails to implement its agreed-to controls in a timely manner, stipulated penalties would be imposed.

- The terms and conditions for program participation are specified in the participation agreement that each participant must execute. *See Appendix II and Appendix III.*

- Each participating company must submit an executed participation agreement, including a complete Annex A, within 240 days. Annex A must provide a facility listing (using its EPA identification Number) that identifies its NSPS Subpart Ka/Kb external floating roof tanks with slotted guidepoles and those of its NSPS Subpart Ka/Kb internal floating roof tanks that it intends to include under this program. Annex A must also specify the controls that were or will be installed, as well as predict the emission reductions that will be achieved after these controls are installed.

Today's final program incorporates certain technical changes that had been recommended by commenters, but it is essentially the same as the program that had been earlier proposed. The major points raised during the comment period are summarized and discussed below.

**Clarification of Facility Coverage:** Some commenters expressed uncertainty as to whether participation could be on facility-by-facility or operating division-by-operating division