

Further, if an intervenor 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.

Comments, motions to intervene and protests 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, <http://www.ferc.gov>, under the "e-Filing" link.

k. *Status of environmental analysis:* This application is not ready for environmental analysis at this time.

l. *Description of Project:* The existing Mottville Project consists of: (1) Two 17-foot high earth-filled embankments extending towards the center of the river from both riverbanks, including (i) a west embankment that is 140 feet long and has a crest width of 15 feet and extends to the powerhouse, and (ii) an east embankment that is 365 feet long and has a crest width of 8 feet and extends from the east riverbank to the spillway; (2) a 237-foot long, reinforced concrete spillway with 10 steel Taintor gates along the crest of the spillway, which are separated by 2.5-foot-wide piers between Bays 1 and 2, and 3 and 4 and 1.5-foot-wide piers between the remaining Bays with the Taintor gates being 22-feet-wide and 13-feet-high in Bays 1 and 2 and 22-feet-wide and 7.5-foot-high in Bays 3 through 10; (3) a combined powerhouse-intake structure, made of brick and concrete, that is 118 feet long, 28 feet wide, and 25 feet long; (4) 4 vertical shaft, single runner, propeller type generating units with an installed generating capacity of 420 kW each; (5) a 14.5-foot-long, 28-foot-wide, and 25-foot-long switchboard bay attached to the west end of the powerhouse; (6) a 50 horsepower, 460-volt, 3-phase air bubbler system; (7) a 15-ton overhead traveling crane; (8) a 20-foot-wide stilling basin extending across the length of the spillway; (9) a 12-inch-thick, reinforced concrete spillway apron; (10) an inoperable 4-foot-wide by 150-foot-long concrete fishway with a slope of about 25 percent; (11) sets of angled steel intake trashracks that are 3-feet 2-inches wide by 14-feet-high with 3/8-inch steel bars with 4-inch spacing between the bars; (12) a five-mile-long, 378-acre reservoir with a gross storage capacity of 2,900-acre-feet at the normal operating pool surface elevation of 770.4 NGVD; (13) a three phase, 2.4/34.5 kV transformer; and (14) other appurtenant facilities. The applicant estimates that the total average annual generation would be 7,800 MWh. All generated power is sold

to Indiana Michigan Power Company's customers.

m. *Location 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, Washington, DC 20426, or by calling (202) 208-1371. 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.

n. *Procedural schedule:* The application will be processed according to the following milestones, some of which may be combined to expedite processing:

Notice of NEPA scoping—March 2002

Notice that the application is ready for environmental analysis—April 2002

Notice of availability of the NEPA document—August 2002

Order issuing the Commission's decision on the application December 2002

o. *Protests or Motions to Intervene—* Anyone may submit a protest or motion to intervene in accordance with the requirements of Rules and 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.

All filings must (1) bear in all capital letters the title "PROTEST" or "MOTION TO INTERVENE;" (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application.

Magalie R. Salas,
Secretary.

[FR Doc. 02-7038 Filed 3-22-02; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Sunshine Act Meeting

March 20, 2002.

The following notice of meeting is published pursuant to section 3(A) of the Government in the Sunshine Act (Pub. L. No. 94-409), 5 U.S.C 552B:

AGENCY HOLDING MEETING: Federal Energy Regulatory Commission.

DATE AND TIME: March 27, 2002, 10:00 a.m.

PLACE: Room 2C, 888 First Street, NE, Washington, DC 20426.

STATUS: Open.

MATTERS TO BE CONSIDERED: Agenda.

Note: Items listed on the agenda may be deleted without further notice.

CONTACT PERSON FOR MORE INFORMATION:

Magalie R. Salas, Secretary, Telephone (202) 208-0400; For a recording listing items stricken from or added to the meeting, call (202) 208-1627.

This is a list of matters to be considered by the Commission. It does not include a listing of all papers relevant to the items on the agenda; however, all public documents may be examined in the reference and information center.

788th—Meeting, March 27, 2002; Regular Meeting, 10:00 a.m.

Administrative Agenda

A-1.

Docket# AD02-1, 000, Agency Administrative Matters

A-2.

