

Project, Construction and Operation, Leasing and Licensing, McKinley County, NM.

Summary: EPA continues to express concern regarding pressure control of groundwater in old mine workings, hydrogeologic monitoring and aquifer testing and analysis, baseline water quality, injection well design, aquifer restoration, wildlife and mitigation, waste management and emergency response, and indemnification to the federal government by the project proponent.

ERP No. FS-AFS-L67028-AK, Kensington Venture Underground Gold Mine Project, Development, Construction and Operation, Operating Plan Approval, NPDES, Section 10 and 404 Permits, Tongass National Forest, Sherman Creek, City of Juneau, AK.

Summary: Review of the Final EIS has been completed and the project found to be satisfactory.

Dated: October 28, 1997.

William D. Dickerson,

Director, NEPA Compliance Division Office of Federal Activities.

[FR Doc. 97-28961 Filed 10-30-97; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-5916-2]

Notice of Public Meeting on Notices of Data Availability for the Interim Enhanced Surface Water Treatment Rule and Stage 1 Disinfectants/Disinfection Byproducts Rule

Notice is hereby given that the Environmental Protection Agency (EPA) is holding two public education meetings to provide information related to forthcoming Notices of Data Availability on the Interim Enhanced Surface Water Treatment Rule (IESWTR) and Stage 1 Disinfectants/Disinfection Byproducts Rule (D/DBPR) to be published in early November. The purpose of the meetings will be to discuss the content of these Notices, which includes the following: new data and information that the Agency has obtained and analyses that have been developed since the 1994 proposals of the IESWTR (59 FR 38832, July, 1994) and Stage 1 D/DBPR (59 FR 38668, July 29, 1994); information concerning recommendations of the Microbial-Disinfectants/Disinfection Byproducts (M-DBP) Advisory Committee (chartered in February 1997 under the Federal Advisory Committee Act) on key issues related to the proposal; and regulatory implications that flow from

the new data and information. These meetings are not public hearings and EPA will not be accepting comments on the Notices of Data Availability at these meetings. Interested persons who wish to submit comments may do so during the 90 day public comment period described in the Notices.

The first public meeting will take place on November 14, 1997, from 8:30 a.m. until 3:00 p.m. at the Region VIII Environmental Protection Agency Conference Center, 999 18th Street, Second Floor, Denver, CO 80202-2466. The second meeting will take place on November 17, 1997, from 9:00 a.m. until 4:00 p.m. at the Environmental Protection Agency Auditorium, 401 M Street, S.W., Washington, D.C. 20460. EPA is inviting interested members of the public to attend the information sessions.

Dated: October 28, 1997.

William R. Diamond,

Acting Director, Office of Ground Water and Drinking Water.

[FR Doc. 97-28931 Filed 10-30-97; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-5916-1]

Proposed Agreement and Covenant Not To Sue Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as Amended by the Superfund Amendments and Reauthorization Act

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice; request for public comment.

SUMMARY: In accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986 (CERCLA), 42 U.S.C. 9601 *et seq.*, notice is hereby given that a proposed Agreement and Covenant not to Sue associated with the College of the Canyons Smelter Site in Cañon City, Colorado, was executed by the Agency on October 2, 1997 and by the Department of Justice on August 3, 1997. The Agreement and Covenant not to Sue would resolve certain potential EPA claims under sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607 against the Purchaser, Rocky Acres, a common law trust. The settlement would require the Purchaser to fill and level an excavation on the property, to

route rainfall runoff so as to prevent erosion, and to provide access to its property to allow EPA and any other parties to conduct cleanup and/or monitoring activities. The Purchaser would receive contribution protection as provided under section 113(f)(2) of CERCLA, 42 U.S.C. 9613(f)(2).

DATES: The Agency will receive written comments relating to the proposed settlement on or before December 1, 1997.

ADDRESSES: The proposed agreement and additional background information relating to the settlement are available for public inspection at the Superfund Record Center, 999 18th Street, 5th Floor, North Tower, Denver, Colorado, during normal business hours. A copy of the proposed agreement may be obtained by contacting Andrew Lensink at (303) 312-6908. Comments should reference the "College of the Canyons Smelter Site" and "EPA Docket No. CERCLA VIII-97-69" and should be addressed to Andrew Lensink, Senior Enforcement Attorney, (8ENF-L), U.S. Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, Colorado, 80202-2405.

FOR FURTHER INFORMATION CONTACT: Andrew Lensink, Senior Enforcement Attorney, at (303) 312-6908.

Dated: October 9, 1997.

Carol Rushin,

Assistant Regional Administrator, Office of Enforcement, Compliance, and Environmental Justice, Region VIII.

[FR Doc. 97-28870 Filed 10-30-97; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

[CC Docket No. 90-571] [DA 97-2266]

Notice of Telecommunications Relay Services (TRS) Applications for State Certification Accepted

Released: October 27, 1997.

Notice is hereby given that the states listed below have applied to the Commission for State Telecommunications Relay Service (TRS) Certification. Current state certifications expire July 25, 1998. Applications for certification, covering the five year period of July 26, 1998 to July 25, 2003, must demonstrate that the state TRS program complies with the Commission's rules for the provision of TRS, pursuant to Title IV of the Americans with Disabilities Act (ADA), 47 U.S.C. § 225. These rules are codified at 47 CFR 64.601-605.

