

participation in power rate adjustments at 10 CFR Part 903, Western's Colorado River Storage Project (CRSP) firm transmission rate case was submitted to the Federal Energy Regulatory Commission for confirmation and approval on August 13, 1992. On February 18, 1993, in Docket Nos. EF92-5172-000 and EF92-5172-001, at 62 FERC ¶ 61,159, FERC issued an order confirming, approving, and placing in effect on a final basis Rate Schedule SP-FT4 for firm transmission service over the CRSP transmission system. The rate was approved for the 4-year period beginning October 1, 1992, and ending September 30, 1996. The Deputy Secretary of Energy extended the rate through September 30, 1997, in an Order published at 61 FR 52338, on October 7, 1996.

Following review of Western's proposal within the Department of Energy, I approved rate order No. WAPA-74, which extends the existing CRSP firm transmission Rate Schedule SP-FT4 until March 31, 1998.

Dated: September 19, 1997.

**Elizabeth A. Moler,**  
Deputy Secretary.

#### **Order Confirming and Approving an Extension of the Colorado River Storage Project Firm Transmission Rate**

October 1, 1997.

This firm transmission rate was established pursuant to Section 302(a) of the Department of Energy (DOE) Organization Act, 42 U.S.C. § 7152(a), through which the power marketing functions of the Secretary of the Interior and the Bureau of Reclamation (Reclamation) under the Reclamation Act of 1902, ch. 1093, 32 Stat. 388, as amended and supplemented by subsequent enactments, particularly section 9(c) of the Reclamation Project Act of 1939, 43 U.S.C. § 485h(c), and other acts specifically applicable to the project system involved, were transferred to and vested in the Secretary of Energy (Secretary).

By Amendment No. 3 to Delegation Order No. 0204-108, published November 10, 1993 (58 FR 59716), the Secretary delegated (1) the authority to develop long-term power and transmission rates on a nonexclusive basis to the Administrator of the Western Area Power Administration (Western); (2) the authority to confirm, approve, and place such rates into effect on an interim basis to the Deputy Secretary; and (3) the authority to confirm, approve, and place into effect on a final basis, to remand, or to disapprove such rates to the Federal Energy Regulatory Commission (FERC).

This rate extension is issued pursuant to the Delegation Order and the DOE rate extension procedures at 10 CFR Part 903.

#### **Background**

In the order issued February 18, 1993, at 62 FERC ¶ 61,159, in Docket Nos. EF92-5172-000 and EF92-5172-001, the FERC confirmed, approved, and placed in effect on a final basis Rate Schedule SP-FT4 for firm transmission service over the Colorado River Storage Project (CRSP) transmission system. The rate was approved for the period from October 1, 1992, through September 30, 1996. The Deputy Secretary of Energy extended the rate through September 30, 1997, in an Order published at 61 FR 52448, on October 7, 1996. During the last firm-power rate adjustment for the Salt Lake City Area Integrated Projects, placed into effect on December 1, 1994 (SLIP-F5), the CRSP firm transmission rate was also examined for possible adjustment. It was determined that the existing firm transmission rate was adequate to meet revenue requirements.

#### **Discussion**

On September 30, 1997, Western's CRSP firm transmission rate will expire. This makes it necessary to extend the current Rate Schedule SP-FT4 pursuant to 10 CFR 903.23.

Western proposes to extend the existing CRSP transmission rate until March 31, 1998, to allow Western to develop transmission and ancillary services rates consistent with those required of public utilities under FERC Order No. 888 and the laws and regulations that govern Western's actions. Western began a public rate adjustment process with the publication of a notice in the **Federal Register** on June 25, 1997. That public rate adjustment process will include the proposal of transmission rates which are consistent with FERC Order No. 888. Western is developing open access tariffs consistent with FERC Order No. 888.

We anticipate that process, which will provide opportunities for public information and comment forums, will take several months to complete, given the complex issues Western and its interested public must address.

#### **Order**

In view of the foregoing and pursuant to the authority delegated to me by the Secretary, I hereby extend for a period effective October 1, 1997, until March 31, 1998, the existing Rate Schedule SP-FT4 for firm transmission service over the Colorado River Storage Project transmission system.

Dated: September 19, 1997.

**Elizabeth A. Moler,**  
Deputy Secretary.

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#### **ENVIRONMENTAL PROTECTION AGENCY**

[FRL-5899-5]

#### **Proposed Administrative Settlement Under the Comprehensive Environmental Response, Compensation, and Liability Act; In Re: Cohen Property Superfund Site; Taunton, MA**

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

**ACTION:** Notice of proposed prospective purchaser agreement and request for public comment.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to enter into a prospective purchaser agreement to address claims under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (CERCLA), 42 U.S.C. 9601 *et seq.* This document is being published to inform the public of the proposed settlement and of the opportunity to comment. The settlement is intended to resolve the liability under CERCLA of the City of Taunton, Massachusetts and certain successors-in-title who may become parties to this agreement, for injunctive relief and for costs incurred or to be incurred by EPA in conducting response actions at the Cohen Property Superfund Site in Taunton, Massachusetts.

**DATES:** Comments must be provided on or before October 29, 1997.

**ADDRESSES:** Comments should be addressed to the Docket Clerk, U.S. Environmental Protection Agency, Region I, JFK Federal Building, Mailcode RAA, Boston, Massachusetts 02203, and should refer to: In re: City of Taunton, Massachusetts, U.S. EPA Docket No. CERCLA-I-97-1079.

**FOR FURTHER INFORMATION CONTACT:** Beth Tomasello, U.S. Environmental Protection Agency, Region I, J.F.K. Federal Building, Mailcode SEL, Boston, Massachusetts 02203, (617) 565-3455.