Docket# AD02-7, 000, Customer Matters, Reliability, Security and Market Operations

Markets, Tariffs and Rates—Electric

E-1.

Omitted

E-2.

Docket# ER02-913, 000, American Electric Power Company

E-3.

Docket# ER02-854, 000, Florida Power & Light Company

E-4.

Docket# ER02-851, 000, Southern Company Services, Inc.

Other#s EL02-67, 000, Southern Company Services, Inc.

E-5.

Docket# ER02-922, 000, California Independent System Operator Corporation

Other#s EL02-51, 000, California Electricity Oversight Board v. Williams Energy Services Corporation, AES Huntington Beach LLC, AES Alamitos LLC, AES Redondo Beach LLC, Mirant Americas Energy Marketing L.P., Mirant Delta LLC, Reliant Energy Services, Inc.,

- Reliant Energy Coolwater LLC, Reliant Energy Etiwanda LLC, Reliant Energy Mandalay LLC, Reliant Energy Ormand Beach LLC, Dynegy Power Marketing, Inc., Encina Power LLC, Calpine Corporation, Geysers Power Company, LLC, Southern California Edison Company, All other Public and Non-Public Utilities who own or control generation in California and who sell through the Markets or use the transmission lines operated by the California Independent System Operator Corporation and all scheduling Coordinators acting on behalf of the above Entities
- E-6. Docket# ER02-935, 000, Florida Power & Light Company
- E-7. Docket# ER02-924, 000, Michigan Electric Transmission Company
- E-8. Docket# ER02-945, 000, Louisville Gas and Electric Company and Kentucky Utilities Company
- E-9. Omitted
- E-10. Omitted
- E-11. Omitted
- E-12. Docket# EL99-14, 003, Southwestern Electric Cooperative, Inc. v. Soyland Power Cooperative, Inc.
Other#s EL99-14, 004, Southwestern Electric Cooperative, Inc. v. Soyland Power Cooperative, Inc.
- E-13. Docket# ER01-3000, 003, International Transmission Company
Other#s RT01-101, 003, International Transmission Company
EC01-146, 003, DTE Energy Company
- E-14. Omitted
- E-15. Docket# EC02-23, 001, Trans-Elect, Inc., Michigan Transco Holdings, LP, Consumers Energy Company and Michigan Electric Transmission Company
Other#s ER02-320, 001, Trans-Elect, Inc., Michigan Transco Holdings, LP, Consumers Energy Company and Michigan Electric Transmission Company
ER02-320, 002, Trans-Elect, Inc., Michigan Transco Holdings, LP, Consumers Energy Company and Michigan Electric Transmission Company
- E-16. Omitted
- E-17. Docket# ER02-139, 002, Florida Power & Light Company
Other#s ER02-139, 001, Florida Power & Light Company
- E-18. Omitted
- E-19. Docket# ER02-485, 001, Midwest Independent Transmission System Operator, Inc.
- E-20. Docket# EC02-5, 001, Vermont Yankee Nuclear Power Corporation and Entergy Nuclear Vermont Yankee, LLC
- Other#s EL02-53, 001, Vermont Yankee Nuclear Power Corporation
- ER02-211, 001, Vermont Yankee Nuclear Power Corporation and Entergy Nuclear Vermont Yankee, LLC
- E-21. Docket# TX00-1, 001, United States Department of Energy—Western Area Power Administration, Colorado River Storage Project Management Center
Other#s ER00-896, 001, Public Service Company of New Mexico
- E-22. Docket# ER01-770, 003, Arizona Public Service Company
Other#s ER01-917, 003, Arizona Public Service Company
- E-23. Docket# ER01-889, 010, California Independent System Operator Corporation
Other#s EL00-95, 036, San Diego Gas & Electric Company v. Sellers of Energy and Ancillary Services Into Markets Operated by the California Independent System Operator and the California Power Exchange
ER01-889, 003, California Independent System Operator Corporation
ER01-889, 005, California Independent System Operator Corporation
ER01-889, 006, California Independent System Operator Corporation
