taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also 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). Comments, 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.

David P. Boergers,

Secretary.

[FR Doc. 01–18145 Filed 7–19–01; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–7013–1]

Proposed Consent Decree, Clean Air Act Citizen Suit

AGENCY: Environmental Protection Agency.

ACTION: Notice of proposed consent decree; request for public comment.

SUMMARY: In accordance with section 113(g) of the Clean Air Act, as amended (''Act''), 42 U.S.C. 7413(g), notice is hereby given of a proposed Partial Consent Decree, which was lodged with the United States District Court for the District of Columbia by the United States Environmental Protection Agency (''EPA'') on June 29, 2001, to address a lawsuit filed by the Natural Resources Defense Council, Environmental Defense Fund, Conservation Law Foundation, Clean Air Council, Natural Resources Council of Maine, and Sierra Club (collectively referred to as ''NRDC''). This lawsuit, which was filed pursuant to section 304(a) of the Act, 42 U.S.C. 7604(a), claims EPA failed to meet a mandatory deadline under section 110(c) of the Act, 42 U.S.C. 7410(c), to promulgate federal implementation plans (''FIPs'') establishing attainment demonstrations for certain ozone nonattainment areas classified as serious or severe and located in the eastern part of the United States and to impose sanctions in those areas. *NRDC* v. *EPA,* No. 1:99CV02976 (D.D.C.).

DATES: Written comments on the proposed consent decree must be received by August 20, 2001.

ADDRESSES: Written comments should be sent to Jan M. Tierney, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460. Copies of the proposed Partial Consent Decree are available from Phyllis J. Cochran, (202) 564–5566. A copy of the proposed Partial Consent Decree was lodged with the Clerk of the United States District Court for the District of Columbia on June 29, 2001.

SUPPLEMENTARY INFORMATION: In its complaint, NRDC alleges that EPA has a mandatory duty to promulgate FIPs and impose sanctions on 13 nonattainment areas located in 14 States and the District of Columbia. On June 12, 2000, EPA and NRDC filed with the court a Partial Consent Decree that addressed 9 of the 13 areas (''June 2000 Decree''). *See also* 64 FR 71453 (Dec. 21, 1999) (notice under 113(g) of Partial Consent Decree). At that time, three of the areas that were the subject of NRDC's complaint were not subject to the 1-hour ozone standard pursuant to a determination by EPA under 40 CFR 50.9(b) that the areas had attained the 1-hour standard and that the 1-hour standard no longer applied. *See* 64 FR 30911 (June 9, 1999). These three areas are the Boston-Lawrence-Worcester nonattainment area, located in Massachusetts and New Hampshire; the Portsmouth-Dover-Rochester nonattainment area, located in New Hampshire; and the Providence nonattainment area, Rhode Island. However, at the time the June 2000 Decree was entered by the court, EPA had proposed to reinstate the applicability of the 1-hour standard, including designations, in those areas. 64 FR 57424 (Oct. 25, 1999) (preamble language) and 64 FR 60477 (Nov. 5, 1999) (regulatory text). Paragraph 5a of the June 2000 Decree provided that the parties agreed to stay the case with respect to those three areas and provided that the stay would expire if any of certain events occurred, including a final action by EPA reinstating the 1-hour standard and the associated 1-hour designations in those areas. On July 20, 2000, EPA took final action reinstating the 1-hour standard and the associated designations in all areas for which EPA had previously determined that standard did not apply. Subsequently, the parties negotiated the proposed Partial Consent Decree to address NRDC's claims for these three areas.

