

reservoir. Both agencies agreed that due to a lack of both funding resources and human resources for an agency produced environmental document and an immediate need by TransTexas to gain access to private and public reserves within the reservoir, a third party environmental analysis would be acceptable for determination of the significance of the impacts of the federal action of the USIBWC granting exceptions to its policy of prohibiting any mineral exploration or development within its property at Falcon Reservoir.

The Final PEA prepared by contract by TransTexas describes the historical and existing development of oil and natural gas in the general vicinity (but above the 307-foot traverse property line) of the reservoir area and the planned oil and natural gas activities within or adjacent to potential drill sites on the United States side of the international reservoir in the reasonably foreseeable future. It analyzes the general impacts expected from such development in the foreseeable future and the cumulative environmental impacts of oil and natural gas development within Falcon Reservoir. The Final PEA discusses mitigation measures to minimize degradation of environmental resources within and adjacent to the reservoir. The PEA is envisioned to serve as a baseline environmental document from which other drilling proponents and permit applicants will be able to tier site specific environmental assessments for similar activities within the reservoir area. The USIBWC reviewed and approved the completed Final PEA for proposed oil and gas development within the reservoir, and it is currently available.

Finding of the Programmatic Environmental Assessment

The Final PEA finds that the proposed action for the USIBWC to grant exceptions to its policy of prohibiting oil and natural gas development upon USIBWC real property below the 307-foot traverse property line at Falcon Reservoir but above the 307-foot mean sea level elevation does not constitute a major federal action which would cause a significant local, regional, or national adverse impact on the environment. The USIBWC has determined that an environmental impact statement is not required and hereby provides notice of FONSI based on the following facts:

1. Construction, drilling and production activities at potential well pad sites will have no significant adverse impacts on air quality. Standard construction practices to control fugitive dust would be utilized.

2. The slight impacts from construction, drilling and production activities associated with noise at potential well pad sites are fully mitigable through vegetative buffer zones, equipment noise suppressors, and avoidance of critical wildlife use periods.

3. Negligible impacts to geologic and water resources are mitigable through the use of erosion and sediment control measures and devices, secondary containment measures, best management practices during all phases of site development, and use of site specific spill prevention control and countermeasure plans.

4. Biological resources will be protected from impacts by total avoidance of clearing within heavy brush corridors, animal exclusion fences around drill pad locations, site specific surveys for threatened and endangered plant and animals, and monitoring plans coordinated by the appropriate federal and state conservation agencies.

5. Impacts to cultural resources can be mitigated through avoidance of sites determined to be eligible for the National Register of Historic Places and if avoidance is not viable, implementation of a Memorandum of Agreement for mitigating impacts will be necessary prior to BLM approval of applications for permits to drill, USIBWC issuance of land use permits, and any development at potential drill sites.

6. Negligible impacts associated with land use and transportation will not require additional mitigation.

7. Negligible impacts associated with visual resources are mitigable through properly placed night lighting, unobtrusive painting of facilities, and alignment of access road and utility corridors for limited views of individual project facilities.

Availability

Copies of the Final PEA and Final FONSI are available for public review at the USIBWC Falcon Dam Field Office, Falcon Road, Falcon Heights, Texas 78545, and have been distributed to Federal, State, and local agencies, organizations and individuals that have commented on or have been consulted and coordinated with in the preparation of the PEA. A limited number of copies are available to fill single copy requests at the above address.

Dated: May 29, 1997.

Randall A. McMains,
Attorney.

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BILLING CODE 4710-03-M

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

Availability of Final Environmental Assessment and Finding of No Significant Impact

AGENCY: United States Section, International Boundary and Water Commission, United States and Mexico.

ACTION: Notice of availability of final environmental assessment and finding of no significant impact.