ER01-3013, 001, California Independent System Operator Corporation
ER01-3013, 002, California Independent System Operator Corporation
ER01-889, 009, California Independent System Operator Corporation
- E-24. Docket# ER01-3141, 001, American Electric Power Service Corporation
Other#s ER01-3141, 002, American Electric Power Service Corporation
ER01-3141 003 American Electric Power Service Corporation
- E-25. Docket# ER02-84, 001, Nevada Power Company
- E-26. Docket# ER02-42, 001, GWF Energy LLC
Other#s ER00-2998, 003, Southern Company Services, Inc.
ER00-2999, 003, Southern Company Services, Inc.
ER00-3000, 003, Southern Company Services, Inc.
ER00-3001, 003, Southern Company Services, Inc.
- E-27. Docket# EL00-95, 057, San Diego Gas & Electric Company v. Sellers of Energy and Ancillary Service Into Markets Operated by the California Independent System Operator Corporation and the California Power Exchange
- E-28. Docket# EL01-93, 004, Mirant Americas Energy Marketing, L.P., Mirant New England, LLC, Mirant Kendall, LLC and Mirant, LLC v. ISO New England, Inc.
Other#s ER00-2998, 004, Southern Company Services, Inc.
ER00-2999, 004, Southern Company Services, Inc.
ER00-3000, 004, Southern Company Services, Inc.
- ER00-3001, 004, Southern Company Services, Inc.
- E-29. Docket# ER01-702, 002, American Transmission Company, LLC
Other#s OA01-8, 001, Wisconsin Electric Power Company
- E-30. Docket# EL01-117, 000, Montana Power Company
- E-31. Docket# EL02-54, 000, San Diego Gas & Electric Company
- E-32. Docket# EL02-46, 000, Generator Coalition v. Entergy Services, Inc.
Other#s ER01-2201, 000, Generator Coalition v. Entergy Services, Inc.
- E-33. Docket# EL02-26, 000, Nevada Power Company and Sierra Pacific Power Company v. Duke Energy Trading and Marketing, L.L.C., Enron Power Marketing, Inc., El Paso Merchant Energy and American Electric Power Services Corporation
Other#s EL02-28, 000, Nevada Power Company and Sierra Pacific Power Company v. Duke Energy Trading and Marketing, L.L.C., Enron Power Marketing, Inc., El Paso Merchant Energy and American Electric Power Services Corporation
EL02-29, 000, Nevada Power Company v. Morgan Stanley Capital Group, Calpine Energy Services, Reliant Energy Services, Mirant Americas Energy Marketing, BP Energy Company and Allegheny Energy Supply Company, L.L.C.
EL02-30, 000, Nevada Power Company v. Morgan Stanley Capital Group, Calpine Energy Services, Reliant Energy Services, Mirant Americas Energy Marketing, BP Energy Company and Allegheny Energy Supply Company, L.L.C.
EL02-31, 000, Nevada Power Company v. Morgan Stanley Capital Group, Calpine Energy Services, Reliant Energy Services, Mirant Americas Energy Marketing, BP Energy Company and Allegheny Energy Supply Company, L.L.C.
EL02-32, 000, Nevada Power Company v. Morgan Stanley Capital Group, Calpine Energy Services, Reliant Energy Services, Mirant Americas Energy Marketing, BP Energy Company and Allegheny Energy Supply Company, L.L.C.
EL02-33, 000, Nevada Power Company and Sierra Pacific Power Company v. Duke Energy Trading and Marketing, L.L.C., Enron Power Marketing, Inc., El Paso Merchant Energy and American Electric Power Services Corporation
EL02-34, 000, Nevada Power Company v. Morgan Stanley Capital Group, Calpine Energy Services, Reliant Energy Services, Mirant Americas Energy Marketing, BP Energy Company and Allegheny Energy Supply Company, L.L.C.
EL02-38, 000, Nevada Power Company and Sierra Pacific Power Company v. Duke Energy Trading and Marketing, L.L.C., Enron Power Marketing, Inc., El Paso Merchant Energy and American Electric Power Services Corporation
EL02-39, 000, Nevada Power Company v. Morgan Stanley Capital Group, Calpine