The three areas addressed in the proposed Partial Consent Decree are all currently designated nonattainment but, based on monitoring data from 1998–2000, have air quality meeting the 1-hour standard. The proposed Partial Consent Decree provides that EPA will promulgate a full attainment demonstration FIP for each area if a violation of the 1-hour ozone standard occurs in the future in that area. See paragraphs 2 and 3. For the Boston and Portsmouth areas, EPA's obligation to propose a FIP would ripen in September of the year following the year in which the violation occurs and EPA's obligation to finalize a FIP would ripen 9 months later—the following June. Because EPA currently does not have an attainment demonstration submission for the Providence area, the proposed Partial Consent Decree provides an additional six months for EPA to propose a FIP. Thus, EPA's obligation to propose a FIP for Providence would ripen in March of the second year following the violation and EPA's obligation to finalize a FIP would ripen 9 months later—in December of that same year.

Paragraph 4 of the proposed Partial Consent Decree sets forth the three circumstances under which EPA's obligation to propose or promulgate a FIP will be extinguished: (1) The date that EPA fully approves an attainment demonstration SIP for an area; (2) the date EPA redesignates an area from nonattainment to attainment; or (3) once EPA has approved a SIP or promulgated a FIP under the NO_X SIP Call for each upwind state for an area, the latest source compliance date in an approved SIP or promulgated FIP.

For a period of thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the proposed Partial Consent Decree from persons who were not named as parties or interveners to the litigation in question. EPA or the Department of Justice may withdraw or withhold consent to the proposed Partial Consent Decree if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless EPA or the Department of Justice determine, following the comment period, that consent is inappropriate, the final Partial Consent Decree will be entered with the court and will establish deadlines for promulgation of FIPs consistent with the conditions of the Partial Consent Decree.

Dated: July 9, 2001.

John T. Hannon,

Acting Associate General Counsel.

[FR Doc. 01–18196 Filed 7–19–01; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–6620–2]

Environmental Impact Statements and Regulations: Availability of EPA Comments

Availability of EPA comments prepared pursuant to the Environmental Review Process (ERP), under Section 309 of the Clean Air Act and Section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities AT (202) 564–7167.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated April 14, 2000 (65 FR 20157).

Draft EISs

ERP No. D–AFS–E65056–FL Rating LO, Ocklawaha River Restoration Project, Continued Occupation of Florida National Forest Lands, Portions of Kirkpatrick Dam, Rodman Reservoir and Eureka Lock and Dam in Conjunction with Partial Restoration of the Ocklawaha River, Operation and Maintenance, Permit Issuance and Implementation, Marion and Putnam Counties, FL.

Summary: EPA has not identified any potential environmental impacts requiring substantive changes to the proposal. The temporary impacts caused by the release of nutrients should not be a factor in delaying project implementation.

ERP No. D–AFS–J65343–MT Rating EC2, North Elkhorns Vegetation Project, Elkhorn Wildlife Management Unit, Implementation, Strawberry Butte Area, Helena National Forest, Jefferson County MT.

Summary: EPA expressed environmental concerns with the limited range of alternatives evaluated and asked for additional explanation and additional alternatives analysis. Of the two action alternatives presented EPA favored logging during winter on snow to reduce erosion and sediment transport. EPA requests that the final EIS provide information regarding impacts to wetlands and air quality impacts to fully assess and mitigate all potential impacts.

ERP No. D–AFS–L65382–ID Rating NS, Meadow Face Stewardship Pilot Project, Implementation, Nez Perce National Forest, Clearwater Ranger District, Idaho County, ID.

Summary: EPA Region 10 used a screening tool to conduct a limited review of this action. Based upon this screen, EPA does not foresee having any environmental objections to the proposed project. Therefore, EPA will not be conducting a detailed review.

ERP No. D–BLM–K65340–NV Rating EC2, Reno Clay Plant Project, Construct and Operate an Open-Pit Clay Mine and Ore Processing Facility, Plan-of-Operations, Oil-Dri Corporation of Nevada, Hungry Valley, Washoe County, NV.

Summary: EPA expressed concerns regarding potential impacts to air and water quality, soils, vegetation, wildlife, and cultural resources; and recommended that the FEIS include additional information regarding these impacts, mitigation measures to reduce or offset impacts, and bonding.