SUMMARY: Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Final Regulations (40 CFR parts 1500 through 1508); and the Operational Procedures of the United States Section, International Boundary and Water Commission, United States and Mexico (USIBWC), for Implementing Section 102 of NEPA, published in the **Federal Register** September 2, 1981 (46 FR 44083-44094); the USIBWC hereby gives notice that the Final Environmental Assessment (EA) and Final Finding of No Significant Impact (FONSI) to address the potential adverse environmental impacts of placement of a natural gas well pad and associated works within the Falcon Dam and Reservoir Project, Zapata County, Texas, are available. The USIBWC finds that the proposed action to issue a land use permit to construct a drill pad for the purpose of drilling natural gas wells on an island located on USIBWC real property within the reservoir is not a major federal action that would have a significant adverse effect on the quality of the human environment. A notice of availability was signed February 10, 1997, and published in the **Federal Register** on February 19, 1997 (62 FR 7475-7477) for a thirty (30) day review and comment period.

ADDRESSES: Mr. Yusuf E. Farran, Division Engineer, Environmental Management Division, United States Section, International Boundary and Water Commission, United States and Mexico, 4171 North Mesa Street, C-310, El Paso, Texas 79902-1441. Telephone: 915/534-6704.

SUPPLEMENTARY INFORMATION:

Proposed Action

The action proposed is for the USIBWC to issue a land use permit to TransTexas Gas Corporation (TransTexas) to construct a drill pad site on an island above the 307-foot mean sea level elevation located on USIBWC real property below the 307-foot elevation traverse (the United States

property line also called the "307-foot traverse") within Falcon Reservoir for the purpose of drilling natural gas wells. The construction of the drill pad on an island within the reservoir is desirable, due mainly to the constraints associated with current directional drilling, to enable the full development of private and public gas reserves in the western portion of TransTexas' lease area. The gas lease area is situated entirely within Falcon Reservoir with very limited land available to reach the required bottom hole locations.

Alternatives Considered

Two alternatives were considered in the Final Environmental Assessment (EA):

The Proposed Action Alternative is for the USIBWC to issue a land use permit to TransTexas to construct a drill pad site on an island above the 307-foot mean sea level elevation located on USIBWC real property below the 307-foot traverse property line within Falcon Reservoir. The USIBWC proposes to issue the land use permit based on its determination to allow limited exceptions to its policy of prohibiting oil and natural gas development upon USIBWC real property within the reservoir. Approval of the application for permit to drill for public reserves located within the reservoir by the United States Bureau of Land Management (BLM) would occur once the USIBWC land use permit is issued.

The No Action Alternative is for the USIBWC to not issue a land use permit to TransTexas to construct a drill pad and associated works on an island on USIBWC real property at Porcion 18 at Falcon Reservoir. BLM would only be able to approve an application for permit to drill from a site above the 307-foot traverse property line; hence outside the reservoir. TransTexas would need to consider use of alternative means to recover private and public natural gas reserves within the reservoir. The no action alternative would result in no development below the 307-foot traverse for private and public reserves in the western portion of TransTexas lease area; avoidance of any potential impacts associated with the proposed action; the loss of tax and royalty revenues to the local, state and federal governments; the loss of royalty revenues to mineral owners; and the loss of an otherwise recoverable clean energy source.

Environmental Assessment

TransTexas requested the USIBWC to grant them permission to construct a drill pad site above the 307-foot mean sea level elevation on an island located

within USIBWC real property below the 307-foot elevation traverse within the international Falcon Reservoir for the purpose of drilling natural gas wells. The USIBWC began coordination with BLM regarding the application by TransTexas for a permit to drill for federal reserves within the reservoir. Both agencies agreed that due to a lack of both funding resources and human resources for an agency produced document and an immediate need by TransTexas to gain access to private and public reserves within the reservoir, a third party environmental analysis would be acceptable for determining the significance of the impacts of the federal action of the USIBWC issuing a land use permit to TransTexas to construct a natural gas well drill pad site on an island within Falcon Reservoir.

