

Boergers, Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC 20426.

Please include the Project Number (11128-012) on any comments or motions filed.

k. *Description of Filing:* Odell Hydroelectric Company (Odell) applied to surrender the Brooklyn Project license. Odell states that, due to the deregulated electric utility market, it has been unable to get an electric rate that supports the economics of the project. Odell maintains that the dam and areas within the project boundary have been unchanged by licensing because no actual construction has been completed as part of the project.

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, N.E., Room 2A, Washington, DC 20426, or by calling (202) 208-1371. The application may be viewed on the web at [www.ferc.fed.us/online/rims.htm](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.

Protests or Motions to Intervene—Anyone may submit a protest or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, 385.211, and 385.214. In determining the appropriate action to take, the Commission will consider all protests 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 protests or motions to intervene must be received on or before the specified deadline 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, N.E., 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.*

[FR Doc. 00-15738 Filed 6-21-00; 8:45 am]

**BILLING CODE 6717-01-M**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice Regarding Electronic Publication of Notices

June 16, 2000.

Take notice that effective June 21, 2000, the Commission will begin making notices public electronically on a continuous basis on the Commission's Issuance Posting System (CIPS).

Currently the Office of the Secretary, regularly posts copies of notices daily at 10 a.m., 3 p.m., and 4:30 p.m. on bulletin boards outside of the Public Reference Room.

Since the Commission has implemented an electronic document handling system for notices, the Commission now has the capability of making notices public electronically on CIPS on a continuous basis throughout the work day. In the past, notices were not added to CIPS until after the paper copy was posted on a bulletin board.

In order to provide notices to the public in a more timely manner, effective June 21, 2000, notices will be added to CIPS on a continuous basis throughout the day instead of awaiting the paper posting hours. The Secretary will continue to post paper copies of notices at 10:00 a.m., 3:00 p.m., 4:30 p.m., and when necessary after 5 p.m.

This announcement applies only to notice and not to any other Commission issuances.

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

[FR Doc. 00-15785 Filed 6-21-00; 8:45 am]

**BILLING CODE 6717-01-M**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RM98-1-000]

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

June 16, 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 in the Internet at <http://www.ferc.fed.us/online/rims.htm> (call 202-208-2222 for assistance).

#### Exempt

1. CP00-65-000; 5/26/00; Clifford G. Day.

2. P-8282; 6/08/00; Rafael Montag.

**David P. Boergers,**  
Secretary.

[FR Doc. 00-15735 Filed 6-21-00; 8:45 am]

BILLING CODE 6717-01-M

## ENVIRONMENTAL PROTECTION AGENCY

[IL201; FRL-6720-3]

### Adequacy Status of Chicago, IL Submitted Ozone Rate of Progress Plan Budget for Transportation Conformity Purposes

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

**ACTION:** Notice of adequacy.

**SUMMARY:** In this notice, EPA is notifying the public that in a letter dated May 23, 2000, EPA found that the motor vehicle emissions budget in the Chicago, Illinois ozone nine percent rate of progress plan and supplemental information, submitted on December 18, 1997, December 17, 1999, January 14, 2000, and January 21, 2000, is adequate for conformity purposes. On March 2, 1999, the D.C. Circuit Court ruled that submitted State Implementation Plans (SIPs) cannot be used for conformity determinations until EPA has affirmatively found them adequate. As a result of our finding, Chicago can use the motor vehicle emissions budget for volatile organic compounds for the year 1999 from the submitted ozone nine percent rate of progress plan for future conformity determinations. This budget is effective July 7, 2000.

**FOR FURTHER INFORMATION CONTACT:** The finding and the response to comments already received will be available at EPA's conformity website: <http://www.epa.gov/oms/traq>, (once there, click on the "Conformity" button, then look for "Adequacy Review of SIP Submissions for Conformity").

Patricia Morris, Environmental Scientist, Regulation Development Section (AR-18J), Air Programs Branch, Air and Radiation Division, United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353-8656, [morris.patricia@epa.gov](mailto:morris.patricia@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

Throughout this document, whenever "we", "us" or "our" is used, we mean EPA. Today's notice is simply an announcement of a finding that we have already made. EPA Region 5 sent a letter

to the Illinois Environmental Protection Agency on May 23, 2000, stating that the motor vehicle emissions budget in the Chicago, Illinois submitted ozone nine percent rate of progress plan for 1999 is adequate. This finding will also be announced on EPA's conformity website: <http://www.epa.gov/oms/traq>, (once there, click on the "Conformity" button, then look for "Adequacy Review of SIP Submissions for Conformity").

Transportation conformity is required by section 176(c) of the Clean Air Act. EPA's conformity rule requires that transportation plans, programs, and projects conform to state air quality implementation plans and establishes the criteria and procedures for determining whether or not they do. Conformity to a SIP means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the national ambient air quality standards.

The criteria by which we determine whether a SIP's motor vehicle emission budgets are adequate for conformity purposes are outlined in 40 CFR 93.118(e)(4). Please note that an adequacy review is separate from EPA's completeness review, and it also should not be used to prejudice EPA's ultimate approval of the SIP. Even if we find a budget adequate, the SIP could later be disapproved.

We've described our process for determining the adequacy of submitted SIP budgets in guidance (May 14, 1999 memorandum titled "Conformity Guidance on Implementation of March 2, 1999 Conformity Court Decision"). We followed this guidance in making our adequacy determination.

**Authority:** 42 U.S.C. 7401-7671q.

Dated: June 12, 2000.

**David A. Ullrich,**

Acting Regional Administrator, Region 5.

[FR Doc. 00-15717 Filed 6-21-00; 8:45 am]

BILLING CODE 6560-50-U

## ENVIRONMENTAL PROTECTION AGENCY

[OPPTS-140285; FRL-6591-6]

### Access to Confidential Business Information by Logistics Management Institute

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

**ACTION:** Notice.

**SUMMARY:** EPA has authorized its contractor Logistics Management Institute (LMI) of McLean, Virginia access to information which has been

submitted to EPA under sections 4, 5, 8, and 12 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 TSCA section 12(b), occurred as a result of an approved waiver dated April 6, 2000, which requested granting LMI immediate access to this Section of TSCA CBI. This waiver was necessary to allow LMI to repair a database containing 12(b) export notices.

#### FOR FURTHER INFORMATION CONTACT:

Barbara A. Cunningham, Acting Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. E-545, 401 M St., SW., Washington, DC 20460, (202) 554-1404, TDD: (202) 554-0551; e-mail: [TSCA-Hotline@epa.gov](mailto:TSCA-Hotline@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?

*Electronically.* 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" 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/fedrgstr/>.

##### III. What Action is the Agency Taking?

Under contract number GS-35F-4041G, contractor LMI of 2000 Corporate Ridge Road, McLean, VA, will assist the Office of Pollution Prevention and Toxics (OPPTS) by providing compatible and integrated databases that have the quality, accessibility, availability and maintainability for the workflow applications developed to support OPPT processes.