ERP No. D–FRC–C05147–NY Rating EC2, Upper Hudson River Hydroelectric Project, Relicensing the E.J. West Project (FERC–No. 2318–002), Stewart Bridge Project (FERC–No. 2047–004), Hudson River Project (FERC–No. 2482–014) and Feeder Dam Hydroelectric Project (FERC–No. 2554–003), Saratoga, Fulton and Hamilton Counties, NY.

Summary: EPA expressed concerns regarding potential impacts to aquatic resources and wetlands. EPA also requested additional information on alternatives and the consultation process with tribal nations.

ERP No. D–HUD–K81026–CA Rating EC2, West Hollywood Gateway Project, Constructing from Santa Monica Boulevard, Romaine Street LaBrea Avenue and Formosa Avenue, Public/Private Partnership, City of West Hollywood, Los Angeles County, CA.

Summary: EPA expressed concerns, and requested additional information regarding: impacts to traffic and air quality in the region, proposed traffic mitigation measures and environmental justice impacts.

ERP No. D–USA–E11049–KY Rating EC1, U.S. Army Armor Center and Fort Knox Northern Training Complex, Construction and Operation of a Multi-Purpose Digital Training Ranger and a Series of Maneuver Areas, Drop and Landing Zones, Fort Knox, KY.

Summary: Environmental concerns result from off- and on-post impacts attendant to the increased intensity/duration of proposed training upgrades. Army will have to work with local entities to mitigate adverse effects on encroaching residential/commercial development.

ERP No. D2–AFS–J65143–00 Rating E02, Flat Canyon Federal Coal Lease Tract (UTU–77114), Application for Leasing, Manit-La Sal National Forest, Ferron-Price Ranger District, Sanpete and Emery Counties, UT.

Summary: EPA expressed environmental objections with the proposed coal mine expansion which is expected to adversely impact current water quality problems of high salinity, phosphorus and effluent toxicity. Depending on the selected discharge location, the expansion may expand the area of water quality problems into a relatively pristine watershed. Subsidence from the underground mine may also adversely affect fen wetlands and riparian habitat.

Final EISs

ERP No. F–AFS–F61020–MN Boundary Waters Canoe Area Wilderness Fuel Treatment, Implementation, Superior National Forest, Cook, Lake and St. Louis, MN.

Summary: The USFS addressed EPA's concerns in a clearly written FEIS. EPA concurs with the USFS selection of Modified Alternative B in implementing controlled burns in the blowdown area to reduce the risk of wildfires and protect public safety.

ERP No. F–AFS–J65324–WY State of Wyoming School Section 16 T.12N., R.83W., 6th P.M., Issuing a Forest Road Special-Use-Permit for Access, Medicine Bow-Routt National Forests, Brush Creek/Hayden Ranger District, Carbon County, WY.

Summary: No formal comment letter was sent to the preparing agency.

ERP No. F–AFS–K65230–CA Fuels Reduction for Community Protection Phase 1 Project on the Six Rivers National Forest, Proposes to Reduce Fuels High Severity Burned Stands, Lower Trinity Ranger District, Humboldt and Trinity Counties, CA.

Summary: No formal comment letter was sent to the preparing agency.

ERP No. F–AFS–K65359–00 Northern Sierra Amendment to the Toiyabe Land and Resource Management, To Unify and Revise Management Direction, Humboldt-Toiyabe National Forest, Carson Ranger District, Stanislaus National Forest, Lake Tahoe Basin Management Unit, Douglas and Washoe Counties, NV and Alpine and Toulomne Counties, CA.

Summary: No formal comment letter was sent to the preparing agency.

ERP No. F–AFS–L65370–OR South Bend Weigh and Safety Station Establishment, Special Use Permit for Construction, Maintenance and Operation, Deschute National Forest Lands along US 97 near the Newberry