

in which LEP students are placed for the purpose of developing and attaining English proficiency, while meeting challenging State academic content and student academic achievement standards. A language instruction educational program may make use of both English and a child's native language to enable the child to develop and attain English proficiency. Programs may include the participation of English proficient children in addition to LEP students if such a program enables participating students to become proficient in English and a second language.

**Q:** *What is the definition of "Native American" and "Native American Language"?*

**A:** The terms "Native American" and "Native American Language" are defined, under Section 3301(9) of ESEA to have the same meaning as those terms have under Section 103 of the Native American Languages Act. Under that Act, these terms are defined as follows. "Native American" means an Indian, Native Hawaiian, or Native American Pacific Islander. "Native American language" means the historical, traditional language spoken by Native Americans.

**Q:** *What does the term "Indian tribe" mean?*

**A:** "Indian tribe" means any Indian tribe, band, nation, or other organized group or community, including any Native village or Regional Corporation or Village Corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act, that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians. (ESEA Section 3301 (7)).

**Q:** *What is a "Native Hawaiian or Native American Pacific Islander Educational Organization"?*

**A:** "Native Hawaiian or Native American Pacific Islander native language educational organization" means a nonprofit organization with—

(A) a majority of its governing board and employees consisting of fluent speakers of the traditional Native American languages used in the organization's educational programs; and

(B) not less than 5 years successful experience in providing educational services in traditional Native American languages. (ESEA Section 3301 (10)).

**Q:** *What is a tribally sanctioned education authority?*

**A:** The term "tribally sanctioned educational authority" means—

(A) any department or division of education operating within the administrative structure of the duly

constituted governing body of an Indian tribe; and

(B) Any nonprofit institution or organization that is—(i) chartered by the governing body of an Indian tribe to operate a school described in section 3112(a) or otherwise to oversee the delivery of educational services to members of the tribe; and (ii) approved by the Secretary for the purpose of carrying out programs under subpart 1 of part A for individuals served by a school described in section 3112(a). (ESEA Section 3301 (15)).

[FR Doc. 02-32841 Filed 12-27-02; 8:45 am]

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## DEPARTMENT OF ENERGY

[Docket No. EA-274]

### Application To Export Electric Energy; Wisconsin Public Service Corporation

**AGENCY:** Office of Fossil Energy, DOE.

**ACTION:** Notice of application.

**SUMMARY:** Wisconsin Public Service Corporation (WPSC) has applied for authority to transmit electric energy from the United States to Canada pursuant to section 202(e) of the Federal Power Act.

**DATES:** Comments, protests or requests to intervene must be submitted on or before January 29, 2003.

**ADDRESSES:** Comments, protests or requests to intervene should be addressed as follows: Office of Coal & Power Im/Ex (FE-27), Office of Fossil Energy, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585-0350 (FAX 202-287-5736).

**FOR FURTHER INFORMATION CONTACT:** Xavier Puslowski (Program Office) 202-586-4708 or Michael Skinker (Program Attorney) 202-586-2793.

**SUPPLEMENTARY INFORMATION:** Exports of electricity from the United States to a foreign country are regulated and require authorization under section 202(e) of the Federal Power Act (FPA) (16U.S.C. 824a(e)).

On November 28, 2002, the Office of Fossil Energy (FE) of the Department of Energy (DOE) received an application from WPSC to transmit electric energy from the United States to Canada. WPSC is an investor-owned electric utility having its principal place of business in Green Bay, Wisconsin. WPSC is a wholly-owned subsidiary of WPS Resources and is engaged in the generation, distribution and sale of electric energy.

The electric energy to be sold by WPSC will be excess to its native load or purchased from generators, power

marketers or Federal power marketing agencies. WPSC proposes to arrange for the delivery of electric energy to Canada over the existing international transmission facilities presently owned by Basin Electric Power Cooperative, Bonneville Power Administration, Citizens Utilities Co., International Transmission Company, Eastern Maine Electric Cooperative, Joint Owners of the Highgate Project, Long Sault, Inc., Maine Electric Power Company, Maine Public Service Company, Minnesota Power and Light Inc., Minnkota Power Cooperative, New York Power Authority, Niagara Mohawk Power Corporation, Northern States Power, and Vermont Electric Transmission Company. The construction, operation, maintenance, and connection of each of the international transmission facilities to be utilized by WPSC, as more fully described in the application, has previously been authorized by a Presidential permit issued pursuant to Executive Order 10485, as amended.

*Procedural Matters:* Any person desiring to become a party to this proceeding or to be heard by filing comments or protests to this application should file a petition to intervene, comment or protest at the address provided above in accordance with §§ 385.211 or 385.214 of the FERC's Rules of Practice and Procedures (18 CFR 385.211, 385.214). Fifteen copies of each petition and protest should be filed with the DOE on or before the date listed above.

Comments on the WPSC application to export electric energy to Canada should be clearly marked with Docket EA-274. Additional copies are to be filed directly with William L. Bourbonnais, Manager, Rates and Economic Evaluation, Wisconsin Public Service Corporation, 700 North Adams Street, PO Box 19001, Green Bay, WI 54307-9001 And David Martin Connelly, Esquire, Bruder, Gentile & Marcoux, L.L.P., 1100 New York Avenue, NW., Suite 510 East, Washington, DC 20005-3934.

A final decision will be made on this application after the environmental impacts have been evaluated pursuant to the National Environmental Policy Act of 1969, and a determination is made by the DOE that the proposed action will not adversely impact on the reliability of the U.S. electric power supply system.

