

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Docket No. ER01-2460-000]

**PSEG Lawrenceburg Energy Company, LLC; Notice of Issuance of Order**

August 23, 2001.

PSEG Lawrenceburg Energy Company, LLC (PSEG Lawrenceburg) submitted for filing a rate schedule under which PSEG Lawrenceburg will engage in wholesale electric power and energy transactions at market-based rates. PSEG Lawrenceburg also requested waiver of various Commission regulations. In particular, PSEG Lawrenceburg requested that the Commission grant blanket approval under 18 CFR Part 34 of all future issuances of securities and assumptions of liability by PSEG Lawrenceburg.

On August 16, 2001, pursuant to delegated authority, the Director, Division of Corporate Applications, Office of Markets, Tariffs and Rates, granted requests for blanket approval under Part 34, subject to the following:

Within thirty days of the date of the order, any person desiring to be heard or to protest the blanket approval of issuances of securities or assumptions of liability by PSEG Lawrenceburg should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214).

Absent a request to be heard in opposition within this period, PSEG Lawrenceburg authorized to issue securities and assume obligations or liabilities as a guarantor, indorser, surety, or otherwise in respect of any security of another person; provided that such issuance or assumption is for some lawful object within the corporate purposes of PSEG Lawrenceburg and compatible with the public interest, and is reasonably necessary or appropriate for such purposes.

The Commission reserves the right to require a further showing that neither public nor private interests will be adversely affected by continued approval of PSEG Lawrenceburg's issuances of securities or assumptions of liability.

Notice is hereby given that the deadline for filing motions to intervene or protests, as set forth above, is September 17, 2001.

Copies of the full text of the Order are available from the Commission's Public

Reference Branch, 888 First Street, N.E., Washington, D.C. 20426. The Order 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. 01-21757 Filed 8-28-01; 8:45 am]

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**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission****Notice of Application Accepted for Filing and Soliciting Motions To Intervene, Protests, and Comments**

August 23, 2001.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

- a. *Type of Application:* Preliminary Permit.
- b. *Project No.:* 12096-000.
- c. *Date filed:* July 30, 2001.
- d. *Applicant:* Green River 5 Associates.
- e. *Name of Project:* Green River Dam 5.
- f. *Location:* On the Green River in Butler County, Kentucky, at the U.S. Army Corps of Engineers' Green River Lock and Dam 5. All lands of the proposed project are federal lands.
- g. *Filed Pursuant to:* Federal Power Act, 16 USC 791(a)-825(r).
- h. *Applicant Contact:* David Brown Kinloch, Soft Energy Associates, 414 S. Wenzel Street, Louisville, Kentucky 40204, (502) 589-0975.
- i. *FERC Contact:* Elizabeth Jones (202) 208-0246.
- j. *Deadline for filing motions to intervene, protests, and comments:* 60 days from the issuance date of this notice.

All documents (original and eight copies) should be filed with: David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC 20426. 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.

Please include the Project Number (12096-000) on any comments, protests, or motions filed.

The Commission's Rules of Practice and Procedure require all interveners filing a document with the Commission to serve a copy of that document on each person in the official service list for the project. Further, if an intervener 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.

k. *Description of the Project:* The proposed project would place turbines in the existing lock chamber of the dam that was deactivated in 1951. The proposed project would consist of: (1) An existing 301-foot-long, 25.5-foot-high, concrete dam; (2) an existing 360-foot-long, 56-foot-wide, lock chamber; (3) proposed series of axial flow propeller turbines with a total installed capacity of 2 MW; (4) existing distribution line to be upgraded from single-phase to three-phase approximately 1 mile in length; and (5) appurtenant facilities.

