

tendered for filing a service agreement under Cinergy's Non-Firm Point-to-Point Transmission Service Tariff (the Tariff) entered into between Cinergy and CNG Power Services Corporation.

*Comment date:* July 18, 1996, in accordance with Standard Paragraph E at the end of this notice.

### 13. Duke Power Company

[Docket No. ER96-2267-000]

Take notice that on June 28, 1996, Duke Power Company (Duke), tendered for filing a Service Agreement for Market Rate (Schedule MR) Sales between Duke and Union Electric Company.

*Comment date:* July 18, 1996, in accordance with Standard Paragraph E at the end of this notice.

### Standard Paragraph

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,  
Secretary.

[FR Doc. 96-17756 Filed 7-11-96; 8:45 am]

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[Project Nos. 11499-000 and 11500-000-Tennessee]

### **Armstrong Energy Resources; Notice of Intent To Prepare a Joint Environmental Impact Statement, Conduct Public Scoping Meeting and Site Visits, and Determine the Feasibility of Forming a Cooperative Consultation Process Team With Interested Parties**

July 8, 1996.

The Federal Energy Regulatory Commission (FERC) and the Tennessee Valley Authority (TVA) have received proposals from Armstrong Energy Resources to construct and operate the 1,500 megawatt Laurel Branch Pumped Storage Project, FERC No. 11499-000, and the 1,000 megawatt Reynolds Creek

Pumped Storage Project No. 11500-000. The Laurel Branch Project would be located in Bledsoe County, Tennessee, seven miles northeast of Dunlap, Tennessee. The Reynolds Creek project would be located in Sequatchie County, Tennessee, approximately five miles northwest of Dunlap, Tennessee.

The FERC staff has determined that Federally licensing these projects pursuant to provisions of the Federal Power Act would constitute a major federal action significantly affecting the quality of the human environment. Additional federal involvement with these projects include TVA's approval of project shoreline structures under Section 26a of the TVA Act, providing the "pump-up" power for the projects, and, possibly purchasing some of the generation from the projects. Therefore, FERC and TVA staff intend to prepare an environmental impact statement (EIS) on the hydroelectric projects in accordance with the National Environmental Policy Act (NEPA). TVA has requested that FERC be a joint lead cooperating agency in the preparation of an EIS and FERC has agreed to become a joint lead agency. Additionally, the U.S. Army Corps of Engineers has agreed to be a cooperating agency because of its jurisdiction pursuant to Section 404 of the Clean Water Act.

The review process being utilized for the projects will initiate environmental compliance under NEPA subsequent to the filing of the Section 26(a) permit application with TVA and concurrently with the preparation of a FERC license applications. Under the joint cooperative EIS process, scoping and draft EIS preparation will occur prior to the filing of a final license applications with FERC.

Active participation by interested federal and state agencies and members of the public will be essential for this process to be successful. TVA and FERC staff will determine at the scoping meetings whether Federal and State resource agencies, local and regional conservation organizations, local municipalities and other parties are interested in participating in a Cooperative Consultation Team Process (CCP) to assist the staff in development of the EIS scoping process. CCP team members would assist in identifying areas of interests, issues, required scientific study objectives and methodologies, provide information or data, define project alternatives and other matters of interest to all parties. To enhance public input the TVA and FERC staff will actively engage and work with the participants throughout the process.

The EIS will objectively consider both site-specific and cumulative environmental impacts of the projects and reasonable alternatives. It will also address economic, financial and engineering analysis. A draft EIS will be circulated to all interested parties for review. Comments will also be requested. FERC and TVA will also hold a joint public meeting to elicit comments on the draft EIS. All comments filed on the draft EIS will be analyzed by staff and will be considered in a final EIS. The staffs' conclusions and recommendations will be presented to the Tennessee Valley Authority and the Federal Energy Regulatory Commission for consideration in reaching final permit and licensing decisions, respectively.

### Scoping Process

FERC and TVA will jointly conduct two scoping meetings on August 6, 1996. These meetings are scheduled as follows:

An agency scoping meeting will be held at Bledsoe County High School, Highway 127 South in Pikeville, Tennessee, beginning at 10:00 a.m., CDT.

A public scoping meeting will also be held at Bledsoe County High School with registration beginning at 5:00 p.m. and the meeting scheduled from 5:30 to 9:00 p.m., CDT. It will not be necessary for participants to stay for the whole meeting in order to have their comments recorded. Anyone needed sign language interpretation or other special arrangements, please contact Jill Elmendorf at (423) 632-6592 no later than Monday, July 29.

The meetings will be recorded by a stenographer and will become a part of the formal record of the FERC and TVA proceeding. Individuals presenting statements at the meetings will be asked to sign in before the meeting starts and to clearly identify themselves for the record.

Interested individuals, organizations, and agencies are invited to comment on the scope of the proposed EIS. Scoping will help ensure that a full range of issues related to these proposals are addressed in the EIS, and also will identify significant or potentially significant impacts that may result from the proposed projects.

To help focus discussions at the meetings, a preliminary scoping document (Scoping Document I) outlining subject areas to be addressed on the EIS will be mailed to agencies and interested individuals. Preliminary Scoping Document I will also be available at the scoping meetings.