Copies of this application will be made available, upon request, for public inspection and copying at the address provided above or by accessing the Fossil Energy Home Page at <http://www.fe.doe.gov>. Upon reaching the

Fossil Energy Home page, select "Regulatory" Programs," then "Electricity Regulation," and then "Pending Proceedings" from the options menus.

Issued in Washington, DC, on December 24, 2002.

**Anthony J. Como,**

*Deputy Director, Electric Power Regulation, Office of Coal & Power In/Ex, Office of Coal & Power Systems, Office of Fossil Energy.*

[FR Doc. 02-32911 Filed 12-27-02; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Notice of Intent To Prepare an Environmental Impact Statement and To Conduct Public Scoping Meetings, and Notice of Floodplain and Wetlands Involvement for Remediation of the Moab Uranium Mill Tailings Site in Grand County, UT

**AGENCY:** U.S. Department of Energy.

**ACTION:** Notice of Intent to prepare an Environmental Impact Statement and to conduct public scoping meetings; correction.

**SUMMARY:** The Department of Energy published a document in the **Federal Register** of December 20, 2002, announcing its intent to prepare an Environmental Impact Statement to assess the potential environmental impacts of actions that would remediate contaminated soils, tailings, and ground water at the Moab Uranium Mill, Tailings Site, Grand County, Utah, and contaminated soils in adjacent public and private properties near the Moab Project Site. The document contained an incorrect e-mail address.

**FOR FURTHER INFORMATION CONTACT:** Mr. Joel Berwick, Moab Project Manager, U.S. Department of Energy, Grand Junction Office, (970) 248-6020.

#### Correction

In the **Federal Register** of December 20, 2002, in FR Doc. 02-32126, on page 77969, please make the following correction:

On page 77969, under the heading **ADDRESSES**, the second paragraph should read: In addition to providing comments at the public scoping meetings, interested parties are invited to record their comments, ask questions concerning the EIS, or request to be placed on the EIS mailing list or document distribution list by leaving a message on the toll-free EIS Hotline 1-800-637-4575, or e-mail at [moabcomments@gjo.doe.gov](mailto:moabcomments@gjo.doe.gov) The hotline will have instructions on how to record comments and requests.

Issued in Washington, DC, this 20th day of December, 2002.

**Beverly A Cook,**

*Assistant Secretary, Environment, Safety and Health.*

[FR Doc. 02-32910 Filed 12-27-02; 8:45 am]

**BILLING CODE 6450-01-M**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP03-29-000]

#### Columbia Gas Transmission Corporation; Notice of Application

December 23, 2002.

Take notice that on December 17, 2002, Columbia Gas Transmission Corporation (Columbia), 12801 Fair Lakes Parkway, Fairfax, Virginia 22030-0146, filed an application pursuant to sections 7(b) and 7(c) of the Natural Gas Act (NGA) and part 157 of the Commission's regulations, for a certificate of public convenience and necessity for a limited blanket certificate to perform certain specific activities at its Victory storage field in Marshall and Wetzel Counties, West Virginia, all as more fully set forth in the application on file with the Commission and open to public inspection. This filing is available for review at the Commission 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, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at (866)208-3676, or for TTY, contact (202)502-8659.

Columbia states that on September 18, 2002, Consolidated Coal Company and McElroy Coal Company (collectively referred to as McElroy) and Columbia executed a settlement agreement relating to the continued operation of the victory storage field in tandem with coal mining operations. It is stated that the settlement agreement is structured to allow McElroy continuous access for its coal mining operation while ensuring a preservation of current storage field deliverability, in a cost effective manner, for Columbia and its customers. In addition, it is stated that as a result of the sequential drill-and-plug approach adopted by the parties for maintaining deliverability, mining activities through Victory should progress more safely.

Columbia states that once mining within the Victory storage field commences, it will frequently be

required to act within time frames that do not permit seeking advance Commission authorization each time an active injection/withdrawal well must be plugged to accommodate mining, or a replacement injection/withdrawal well must be drilled to preserve existing deliverability. In order to avoid the need for repeatedly seeking expedited decisions on matters requiring NGA section 7 authority, Columbia requests a limited blanket certificate for authorization to drill replacement injection/withdrawal wells, and abandon existing injection/withdrawal wells, and a flexible time frame for meeting the normal environmental reporting requirements associated with such activities.

Columbia maintains that the settlement agreement with McElroy insulates Columbia and its customers from the costs associated with abandoning existing injection/withdrawal or observation wells and drilling replacement injection/withdrawal or observation wells. Columbia avers that its customers will incur no significant costs in conjunction with replacing existing wells and ancillary equipment with replacement wells and equipment while preserving existing capacity and deliverability from the Victory storage field. Columbia states that it would seek rolled-in rate treatment for the minor non-reimbursed costs which will be incurred with respect to well abandonment and replacement activities in Victory. Columbia states that McElroy would pay for up to 750 feet of well line to connect each replacement well and Columbia would pay for any footage of well line over 750 feet. Columbia further states that for pipelines impacted by mining, Columbia would receive a reimbursement of 50 percent of the costs associated with mitigating impact on pipelines in Victory which are 12-inch or greater in diameter when such pipelines are schedule to be, or are, mined under during the months of December, January, February or March of any year while the settlement agreement is in effect. Under such a scenario, Columbia states that it would seek to roll-in to its rates the portion of pipeline costs not reimbursed by McElroy.

Any questions regarding this application should be directed to counsel for Columbia, Fredric J. George, Columbia Gas Transmission Corporation, P.O. Box 1273, Charleston, West Virginia 25325-1273, at (304) 357-2359, fax (304) 357-3206.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to