Copies of applications for certification are available for public inspection at the

Commission's Common Carrier Bureau, Network Services Division, Room 235, 2000 M Street, N.W., Washington, D.C., Monday through Thursday, 8:30 AM to 3:00 PM (closed 12:30 to 1:30 PM) and the FCC Reference Center, Room 239, 1919 M Street, N.W., Washington, D.C., daily, from 9:00 AM to 4:30 PM.

Interested persons may file comments on or before December 12, 1997.

Comments should reference the relevant state file number of the state application that is being commented upon. One original and five copies of all comments must be sent to William F. Caton, Acting Secretary, Federal Communications Commission, 1919 M Street, N.W., Washington, D.C. 20554. Two copies also should be sent to the Network Services Division, Common Carrier Bureau, 2000 M Street, N.W., Room 235, Washington, D.C. 20554.

A number of state TRS programs currently holding FCC certification have failed to apply for recertification. Applications received after October 1, 1997, for which no extension has been requested before October 1, 1997, must be accompanied by a petition explaining the circumstances of the late-filing and requesting acceptance of the late-filed application.

File No: TRS-97-36.

Applicant: Alaska Public Utilities Commission, State of Alaska.

File No: TRS-97-46.

Applicant: New York Department of Public Service, State of New York.

For further information, contact Al McCloud, (202) 418-2499, amcloud@fcc.gov, or Andy Firth, (202) 418-2224 (TTY), afirth@fcc.gov, at the Network Services Division, Common Carrier Bureau, Federal Communications Commission.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 97-28887 Filed 10-30-97; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL MARITIME COMMISSION

[Docket No. 97-16]

Ryan-Walsh, Inc. and Stevedoring Services of America v. Port of Houston Authority of Harris County, Texas; Notice of Filing of Complaint and Assignment

Notice is given that a complain file by Ryan-Walsh, In., and Stevedoring Services of America ("Complainants") against Port of Houston Authority of Harris County, Texas ("Respondent")

was served October 1, 1997.

Complainants allege that Respondent has violated sections 10(a)(3), (d)(1) and (d)(3) of the Shipping Act of 1984, 46 U.S.C. app. §§ 1709(a)(3), (d)(1) and (d)(3), by engaging in a pattern of willful and knowing, repeated, material and ongoing breaches to an agreement required to be file with the Commission, providing undue or unreasonable preferences or advantage to persons other than Complainants, and unreasonably refusing to deal with Complainants.

This proceeding has been assigned to the office of Administrative Law Judges. Hearing in this matter, if any is held, shall commence within the time limitations prescribed in 46 CFR 502.61, and only after consideration has been give by the parties and the presiding officer to the use of alternative forms of dispute resolution. The hearing shall include oral testimony and cross-examination in the discretion of the presiding officer only upon proper showing that there are genuine issues of material fact that cannot be resolved on the basis of sworn statements, affidavits, depositions, or other documents or that the nature of the matter in issue is such that an oral hearing and cross-examination are necessary for the development of an adequate record. Pursuant to the further terms of 46 CFR 502.61, the initial decision of the presiding officer in this proceeding shall be issued by October 1, 1998, and the final decision of the Commission shall be issued by January 29, 1999.

Ronald D. Murphy,

Assistant Secretary.

[FR Doc. 97-28920 Filed 10-30-97; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate

inspection at the Federal Reserve Bank indicated. The application also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act. Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than November 28, 1997.

A. Federal Reserve Bank of Richmond (A. Linwood Gill III, Assistant Vice President) 701 East Byrd Street, Richmond, Virginia 23261-4528:

1. *South Branch Valley Bancorp, Inc.*, Moorefield, West Virginia; to acquire an additional 60.4 percent of the voting shares of Capital State Bank, Inc., Charleston, West Virginia.

B. Federal Reserve Bank of Chicago (Philip Jackson, Applications Officer) 230 South LaSalle Street, Chicago, Illinois 60690-1413:

1. *Capitol Bancorp Ltd.*, Lansing, Michigan; to acquire 51 percent of the voting shares of Kent Commerce Bank (in organization), Kentwood, Michigan, a *de novo* bank.

C. Federal Reserve Bank of St. Louis (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63102-2034:

1. *The Banc Ed Corp.*, Edwardsville, Illinois; to acquire 100 percent of the voting shares of OMNI Financial Corp., Pontoon Beach, Illinois, and thereby indirectly acquire Omni Bank, Pontoon Beach, Illinois.

D. Federal Reserve Bank of Kansas City (D. Michael Manies, Assistant Vice President) 925 Grand Avenue, Kansas City, Missouri 64198-0001:

1. *Peoples, Inc.*, Ottawa, Kansas; to become a bank holding company by acquiring 49.82 percent of the voting shares of Johnson County Bank, Overland Park, Kansas.

Board of Governors of the Federal Reserve System, October 28, 1997.

Jennifer J. Johnson,

Deputy Secretary of the Board.

[FR Doc. 97-28927 Filed 10-30-97; 8:45 am]

BILLING CODE 6210-01-F