

The FEIS addresses the potential environmental effects of the construction and operation on the following facilities:

- The PNGTS Project, which includes:
 - About 141.6 miles of 24-inch-diameter mainline between Pittsburg, New Hampshire and Westbrook, Maine;
 - About 0.7 mile of 8-inch-diameter pipeline (Groveton Lateral);
 - About 26.9 miles of 12-inch-diameter pipeline (Rumford Lateral);
 - About 16.6 miles of 12-inch-diameter pipeline (Jay Lateral); and
 - Three new meter stations and other associated aboveground facilities.
- The Phase II Joint Facilities, which include:
 - About 35.2 miles of 30-inch-diameter mainline between Wells, Maine and Westbrook, Maine;
 - About 3.8 miles of 12-inch-diameter pipeline (Westbrook Lateral); and
 - Three new meter stations and other associated aboveground facilities.

The FEIS will be used in the regulatory decision-making process at the Commission. While the period for filing interventions in this case has expired, motions to intervene out-of-time can be filed with the FERC in accordance with the Commission's Rules of Practice and Procedure, 18 CFR 385.214(d). Furthermore, anyone desiring to file a protest with the FERC should do so in accordance with 18 CFR 385.211.

The FEIS has been placed in the public files of the FERC and is available for public inspection at: Federal Energy Regulatory Commission, Public Reference and Files Maintenance Branch, Room 2A, 888 First Street, N.E., Washington, DC 20426, (202) 208-1371.

A limited number of copies are available at this location.

Copies of the FEIS have been mailed to Federal, state, and local agencies, public interest groups, interested individuals, newspapers, and parties to this proceeding.

Additional information about the proposed project is available from Paul McKee in the Commission's Office of External Affairs, at (202) 208-1088.

Lois D. Cashell,
Secretary.

[FR Doc. 97-24819 Filed 9-17-97; 8:45 am]

BILLING CODE 6717-01-M

ENVIRONMENTAL PROTECTION AGENCY

[FRL-5895-1]

Agency Information Collection Activities

AGENCY: Environmental Protection Agency.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that the United States Environmental Protection Agency (EPA) is planning to request approval from the Office of Management and Budget (OMB) to conduct a screener survey of facilities potentially subject to Section 316(b) of the Clean Water Act, 33 U.S.C 1326(b). Before the Agency submits the proposed Information Collection Request (ICR) to OMB for review and approval, EPA is soliciting comments from the public on the proposed "Industry Screener Questionnaire for Cooling Water Intake Structures."

DATES: Comments and requests for information must be received by EPA no later than November 17, 1997.

ADDRESSES: Address comments on the draft screener questionnaire to Ms. Deborah G. Nagle, U.S. EPA, Engineering and Analysis Division, Mail Code (4303), Office of Science and Technology, 401 M Street S.W., Washington, DC 20460. EPA will also accept comments electronically. The E-mail address for comments is "nagle.deborah@epamail.epa.gov." Electronic comments must include the sender's name, address, and telephone number. A copy of the proposed screener questionnaire can be obtained from the Internet at "http://www.epa.gov/owm/wm030000.htm." You must use ADOBE ACROBAT READER to read the document; the document is a PDF file. If you do not have Internet access, you may obtain a copy of the screener questionnaire by faxing a request to Deborah Nagle at (202)260-7185. The draft screener that is being made available includes all pertinent instructions, information request questions, and definitions.

SUPPLEMENTARY INFORMATION:

Affected Entities: Entities potentially affected by this action are those which are subject to section 316(b) of the Clean Water Act, which utilize a cooling water intake structure. These entities include, among others, facilities in the Non-utility Steam Electric Generation, Paper and Allied Products, Chemical and Allied Products, Petroleum and Coal

Products, Primary Metal Industry sectors. EPA also plans to collect information related to the regulatory burden that would be created by implementation of a final Section 316(b) rule on state governmental authorities responsible for issuing National Pollutant Discharge Elimination systems permits. Impacts on these state government entities could include either increased costs as a result of additional efforts needed to implement a final section 316(b) rule or cost savings realized from using a final section 316(b) rule instead of facility-specific best professional judgment to establish permit requirements.