- Energy Services, Reliant Energy Services, Mirant Americas Energy Marketing, BP Energy Company and Allegheny Energy Supply Company, L.L.C.
EL02-43, 000, Southern California Water Company v. Mirant Americas Energy Marketing, LP
EL02-56, 000, Public Utility District No. 1 of Snohomish County, Washington v. Morgan Stanley Capital Group, Inc.
- E-34. Docket# EL02-63, 000, Constellation Power Source, Inc.
- E-35. Docket# EL02-44, 000, Indeck Maine Energy, LLC v. ISO New England, Inc.
- E-36. Omitted
- E-37. Docket# ER02-711, 000, American Electric Power Service Corporation
- E-38. Docket# OA96-77, 000, Consumers Energy Company
Other#s ER97-1502, 000, Consumers Energy Company
ER98-1247, 000, Consumers Energy Company
- E-39. Docket# EL00-43, 000, UtiliCorp United, Inc. v. City of Harrisonville, Missouri
Other#s EL00-68, 000, Missouri Joint Municipal Electric Utility Commission
- E-40. Docket# EL99-65, 003, Sithe/Independence Power Partners, L.P. v. Niagara Mohawk Power Corporation
Other#s EL95-38, 003, Sithe/Independence Power Partners, L.P. v. Niagara Mohawk Power Corporation
- E-41. Omitted
- E-42. Docket# TX97-5, 000, Tennessee Power Company
- E-43. Docket# ER99-230, 001, Alliant Services Company
- E-44. Docket# EL01-78, 001, LG&E Energy Marketing, Inc. v. Southern Company Services, Inc. and Georgia Transmission Corporation
- E-45. Docket# EL01-87, 000, South Eastern Energy Corporation and Morgan Stanley Capital Group Inc. v. City of Dalton, Georgia, Georgia Transmission Corporation, Georgia Power Company and the Municipal Electric Authority of Georgia
- E-46. Docket# EL00-95, 045, San Diego Gas & Electric Company v. Sellers of Energy and Ancillary Services Into the Markets Operated by the California Independent System Operator Corporation and the California Power Exchange
Other#s EL00-98, 042, Investigation of Practices of the California Independent System Operator and the California Power Exchange
- Miscellaneous Agenda**
- M-1. Reserved
- Markets, Tariffs, and Rates—Gas**
- G-1. Omitted
- G-2. Docket# RP02-164, 000, PG&E Gas Transmission, Northwest Corporation
- G-3. Omitted
- G-4. Docket# RP02-166, 000, Florida Gas Transmission Company
Other#s RP02-167, 000, Florida Gas Transmission Company
- G-5. Docket# RP02-185, 000, Florida Gas Transmission Company
- G-6. Docket# RP96-320, 050, Gulf South Pipeline Company, LP
- G-7. Docket# RP96-320 051 Gulf South Pipeline Company, LP
- G-8. Docket# RP02-190 000 Northern Border Pipeline Company
- G-9. Docket# GT02-11, 000, Northwest Pipeline Corporation
- G-10. Omitted
- G-11. Docket# RP02-179, 000, Williams Gas Pipelines Central, Inc.
- G-12. Docket# RP02-186, 000, Vector Pipeline L.P.
- G-13. Omitted
- G-14. Docket# RP02-174, 000, Columbia Gas Transmission Corporation
- G-15. Docket# RP02-170, 000, Columbia Gas Transmission Corporation
- G-16. Omitted
- G-17. Docket# RP02-163, 000, Florida Gas Transmission Company
- G-18. Omitted
- G-19. Docket# RP02-171, 000, Transcontinental Gas Pipe Line Corporation
- G-20. Docket# RP02-181, 000, Colorado Interstate Gas Company
- G-21. Omitted
- G-22. Omitted
- G-23. Omitted
- G-24. Docket# RP00-477, 000, Tennessee Gas Pipeline Company
Other#s RP98-99, 000, Tennessee Gas Pipeline Company
RP00-477, 001, Tennessee Gas Pipeline Company
RP01-18, 000, Tennessee Gas Pipeline Company
RP01-18, 001, Tennessee Gas Pipeline Company
- G-25. Docket# RP00-478, 000, Honeoye Storage Corporation
- Other#s RP00-574, 000, Honeoye Storage Corporation
- G-26. Omitted
- G-27. Docket# RP00-414, 000, PG&E Gas Transmission, Northwest Corporation
Other#s RP01-15, 001, PG&E Gas Transmission, Northwest Corporation
RP01-15, 000, PG&E Gas Transmission, Northwest Corporation
- G-28. Docket# RP00-413, 000, Pine Needle LNG Company, LLC
Other#s RP00-554, 000, Pine Needle LNG Company, LLC
- G-29. Docket# RP00-483, 000, Sabine Pipe Line LLC
Other#s RP00-603, 000, Sabine Pipe Line LLC
- G-30. Docket# RP00-464, 000, Stingray Pipeline Company
Other#s RP00-620, 000, Stingray Pipeline Company
RP00-620, 001, Stingray Pipeline Company
- G-31. Docket# RP02-188, 000, Petal Gas Storage, L.L.C.
Other#s RP00-491, 001, Petal Gas Storage, L.L.C.
CP01-69, 003, Petal Gas Storage, L.L.C.
RP00-491, 000, Petal Gas Storage, L.L.C.
- G-32. Docket# PR02-3, 000, Bay Gas Storage Company, Ltd.
- G-33. Docket# RP01-236, 003, Transcontinental Gas Pipe Line Corporation
Other#s RP00-481, 003, Transcontinental Gas Pipe Line Corporation
RP00-553, 006, Transcontinental Gas Pipe Line Corporation
- G-34. Docket# RP95-197, 041, Transcontinental Gas Pipe Line Corporation
Other#s RP97-71, 029, Transcontinental Gas Pipe Line Corporation
- G-35. Omitted
- G-36. Docket# RP01-262, 003, Columbia Gas Transmission Corporation
- G-37. Docket# RP99-518, 026, PG&E Gas Transmission, Northwest Corporation
- G-38. Docket# RP02-143, 000, Kansas Gas Service v. Enbridge Pipelines KPC
- G-39. Docket# RP00-426, 007, Texas Gas Transmission Corporation
- G-40. Docket# RP02-176, 000, Panhandle Eastern Pipe Line Company
- G-41. Docket# RP00-482, 000, Reliant Energy Gas Transmission Company
Other#s RP00-482, 001, Reliant Energy Gas Transmission Company
RP01-12, 000, Reliant Energy Gas Transmission Company
RP01-317, 000, Reliant Energy Gas Transmission Company
- G-42.