**SUPPLEMENTARY INFORMATION:** In accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (CERCLA), 42 U.S.C. 9601 *et seq.*, notice is hereby given of a proposed prospective purchaser agreement concerning the Cohen

Property Superfund Site in Taunton, Massachusetts. The settlement was approved by EPA Region I on September 9, 1997, and by the U.S. Department of Justice on September 16, 1997 subject to review by the public pursuant to this document. The City of Taunton, Massachusetts has executed a signature page committing them to participate in the settlement. Under the proposed settlement, the City has agreed to: (1) Allow EPA to dispose of up to 15,000 tons of contaminated soil which passes EPA's Toxicity Characteristic Leaching Procedure ("TCLP") in the Taunton Landfill, saving EPA up to \$1 million in response costs; (2) perform Operation & Maintenance and long-term monitoring on the Site, which will save EPA approximately \$170,000 over 30 years; (3) pave a portion of the Site which eliminates the need for EPA to cover that portion of the Site with an impermeable cap; (4) purchase a portion of the Site from an adjoining property owner to consolidate the contaminated property under common ownership; and (5) abide by institutional controls and to provide access to the Site. In exchange, the Settling Respondent is granted a covenant not to sue under CERCLA and protection from contribution actions or claims under CERCLA with respect to the existing contamination at the site. EPA believes the settlement is fair and in the public interest.

EPA will receive written comments relating to this settlement for thirty (30) days from the date of publication of this document.

A copy of the proposed administrative settlement may be obtained in person or by mail from Beth Tomasello, U.S. Environmental Protection Agency, Region I, JFK Federal Building, Mailcode SEL, Boston, Massachusetts 02203, (617) 565-3455.

The Agency's response to any comments received will be available for public inspection with the Docket Clerk, U.S. Environmental Protection Agency, Region I, JFK Federal Building, Mailcode RAA, Boston, Massachusetts 02203 (U.S. EPA Docket No. CERCLA-1-97-1079).

Dated: September 16, 1997.

**John P. DeVillars,**

*Regional Administrator.*

[FR Doc. 97-25754 Filed 9-26-97; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-5899-6]

### Clean Water Act Class II: Proposed Administrative Penalty, Steven Kraus, Fenton, MO

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

**ACTION:** Notice of proposed administrative penalty assessment and opportunity to comment regarding Steven Kraus, Fenton, MO.

**SUMMARY:** EPA is providing notice of opportunity to comment on the proposed assessment.

Under 33 U.S.C. 1319(g), EPA is authorized to issue orders assessing civil penalties for various violations of the Act. EPA may issue such orders after filing a Complaint commencing either a Class I or Class II penalty proceeding. EPA provides public notice of the proposed assessment pursuant to 33 U.S.C. 1319(g)(4)(A).

Class II proceedings are conducted under EPA's Consolidated Rules of Practice Governing the Administrative Assessment of civil Penalties and the Revocation of Suspension of Permits, 40 CFR part 22. The procedures by which the public may submit written comment on a proposed Class II order or participate in a Class II proceeding, and the procedures by which a respondent may request a hearing, are set forth in the Consolidated Rules. The deadline for submitting public comment on a proposed Class II order is thirty (30) days after issuance of this public document.

On August 27, 1997, EPA commenced the following Class II proceeding for the assessment of penalties by filing with the Regional Hearing Clerk, U.S. Environmental Protection Agency, Region VII, 726 Minnesota Avenue, Kansas City, Kansas 66101. (913) 551-7630, the following Complaint:

In the Matter of Steven Kraus, Fenton, Missouri, CWA Docket No. VII-97-W-0026.

The Complaint proposes a penalty of Ten Thousand Dollars (\$10,000.00) for the discharge or causing to be discharged pollutants into a public sewer in violation of sections 301 and 307(d) of the Clean Water Act.

#### FOR FURTHER INFORMATION CONTACT:

Persons wishing to receive a copy of EPA's Consolidated Rules, review the Complaint or other documents filed in this proceeding, comment upon the proposed penalty assessment, or otherwise participate in the proceeding should contact Vanessa Cobbs, Regional Hearing Clerk at (913) 551-7630.

The Administrative Record for the proceeding is located in the EPA Regional Office at the address stated above, and the file will be open for public inspection during normal business hours. All information submitted by Steven Kraus is available as part of the Administrative Record, subject to provisions of law restricting public disclosure of confidential information. In order to provide opportunity for public comment, EPA will issue no final order assessing a penalty in this proceeding prior to thirty (30) days from the date of this document.

Dated: September 17, 1997.

**U. Gale Hutton,**

*Acting Regional Administrator.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-5899-7]

### Clean Water Act Class II: Proposed Administrative Penalty, Douglas Leach, St. Louis, MO

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

**ACTION:** Notice of proposed administrative penalty assessment and opportunity to comment regarding Douglas Leach, St. Louis, MO.

**SUMMARY:** EPA is providing notice of opportunity to comment on the proposed assessment.

Under 33 U.S.C. 1319(g), EPA is authorized to issue orders assessing civil penalties for various violations of the Act. EPA may issue such orders after filing a Complaint commencing either a Class I or Class II penalty proceeding. EPA provides public notice of the proposed assessment pursuant to 33 U.S.C. 1319(g)(4)(A).

Class II proceedings are conducted under EPA's Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, 40 CFR part 22. The procedures by which the public may submit written comment on a proposed Class II order or participate in a Class II proceeding, and the procedures by which a respondent may request a hearing, are set forth in the Consolidated Rules. The deadline for submitting public comment on a proposed Class II order is thirty (30) days after issuance of this public document.

On August 27, 1997, EPA commenced the following Class II proceeding for the