Title: Industry Screener Questionnaire: Cooling Water Intake Structures.

Abstract: The U.S. Environmental Protection Agency (EPA) is currently developing regulations under Section 316(b) of the Clean Water Act, 33 U.S.C. 1326(b). Section 316(b) provides that any standard established pursuant to Sections 301 or 306 of the Clean Water Act (CWA) and applicable to a point source shall require that the location, design, construction, and capacity of cooling water intake structures shall reflect the best technology available (BTA) for minimizing adverse environmental impact. Such impacts occur as a result of impingement (where fish and other aquatic life are trapped in cooling water intake screens) and entrainment (where aquatic organisms, eggs and larvae are sucked into the cooling system, through the heat exchanger, and then pumped back out). As the result of a lawsuit by a coalition of environmental groups headed by the Hudson Riverkeeper (*Cronin, et al. v. Reilly*, 93 Civ. 0314 (AGS)), the United States District Court, Southern District of New York entered a Consent Decree on October 10, 1995. The Consent Decree established a seven year schedule for EPA to take final action with respect to regulations addressing impacts from cooling water intake structures.

To ensure that the regulation is based upon accurate information, EPA is conducting a variety of data-gathering activities. The screener questionnaire represents one mechanism through which EPA is gathering background data on cooling water design and use. EPA is using a screener survey for two reasons. First, EPA will use data collected by the survey in determining the number and type of facilities that the Section 316(b) regulations will cover. Second, EPA will use the information collected to design a sampling plan for a detailed technical questionnaire that will be administered after the screener. EPA will send the

detailed questionnaire to a subset of the facilities that received the screener questionnaire. EPA has designed the screener questionnaire to collect information on such topics as cooling water use within industry groups, cooling water intake structure capacities, types of intake water sources, and intake structure design configurations and control technologies. In addition, EPA is requesting facility and firm level economic data. This economic data will enable EPA to consider cooling water use across a broad variety of facility and firm sizes. Ultimately, the screener questionnaire will help EPA reduce the administrative burden of the detailed technical questionnaire on industry.

The screener questionnaire will be administered under authority of Section 308 of the Clean Water Act, 33 U.S.C. 1318; therefore, all recipients of the screener questionnaire are required to complete and return the questionnaire to EPA. The survey instrument will be mailed after OMB approves the ICR. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15. The ICR that EPA intends to submit to OMB will include a discussion of the comments on the draft screener questionnaire that EPA has received to date and the comments received as the result of today's announcement. EPA solicits comment on all aspects of the screener questionnaire, and specifically solicits comment on the following issues:

(i) Whether the proposed screener is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;

(ii) The accuracy of the Agency's estimate of the burden of the proposed screener, including the validity of the methodology and assumptions used;

(iii) The screener's quality, utility, and clarity; and

(iv) Minimization of the burden of the screener on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technology collection techniques or other forms of information technology collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Burden Statement:

The total national burden estimate for all parts of this screener is 368,500 hours. The burden estimates are based on EPA administering 6,700 screener

questionnaires. EPA estimates that each facility will require, on the average, fifty five hours to complete the screener questionnaire. Burden means the total time, effort or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information and transmit or otherwise disclose the information.

In developing the screener questionnaire, EPA conducted a program of outreach to industry and other government entities with the objective of minimizing reporting burden. The outreach program included distribution of the draft screener questionnaire to industry associations and environmental groups plus a meeting to discuss comments. EPA also made presentations at many professional and industry association meetings. The following are the industry associations that participated in the EPA outreach program: Utility Water Act Group, American Forest and Paper Association, American Iron and Steel Institute, American Petroleum Institute, Chemical Manufacturers Association, and Edison Electric Institute. EPA also requested comments on the screener questionnaire from the Electric Power Research Institute. Based on comments received from these early outreach activities, EPA decided to first administer a screener questionnaire (except to electric utilities) followed by a detailed technical questionnaire. The screener is designed to assist EPA in selecting an appropriate sample of facilities that employ cooling water intake structures to receive the detailed technical questionnaire. Electric utilities will receive only the detailed technical questionnaire because for these facilities the Agency has the majority of the data that is being requested in the screener. Consistent with the Energy Information Administration's (EIA) definition of a electric utility, EPA for the purposes of this screener questionnaire has defined electric utility as "a corporation, person, agency, authority, or other legal entity or instrumentality that owns and/or operates facilities within the United