Docket# RP02-165, 000, Horizon Pipeline Company, L.L.C.

Energy Projects—Hydro

H-1.

Docket# P-12020, 001, Marseilles Hydro Power, LLC

Other#s P-12150, 000, Marseilles Land and Water Power Company

H-2.

Omitted

H-3.

Docket# P-2622, 009, International Paper Company and Turner Falls Hydro LLC
Other#s P-2622, 010, International Paper Company and Turner Falls Hydro LLC

H-4.

Docket# P-2596, 004, Rochester Gas and Electric Corporation

Other#s P-2596, 002, Rochester Gas and Electric Corporation

H-5.

Docket# P-12055, 000, Dakota Pumped Storage, LLC

Other#s P-12134, 000, South Dakota Conservancy District

Energy Projects—Certificates

C-1.

Docket# CP00-6, 003, Gulfstream Natural Gas System, L.L.C.

C-2.

Docket# CP01-415, 000, East Tennessee Natural Gas Company

C-3.

Docket# CP01-427, 000, Dominion Transmission, Inc.

C-4.

Docket# CP01-438, 000, Northwest Pipeline Corporation

C-5.

Docket# CP02-4, 000, Northwest Pipeline Corporation

C-6.

Docket# CP96-152, 029, Kansas Pipeline Company

C-7.

Docket# CP01-22, 003, North Baja Pipeline LLC

Other#s CP01-23, 002, North Baja Pipeline LLC

CP01-24, 003, North Baja Pipeline LLC

CP01-25, 003, North Baja Pipeline LLC

Magalie R. Salas,

Secretary.

[FR Doc. 02-7197 Filed 3-21-02; 11:31 am]

BILLING CODE 6717-01-P

ENVIRONMENTAL PROTECTION AGENCY

[MO 153-1153; FRL-7161-8]

Notice of Deficiency for Clean Air Act Operating Permit Program in Missouri

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of deficiency and notice of availability.