The Final EA prepared by contract by TransTexas is tiered from a Programmatic Environmental Assessment also prepared by TransTexas that address the impacts of oil and natural gas development within the Falcon Dam and Reservoir Project. The Final EA describes the historical and existing development of oil and natural gas in the general vicinity of Porcion 18 (but above the 307-foot traverse property line) of the reservoir and the planned oil and natural gas activities within or adjacent to the Porcion 18 site. It analyzes the specific impacts at the Porcion 18 site expected from natural gas development in the foreseeable future and the cumulative environmental impacts of natural gas development upon USIBWC real property at Falcon Reservoir. The Final EA discusses mitigation measures to avoid impacts to and minimize degradation of environmental resources on and adjacent to the Porcion 18 site. The USIBWC approved the completed Final EA for proposed natural gas development at Porcion 18, and it is currently available.

Finding of the Environmental Assessment

The Final EA finds that the proposed action for the USIBWC to issue a land use permit for natural gas development within the USIBWC real property at Porcion 18 at Falcon Reservoir does not constitute a major federal action which would cause a significant local, regional, or national adverse impact on the environment. The USIBWC has determined that an environmental impact statement is not required to issue a land use permit and hereby provides notice of FONSI based on the following facts:

1. Construction, drilling and production activities at the Porcion 18

well pad site will have no significant adverse impacts on air quality. Standard construction practices to control fugitive dust shall be used, and emissions will be minimized through properly maintained equipment.

2. The slight impacts from construction, drilling and production activities associated with noise at the Porcion 18 well pad site are fully mitigable through vegetative buffer zones, equipment noise suppressors, and avoidance of critical wildlife use periods.

3. Negligible impacts to geologic and water resources are mitigable through the use of erosion and sediment control measures and devices, secondary containment measures, best management practices during all phases of development at the Porcion 18 well pad site, and use of site specific spill prevention control and countermeasure plans.

4. Biological resources shall be protected from impacts by total avoidance of clearing within the heavy brush corridor adjacent to Porcion 18, reptile exclusion fences around the drill pad location, and an interior least tern monitoring plan coordinated by the appropriate federal and state conservation agencies. Based on site surveys, federally listed species are not likely to be adversely affected by the proposed action provided these mitigation measures are followed.

5. Impacts to cultural resources shall be mitigated through avoidance of sites determined to be eligible for the National Register of Historic Places and implementation of a Memorandum of Agreement for mitigating impacts if avoidance is not viable. These measures shall be completed prior to BLM approval of the application for permit to drill, USIBWC issuance of a land use permit, and any development at the Porcion 18 drill site. Additionally, construction activity shall be monitored by a qualified archaeologist with full authority to terminate construction if cultural resources are likely to be impacted at the site.

6. Negligible impacts associated with land use and transportation will not require additional mitigation.

7. Negligible impacts associated with visual resources are mitigable through properly placed night lighting, painting of the facility to blend with the surrounding terrain and vegetation, and alignment of the access road and utility corridor to limit the view of the facility from the shoreline.

Availability

Copies of the Final EA and Final FONSI are available for public review at

the USIBWC Falcon Dam Field Office, Falcon Road, Falcon Heights, Texas 78545, and have been distributed to Federal, State, and local agencies, organizations and individuals that have commented on or have been consulted and coordinated with in the preparation of the EA. A limited number of copies are available to fill single copy requests at the above address.

Dated: May 29, 1997.

Randall A. McMains,
Attorney.

[FR Doc. 97-14676 Filed 6-4-97; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: U. S. Nuclear Regulatory Commission (NRC).

ACTION: Notice of pending NRC action to submit an information collection request to OMB and solicitation of public comment.