States, its territories, or Puerto Rico for the generation, transmission, distribution, or sale of electric energy primarily for use by the public and files forms listed in the Code of Federal Regulation, Title 18, Part 141." The Agency has coordinated extensively with EIA to determine what information is publicly available. EPA does not intend to include questions that seek publicly available information in the questionnaires.

EPA significantly lowered the burden to industry by systematically reducing the number of industrial facilities to receive the screener questionnaire from a possible 412,000 facilities to about 6,700 facilities. Based on water intake and cooling water use from the 1982 Census of Manufacturers, EPA identified six industrial sectors to receive the screener questionnaire or the detailed technical questionnaire or both. These six industrial sectors are: Utility Steam Electric, Nonutility Steam Electric, Chemicals & Allied Products, Primary Metals Industry, Petroleum & Coal Products, and Paper & Allied Products. Together, EPA estimates that these six sectors account for over 99 percent of all cooling water withdrawals and total 50,000 facilities. EPA also eliminated industrial subcategories which documented zero or minimal cooling water use, thereby further reducing the number to be surveyed to about 7,514 facilities. Of these 7,514 facilities, there are 874 operating utility steam electric facilities that will not receive the screener questionnaire, bringing the number of facilities to receive the screener questionnaire down to about 6,700. This number may be reduced even more as EPA continues to refine the "sample frames" for the categories of facilities that will receive the screener questionnaire. (A "sample frame" identifies all the individual facilities within a category across the United States.) However, limiting the survey sample frame as described above is not intended to limit the scope or applicability of the 316(b) regulation.

Since the nonutilities are scattered throughout many industrial categories, the nonutility sample frame will include facilities from multiple industries. Consistent with EIA's definition of a nonutility, EPA for the purposes of this screener questionnaire has defined a nonutility as "a corporation, person, agency, authority, or other legal entity or instrumentality that owns electric generating capacity and is not an electric utility. Nonutility power producers include Federal Energy Regulatory commission (FERC) Qualifying Cogenerators, FERC Qualifying Small Power Producers, and

Other Nonutility Generators (including Independent Power Producers) without a designated franchised service area, and which do not file forms listed in the Code of Federal Regulations, Title 18, Part 141." For the purposes of this screener questionnaire EPA has defined other nonutility generators to include independent power producers (IPP) which are wholesale electricity producers other than qualifying facilities under Public Utility Regulatory Policy Act (PURPA), that are unaffiliated with franchised utilities in the area in which the IPP's are selling power and that lack significant marketing power. IPPs do not possess transmission facilities and do not sell power in any retail service territory where they have a franchise.

Finally, EPA will maintain a temporary, no-charge telephone number that survey recipients may call to obtain assistance in completing the data collection surveys. EPA believes that the no-charge telephone number will greatly reduce burden by helping recipients to answer specific questions within the context of their individual operations.

Dated: September 3, 1997.

Tudor T. Davies,

Director, Office of Science and Technology.

[FR Doc. 97-24835 Filed 9-17-97; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-5894-1]

Open Meeting of the Industrial Non-Hazardous Waste Stakeholders Focus Group

AGENCY: U.S. Environmental Protection Agency.

ACTION: Notice of open meeting of the Industrial Non-Hazardous Waste Stakeholders Focus Group.

