

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.

q. *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", 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. 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.

r. *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.

**Magalie R. Salas,**  
*Secretary.*

[FR Doc. 02-23223 Filed 9-11-02; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Protests

September 6, 2002.

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.*: 12326-000.

c. *Date filed*: August 2, 2002.

d. *Applicant*: Universal Electric Power Corporation.

e. *Name and Location of Project*: The Mississinewa Lake Dam Hydroelectric Project would be located on the Mississinewa River in Miami County, Indiana. The project would utilize the U.S. Army Corps of Engineers' existing Mississinewa Lake Dam.

f. *Filed Pursuant to*: Federal Power Act, 16 U.S.C. 791(a)-825(r).

g. *Applicant Contact*: Mr. Raymond Helter, Universal Electric Power Corporation, 1145 Highbrook Street, Akron, OH 44301, (330) 535-7115.

h. *FERC Contact*: James Hunter, (202) 502-6086.

i. *Deadline for filing comments, protests, and motions to intervene*: 60 days from the issuance date of this notice.

*All documents (original and eight copies) should be filed with*: Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, 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. The Commission strongly encourages electronic filings. Please include the project number (P-12326-000) on any comments or motions filed.

The Commission's Rules of Practice and Procedure require all interveners filing documents 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.

j. *Description of Project*: The proposed project, using the existing the Mississinewa Lake and Dam, would consist of: (1) A 78-inch-diameter, 130-foot-long penstock connecting the existing outlet works to the turbine assembly, (2) a powerhouse containing two generating units with a combined installed capacity of 3 megawatts, (3) an 800-foot-long, 14.7-kilovolt transmission line connecting to an existing substation, and (4) appurtenant facilities. The project would have an average annual generation of 18 gigawatthours.

k. This filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the "FERRIS" link.

Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, call (202) 502-8222 or for TTY, (202) 208-1659. A copy is also available for inspection and reproduction at the address in item g. above.

l. *Competing 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.

m. *Competing Development Application*—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.

n. *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.

o. *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.

p. 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.

q. 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", 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. 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. r.

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.

**Magalie R. Salas,**  
*Secretary.*

[FR Doc. 02-23224 Filed 9-11-02; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY**

**[AMS-FRL-7375-6]**

**Control of Air Pollution From New Motor Vehicles; Low Sulfur Diesel Refinery Hardship Applications**

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

**ACTION:** Notice; request for comments.

**SUMMARY:** In January 2001, EPA promulgated new emission standards for 2007 and later model year highway diesel engines as well as low-sulfur diesel requirements that begin in 2006 (66 FR 5002, January 18, 2001). That action included a provision which allows refiners to seek temporary relief from the regulations based on a showing of unusual circumstances that impose extreme hardship and significantly affect their ability to comply by the required date, as well as other factors.

Through this document, we are informing the public that we have received applications from two refiners for hardship relief under these provisions.

The public is invited to provide input on this matter.

**DATES:** Comments should be provided by October 15, 2002.

**ADDRESSES:** Tad Wysor, U.S. EPA, National Vehicle and Fuels Emission Laboratory, Assessment and Standards Division, 2000 Traverwood, Ann Arbor MI 48105; e-mail wysor.tad@epa.gov.

**FOR FURTHER INFORMATION CONTACT:** Tad Wysor, at telephone (734) 214-4332, fax (734) 214-4816, e-mail wysor.tad@epa.gov.

**SUPPLEMENTARY INFORMATION:** In January 2001, EPA promulgated new emission standards for 2007 and later model year highway diesel engines as well as low-sulfur diesel requirements that begin in 2006 (66 FR 5002, January 18, 2001). That action included a provision which allows refiners to seek temporary relief from the regulations based on a showing of unusual circumstances that impose extreme hardship and significantly affect their ability to comply by the required date, as well as other factors. This provision also requires the refiners to make best efforts to comply with the low sulfur diesel fuel requirements (40 CFR 80.560).

Hardship applications were due to EPA by June 1, 2002. We have received applications from two refiners for hardship relief under the diesel sulfur program by that deadline, as presented in the following table.

Refinery	Refinery location(s)	Crude capacity (bpcd)*
Giant Industries, Inc .....	Yorktown, VA** .....	59,000
Farmland Industries, Inc .....	Coffeyville, KS .....	112,000

\* Based on data from the Department of Energy's Energy Information Administration Petroleum Supply Annual 2001, Vol. 1 as of January 1, 2002.

\*\* Giant also owns two refineries in New Mexico that are not the subject of its application.

We are now in the process of reviewing and evaluating these hardship applications according to the provisions of 40 CFR 80.270. Although the review and determination associated with these applications does not involve a rulemaking, we believe it is important to provide public notice of these applications and to provide opportunity for public comment. The applicants have requested that we treat most of the information in their applications as business proprietary "Confidential Business Information" under 40 CFR part 2.

Any party wishing to provide us input on these applicants in the context of 40 CFR 80.560 or to provide what they otherwise consider to be relevant materials should direct these to the contact person listed above by October 15, 2002. We will consider any relevant information provided in our evaluation of these applications.

Dated: September 3, 2002.

**Robert Brenner,**  
*Acting Assistant Administrator for Office of Air and Radiation.*

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**ENVIRONMENTAL PROTECTION AGENCY**

**[FRL-7375-7]**

**Ambient Air Monitoring Reference and Equivalent Methods: Designation of Two New Equivalent Methods for SO<sub>2</sub> and O<sub>3</sub>**

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

**ACTION:** Notice of designation of two new equivalent methods for monitoring ambient air quality.