The project would have an estimated annual generation of 8 GWH.

l. Copies of this filing are on file with the Commission and are available for public inspection. 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). A copy is also available for inspection and reproduction at the address in item 'h' above.

m. *Preliminary Permit*—Anyone desiring to file a competing application for preliminary permit for a proposed project must submit the competing application itself, or a notice of intent to file such an application, to the Commission on or before the specified comment date for the particular application (see 18 CFR 4.36). Submission of a timely notice of intent allows an interested person to file the competing preliminary permit application no later than 30 days after the specified comment date for the particular application. A competing preliminary permit application must conform with 18 CFR 4.30(b) and 4.36.

n. *Preliminary Permit*—Any qualified development applicant desiring to file a competing development application must submit to the Commission, on or before a specified comment date for the particular application, either a competing development application or a notice of intent to file such an

application. Submission of a timely notice of intent to file a development application allows an interested person to file the competing application no later than 120 days after the specified comment date for the particular application. A competing license application must conform with 18 CFR 4.30(b) and 4.36.

o. Notice of Intent—A notice of intent must specify the exact name, business address, and telephone number of the prospective applicant, and must include an unequivocal statement of intent to submit, if such an application may be filed, either a preliminary permit application or a development application (specify which type of application). A notice of intent must be served on the applicant(s) named in this public notice.

p. Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. The term of the proposed preliminary permit would be 36 months. The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on the results of these studies, the Applicant would decide whether to proceed with the preparation of a development application to construct and operate the project.

q. 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 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.

r. Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", "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. An additional

copy must be sent to Director, Division of Hydropower Administration and Compliance, Federal Energy Regulatory Commission, at the above-mentioned address. A copy of any notice of intent, competing application or motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

s. 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. 01-21762 Filed 8-28-01; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7045-3]

### Availability of FY 00 Grant Performance Reports for States of Alabama, Florida, Mississippi, North Carolina, and South Carolina, and Local Agencies Within Those States

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

**ACTION:** Notice of availability of grantee performance evaluation reports.

**SUMMARY:** EPA's grant regulations (40 CFR 35.150) require the Agency to evaluate the performance of agencies which receive grants. EPA's regulations for regional consistency (40 CFR 56.7) require that the Agency notify the public of the availability of the reports of such evaluations. EPA recently performed end-of-year evaluations of five state air pollution control programs [Alabama Department of Environmental Management, Florida Department of Environmental Protection, Mississippi Department of Environmental Quality, North Carolina Department of Environment and Natural Resources, and South Carolina Department of Health and Environmental Control] and 16 local programs [City of Huntsville Department of Natural Resources, AL; Jefferson County Department of Health, AL; Broward County Environmental Quality Control Board, FL; Jacksonville Air Quality Division, FL; Hillsborough County Environmental Protection Commission, FL; Dade County Environmental Resources Management,

FL; Palm Beach County Public Health Unit, FL; Pinellas County Department of Environmental Management, FL; Jefferson County Air Pollution Control District, KY; Forsyth County Environmental Affairs Department, NC; Mecklenburg County Department of Environmental Protection, NC; Western North Carolina Regional Air Pollution Control Agency, NC; Memphis-Shelby County Health Department, TN; Chattanooga-Hamilton County Air Pollution Control Bureau, TN; Knox County Department of Air Pollution Control, TN; Nashville-Davidson County Metropolitan Health Department, TN]. The 21 evaluations were conducted to assess the agencies' performance under the grants awarded by EPA under authority of section 105 of the Clean Air Act. EPA Region 4 has prepared reports for each agency identified above and these reports are now available for public inspection. The evaluations for the Commonwealth of Kentucky, and the States of Georgia and Tennessee will be available for public review at a later date.

**ADDRESSES:** The reports may be examined at the EPA's Region 4 office, 61 Forsyth Street, SW, Atlanta, Georgia 30303, in the Air, Pesticides, and Toxics Management Division.

### FOR FURTHER INFORMATION CONTACT:

Gloria Knight, (404) 562-9064, for information concerning the state agencies in Mississippi, North Carolina and Tennessee, and the local agencies in those states; or Marie Persinger (404) 562-9048, for information concerning state agencies in Alabama, Kentucky or Georgia, and the local agencies in those states; or Vera Bowers, (404) 562-9053, for information concerning the state agencies in Florida and South Carolina, and the local agencies in those states. They may be contacted at the above Region 4 address.

Dated: August 17, 2001.

**A. Stanley Meiburg,**

*Acting Regional Administrator, Region 4.*

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