SUMMARY: Pursuant to its authority under section 502(i) of the Clean Air Act

(Act) and the regulations on Federal oversight and sanctions, EPA is publishing this Notice of Deficiency (NOD) for Missouri's Clean Air Act title V operating permits program. The NOD is based upon EPA's finding that several state requirements do not meet the minimum Federal requirements.

Publication of this notice is a prerequisite for withdrawal of Missouri's title V program approval, but EPA is not withdrawing the program through this action. This notice also provides information regarding the availability of additional related information.

EFFECTIVE DATE: March 25, 2002.

Because this Notice of Deficiency is an adjudication and not a final rule, the Administrative Procedure Act's 30-day deferral of the effective date of a rule does not apply.

FOR FURTHER INFORMATION CONTACT: Harriett Jones, EPA, Region 7, Air, RCRA, and Toxics Division, Air Permitting and Compliance Branch (ARTD/APCO), 901 North 5th Street, Kansas City, KS 66101, (913) 551-7703, or by e-mail at jones.harriett@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

On May 22, 2000, EPA promulgated a rulemaking that extended the interim approval period of 86 operating permits programs until December 1, 2001 (65 FR 32035). The Sierra Club and the New York Public Interest Research Group challenged the action. In settling the litigation, EPA agreed to publish a notice in the **Federal Register**, so that the public would have the opportunity to identify and bring to EPA's attention alleged deficiencies in title V programs. EPA published that notice on December 11, 2000 (65 FR 77376).

As stated in the **Federal Register** notice, EPA agreed to respond by December 1, 2001, to timely public comments on programs that have obtained interim approval; and EPA agreed to respond by April 1, 2002, to timely comments on fully approved programs. EPA is publishing a NOD because the Agency has determined that deficiencies exist and is notifying all commenters in writing to explain the reasons for not making a finding of deficiency on other issues. EPA received two timely comment letters pertaining to Missouri's title V program, one from the Sierra Club and the other from the National Environmental Development Association/Clean Air Regulatory Project (NEDA/CARP). In reviewing the commenters' concerns, EPA agreed that some of the comments identify deficiencies in Missouri's program. EPA

is addressing those deficiencies in this notice. In addition, the commenters raised other issues that EPA has determined are not deficiencies. EPA is responding to the commenters in writing, explaining the basis for EPA's decision.

Under EPA's permitting regulations, citizens may, at any time, petition EPA regarding alleged deficiencies in state title V operating permit programs. In addition, EPA may on its own identify deficiencies. If, in the future, EPA agrees with a new citizen petition or otherwise identifies deficiencies, EPA may issue a new NOD.

II. Description of Action

1. Modifications to Acid Rain Portion of Operating Permit

EPA's regulations at 40 CFR 70.7(e), which pertain to minor and significant modifications of operating permits, specify that permit modifications for purposes of the acid rain portion of the permit shall be governed by regulations promulgated under title IV of the Act. Although Missouri's regulations do include this requirement at 10 CSR 10-6.065(6)(E)4.B. for administrative amendments, the requirement is not included in the minor and significant permit modification procedures at 10 CSR 10-6.065(6)(E)5. Because of the omission of this requirement, the state's program does not comply with the requirements of the Act and 40 CFR part 70. The state has initiated procedures to add this requirement to its regulations.

2. Minor Permit Modifications

EPA's regulations at 40 CFR 70.7(e)(2)(ii)(C) require that an application for a minor permit modification must include certification by a responsible official that the requested modification meets the criteria for use of the minor permit modification procedures and a request that such procedures be used. The state's regulations governing minor permit modifications at 10 CSR 10-6.065(6)(E)5.B. fail to include this requirement. Because of the omission of this requirement, the state's program does not comply with the requirements of the Act and 40 CFR part 70. The state has initiated procedures to add this requirement to its regulations.

3. Contemporaneous Written Notice of Off-Permit Changes

EPA's regulations at 40 CFR 70.4(b)(14)(ii) mandate that if an approved program allows certain "off-permit" changes (*i.e.*, changes that are not addressed or prohibited by the permit) to be made without a permit