At the scoping meetings, FERC and TVA staff will: (1) Identify preliminary environmental issues related to the proposed project; (2) identify preliminary resource issues that are not important and do not require detailed analysis; (3) identify reasonable alternatives to be addressed in the EIS; (4) solicit from the meeting participants all available information, especially quantified data, on the resource issues; and (5) encourage statements from experts and the public on issues that should be analyzed in the EIS, including points of view in opposition to, or in support of, the staffs' preliminary views.

Persons choosing not to speak at the meetings, but who have views on the issues or information relevant to the issues, may submit written statements for inclusion in the public record at the meetings. In addition, written scoping comments may be filed with Lois Cashell, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20425, with Linda Oxendine, Senior Specialist, Tennessee Valley Authority, 400 West Summit Hill Drive, WT8C-K, Knoxville, TN 37902. All written correspondence should clearly show the following captions on the first page: Laurel Branch Pumped Storage Project, FERC Project No. 11499-000, and Reynolds Creek Pumped Storage Project, FERC Project No. 11500-000.

#### Site Visit

A site visit to the proposed project location is planned for Monday, August 5 at 2:00 p.m. CDT. Participants will gather at Dunlap, Tennessee. Please contact Jill Elmendorf at (423) 632-6592 no later than Thursday, August 1 for reservations and information.

#### Consultation With the State Historic Preservation Officer

With this notice, we are initiating consultation with the Tennessee State Historic Preservation Officer (SHPO), as required by § 106 of the National Historic Preservation Act, and the regulations of the Advisory Council on Historic Preservation, 36 CFR 800.4.

#### Additional Scientific Study Requests

In accordance with Section 4.32(b)(7) of the FERC regulations, if any resource agency, SHPO, Indian Tribe, or person believes that an additional scientific study should be conducted in order to form an adequate, factual basis for complete analysis of these projects on its merits, they must file a request for the study with the FERC, together with justification for such request, not later than 60 days from the date of this notice

and serve a copy of the request on the potential applicant.

For Further Information on This Process, please contact Eddie R. Crouse, FERC, (202) 219-2794, or Linda Oxendine, TVA, (423) 632-3440.

Lois D. Cashell,

Secretary.

[FR Doc. 96-17714 Filed 7-11-96; 8:45 am]

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#### [Docket No. CP96-564-000]

#### **National Fuel Gas Supply Corporation; Notice of Intent To Prepare an Environmental Assessment for the Proposed Line K Relocation Project and Request for Comments on Environmental Issues**

July 8, 1996.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the construction and operation of the facility proposed in the Line K Relocation Project.<sup>1</sup> This EA will be used by the Commission in its decision-making process to determine whether an environmental impact statement is necessary and whether to approve the project.

#### Summary of the Proposed Project

National Fuel Gas Supply Corporation (National Fuel) wants to construct about 877 feet of 20-inch-diameter pipeline to replace about 454 feet of Line K in Erie County, New York. Of this 454-foot-long segment of Line K, about 147 feet would be removed and 307 feet would be abandoned in place. National Fuel states that due to encroachment of residential development this segment of deteriorating Line K can not be replaced in the same location.

The specific location of the project facility is shown in appendix 1.<sup>2</sup>

#### Land Requirements for Construction

Construction of the proposed facility would require about 0.99 acre of land. Following construction, about 0.60 acre would be maintained as permanent right-of-way. The remaining 0.33 acre would be restored and allowed to revert to its former use.

<sup>1</sup> National Fuel Gas Supply Corporation's application was filed with the Commission under Section 7 of the Natural Gas Act and Part 157 of the Commission's regulations.

<sup>2</sup> The appendices referenced in this notice are not being printed in the Federal Register. Copies are available from the Commission's Public Reference and Files Maintenance Branch, 888 First Street, N.E., Washington, D.C. 20426, or call (202) 208-1371. Copies of the appendices were sent to all those receiving this notice in the mail.

#### The EA Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires us to discover and address concerns the public may have about proposals. We call the "scoping". The main goal of the scoping process is to focus the analysis in the EA on the important environmental issues. By this Notice of Intent, the Commission requests public comments on the scope of the issues it will address in the EA. All comments received are considered during the preparation of the EA. State and local government representatives are encouraged to notify their constituents of this proposed action and encourage them to comment on their areas of concern.

The EA will discuss impacts that could occur as a result of the construction and operation of the proposed project under these general headings:

- geology and soils
- water resources, fisheries, and wetlands
- vegetation and wildlife
- endangered and threatened species
- land use
- cultural resources
- hazardous waste
- public safety

We will also evaluate possible alternatives to the proposed project or portions of the project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

Our independent analysis of the issues will be in the EA. Depending on the comments received during the scoping process, the EA may be published and mailed to Federal, state, and local agencies, public interest groups, interested individuals, affected landowners, newspapers, libraries, and the Commission's official service list for this proceeding. A comment period will be allotted for review if the EA is published. We will consider all comments on the EA before we recommend that the Commission approve or not approve the project.

#### Currently Identified Environmental Issues

We have already identified several issues that we think deserve attention based on a preliminary review of the proposed facility and the environmental information provided by National Fuel. This preliminary list of issues may be