SUMMARY: As required by section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), EPA is giving notice of the fifth meeting of the Industrial Non-Hazardous Waste Policy Dialogue Committee, also known as the Industrial Non-Hazardous Waste Stakeholders Focus Group. The purpose of this committee is to advise EPA and ASTSWMO (the Association of State and Territorial Solid Waste Management Officials) in developing voluntary guidance for the management of industrial non-hazardous waste in landfills, waste piles, surface impoundments, and land application units. The Focus Group will facilitate the exchange of information and ideas

among the interested parties relating to the development of such guidance. The purpose of the fifth meeting will be to continue discussion of issues related to the development of such guidance. Issues to be discussed include land application, corrective action, potential air emission risk tools/controls, and additional ground-water modeling/risk results (i.e., leachate concentration threshold values for the Tier I national approach and the user interface screens associated with the Tier II location adjustment approach). In addition, time will be set aside on the agenda to receive Focus Group comments on additional chapters that have been previously discussed within the Focus Group. There will also be a short presentation of the CD-ROM being developed as part of this project. The CD-ROM will be the electronic version of the voluntary guidance being developed. There will be an opportunity for limited public comment at the end of each day of the meeting.

DATES: The committee will meet on October 8 and 9, 1997, from 9:00 a.m. to 5:00 p.m. on October 8, and from 8:30 a.m. to 3:00 p.m. on October 9.

ADDRESSES: The location of the meeting is the Hotel Washington, 515 15th Street, NW, Washington, D.C. 20004. The phone number is 202-638-5900. The seating capacity of the room is approximately 60 people, and seating will be on a first-come basis. Supporting materials are available for viewing at Docket #F-96-INHA-FFFFF in RCRA Information Center (RIC), located at Crystal Gateway One, 1235 Jefferson Davis Highway, First Floor, Arlington, VA. The RIC is open from 9:00 a.m. to 4:00 p.m., Monday through Friday, excluding federal holidays. To review docket materials, the public must make an appointment by calling (703) 603-9230. The public may copy a maximum of 100 pages from any regulatory docket at no charge. Additional copies cost \$.15/page. The material to be discussed at the October Focus Group meeting will be available for viewing in the above docket on and after September 24, 1997. For general information, contact the RCRA Hotline at 1-800-424-9346 or TDD 1-800-553-7672 (hearing impaired). In the Washington metropolitan area, call 703-412-9610 to TDD 703-412-3323.

FOR FURTHER INFORMATION CONTACT:

Persons needing further information on the committee should contact Paul Cassidy, Municipal and Industrial Solid Waste Division, Office of Solid Waste, at (703) 308-7281.

SUPPLEMENTARY INFORMATION:

Background

EPA and ASTSWMO have formed a State/EPA Steering Committee to jointly develop voluntary facility guidance for the management of industrial nonhazardous waste in land-based disposal units. The purpose of the guidance document is to provide a guide to facility managers so that they can provide safe industrial waste management. The guidance document will address such topics as appropriate controls for ground-water protection, liner designs, air emissions, run-on/run-off, public participation, daily operating practices, monitoring and corrective action, and closure and post-closure considerations.

The State/EPA Steering Committee has convened this Stakeholders Focus Group to obtain recommendations from individuals who are member of a broad spectrum of public interest groups and affected industries. All recommendations from Focus Group participants will be forwarded to the State/EPA Steering Committee for considerations, as the Stakeholders' Focus Group will not strive for consensus. The State/EPA Steering Committee will also provide an opportunity for public comment on the draft guidance document.

Copies of the minutes of all Stakeholders Focus Group meetings will be made available through the docket at the RCRA Information Center, including minutes of the previous four Focus Group meetings, which were held on April 11-12, 1996, September 11-12, 1996, February 19-20, 1997, and May 20-21, 1997.

Dated: September __, 1997.

Matthew Hale,

Acting Director, Office of Solid Waste.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-5893-9]

Proposed Administrative Order on Consent; Denver Radium—Operable Unit VIII Site, Denver County, CO

AGENCY: Environmental Protection Agency (U.S. EPA).

ACTION: Proposed section 122 (g)(4) and (h)(1) settlement.

SUMMARY: In accordance with the requirements of section 122(g)(4) of the Comprehensive Environmental Response, Compensation, and Liability