SUMMARY: The NRC is preparing a submittal to OMB for review of continued approval of information collections under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

Information pertaining to the requirement to be submitted:

1. The title of the information collection: 10 CFR part 71, "Packaging and Transportation of Radioactive Material."

2. Current OMB approval number: 3150-0008

3. How often the collection is required: Applications for package certification may be made at any time. Required reports are collected and evaluated on a continuing basis as events occur.

4. Who is required or asked to report: All NRC specific licensees who place byproduct, source, or special nuclear material into transportation, and all persons who wish to apply for NRC approval of package designs for use in such transportation.

5. The number of annual respondents: 350 licensees

6. The number of hours needed annually to complete the requirement or request: 56,712 hours for reporting requirements and 6,825 for recordkeeping requirements, or a total of 63,537 hours (approximately 182 hours per respondent).

7. Abstract: NRC regulations in 10 CFR part 71 establish requirements for

packing, preparation for shipment, and transportation of licensed material, and prescribe procedures, standards, and requirements for approval by NRC of packaging and shipping procedures for fissile material and for quantities of licensed material in excess of Type A quantities.

Submit, by August 4, 1997, comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?

2. Is the burden estimate accurate?

3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?

4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?

A copy of the draft supporting statement may be viewed free of charge at the NRC Public Document Room, 2120 L Street NW, (lower level), Washington, DC. Members of the public who are in the Washington, DC, area can access this document via modem on the Public Document Room Bulletin Board (NRC's Advance Copy Document Library), NRC subsystem at FedWorld, 703-321-3339. Members of the public who are located outside of the Washington, DC, area can dial FedWorld, 1-800-303-9672, or use the FedWorld Internet address: fedworld.gov (Telnet). The document will be available on the bulletin board for 30 days after the signature date of this notice. If assistance is needed in accessing the document, please contact the FedWorld help desk at 703-487-4608. Additional assistance in locating the document is available from the NRC Public Document Room, nationally at 1-800-397-4209, or within the Washington, DC, area at 202-634-3273.

Comments and questions about the information collection requirements may be directed to the NRC Clearance Officer, Brenda Jo. Shelton, U.S. Nuclear Regulatory Commission, T-6 F33, Washington, DC, 20555-0001, by telephone at (301) 415-7233, or by Internet electronic mail at BJS1@NRC.GOV.

Dated at Rockville, Maryland, this 29th day of May, 1997.

For the Nuclear Regulatory Commission.

Arnold E. Levin,

Acting Designated Senior Official for
Information Resources Management.

[FR Doc. 97-14681 Filed 6-4-97; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

Docket Nos. 50-266 and 50-301

Wisconsin Electric Power Company; Notice of Withdrawal of Application For Amendments to Facility Operating Licenses

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Wisconsin Electric Power Company (WEPCO, the licensee) to withdraw its October 23, 1995, application for proposed amendments to Facility Operating Licenses Nos. DPR-24 and DPR-27 for the Point Beach Nuclear Plant, Unit Nos. 1 and 2, located in Manitowoc County, Wisconsin.

The proposed amendment would have revised the facility operating licenses and technical specifications to change the company name from Wisconsin Electric Power Company to Wisconsin Energy Company.

The Commission had previously issued a Notice of Consideration of Issuance of Amendments published in the **Federal Register** on December 20, 1995 (60 FR 65687). However, by letter dated May 19, 1997, the licensee informed the Commission that the Boards of Directors of Northern States Power Company and WEPCO mutually agreed to terminate their proposed merger, and WEPCO withdrew the proposed change.

For further details with respect to this action, see the application for amendments dated October 23, 1995, and the licensee's letter dated May 19, 1997, which withdrew the application for license amendments. The above documents are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Joseph P. Mann Library, 1516 Sixteenth Street, Two River, Wisconsin.

Dated at Rockville, Maryland, this 30th day of May 1997.

For the Nuclear Regulatory Commission.

Linda L. Gundrum,

Project Manager, Project Directorate III-1,
Division of Reactor Projects—III/IV, Office of
Nuclear Reactor Regulation.

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