

Western Area Power Administration**Boulder Canyon Project—Notice of Firm Power Service Base Charge**

AGENCY: Western Area Power Administration, DOE.

ACTION: Notice of base charge.

SUMMARY: Notice is given of the confirmation and approval by the Deputy Secretary of the Department of Energy (DOE) of the Base Charge and its components for the Boulder Canyon Project (BCP) firm power service. The Fiscal Year (FY) 1997 Base Charge and its components for BCP firm power are based on an Annual Revenue Requirement of \$44,437,488. The Base Charge consists of a rounded energy dollar of \$22,976,823 and a rounded capacity dollar of \$21,460,664. This Base Charge and its components are used for calculating the monthly charges and forecast rates pursuant to Rate Schedule BCP-F5 as approved by the Federal Energy Regulatory Commission (FERC) on April 19, 1996 (Rate Order No. WAPA-70).

DATES: The Base Charge and its components, used in calculating the monthly charges and forecast rates pursuant to Rate Schedule BCP-F5, will be effective on the first day of the first full billing period beginning on or after October 1, 1996, and will be in effect through FY 1997.

FOR FURTHER INFORMATION CONTACT:

Mr. J. Tyler Carlson, Regional Manager, Desert Southwest Customer Service Region, Western Area Power Administration, P.O. Box 6457, Phoenix, AZ 85005-6457, (602) 352-2453.

Mr. Joel K. Bladow, Assistant Administrator for Power Marketing Liaison, Western Area Power Administration, Room 8G-027, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585-0001, (202) 586-5581.

SUPPLEMENTARY INFORMATION: The Base Charge and its components were calculated in accordance with the methodology approved under Rate Order WAPA-70. The Procedures for Public Participation in Power and Transmission Rate Adjustments and Extensions, 10 CFR Part 903, have been followed by Western Area Power Administration (Western) in determining the Base Charge and its components. The following summarizes the steps taken by Western to ensure involvement of all interested parties in the determination of the Base Charge and its components:

1. Discussion of the proposed Base Charge and its components was initiated at an informal BCP Contractor meeting held on May 9, 1996, in Phoenix, Arizona. At this informal meeting, representatives from Western and the Bureau of Reclamation (Reclamation) explained the basis for estimates used in the calculation of the Base Charge and its components. A question and answer session was convened for those persons attending.

2. A Federal Register Notice (FRN) was published on May 22, 1996 (61 FR 25664), officially announcing the proposed Base Charge adjustment process, initiating the public consultation and comment period, announcing the public information and public comment forums, and presenting procedures for public participation.

3. On June 7, 1996, a letter was mailed from Western's Desert Southwest Customer Service Regional Office to all BCP customers and other interested parties. The letter provided a copy of the BCP Proposed Rate Adjustment data, dated June 1996, which included a copy of the FRN of May 22, 1996.

4. At the public information forum held on June 13, 1996, in Phoenix, Arizona. Western and Reclamation representatives explained the proposed Base Charge and its components for Rate Year 1997 in greater detail. A question and answer session was convened for those persons attending.

5. A public comment forum was held on July 15, 1996, in Phoenix, Arizona, to give the public an opportunity to comment for the record. Five persons representing customers and customer groups made oral comments.

6. Ten comment letters were received during the 92-day consultation and comment period. The consultation and comment period ended August 22, 1996. All formally submitted comments have been considered in the preparation of this FRN.

Most of the comments received during the public meetings or in the written correspondence dealt with the Visitor Facilities, hydrology, and the BCP Initial Audit.

All comments were considered in developing the Base Charge for FY 1997. The comments and responses, paraphrased for brevity, are presented below.

Hydrology

Issue: A request was made, asking that if the Master Schedule for FY 97 is revised to reflect excess energy prior to the end of the rate process, that it be used as the final Master Schedule for determining the monthly energy ratios

used to calculate the monthly energy charge.

Response: If Reclamation notifies Western of changes which result in a revision of the Master Schedule for FY 97 prior to the start of the fiscal year, Western will use the revised Master Schedule to determine the monthly energy ratios used to calculate the monthly energy charge.

Visitor Facilities

Issue: Concern was expressed regarding the potential for the BCP customers being required to pay as much as \$31 million as a result of the suit filed in the Federal Claims Court by the PCL Company. Several commentors stated that they believed that the BCP rates should not be required to recover these costs.

Response: The Engineering and Operations Committee (E&OC) has agreed to include the cost of defending the Government's position regarding the PCL claim as part of the total Visitor Facilities costs. Western, Reclamation, and BCP Contractors will address the issue of any settlement or judgement costs if they are incurred by the Government.

Cost Containment

Issue: A request was made that the O&M expenses for both Western and Reclamation be thoroughly reviewed by the E&OC and the Ten Year Planning Committees. A goal of the review should be to see if high cost activities could be spread out over more than 2 years and that these costs are accounted for in the proper category (i.e., O&M, replacements, etc).

Response: Western and Reclamation are committed to working with the E&OC and the Ten Year Planning Committees to thoroughly review all O&M and replacement activities. During the review of O&M and replacement activities, Western and Reclamation will attempt to spread out the expenditure schedules for high cost activities where feasible.

Issue: Western and Reclamation were cautioned that even though the water forecasts project a water surplus condition over the next 5 years, they should not stop their efforts in cost containment and finding alternative revenues.

Response: Western and Reclamation have committed to continue with the various partnership activities with the BCP Contractors in keeping the BCP costs down.

BCP Initial Audit

Issue: Concern was expressed over when the various recommendations

from the BCP Initial Audit were going to be implemented. When was the power repayment spreadsheet study going to be modified? All parties were encouraged to accomplish this as soon as possible.

Response: Western and Reclamation are working with the BCP Contractors and the auditors to resolve and implement the recommendations from the BCP Initial Audit. There has been an on-going effort in researching and reconciling the financial records with the PRSS. Until the research is completed for such items as revenues, expenses and cash, adjustments to the PRSS and the financial records cannot be accomplished. It is Western's intent to have all research, reconciliations, adjustments to financial records, and modifications to the PRSS accomplished by the end of the FY 1997 rate process.

Project Partnership

Issue: Several commentors expressed their appreciation to Western and Reclamation for their cooperative efforts in keeping the costs as low as possible. They stated that they hoped that Western and Reclamation would continue with those efforts.

Response: Western and Reclamation reaffirmed their commitment to maintaining the cooperative spirit and partnership with the BCP customers.

Power Repayment Spreadsheet Study

Issue: A request was made, asking that supporting schedules separate Reclamation's O&M costs attributable to Hoover Dam and appurtenances, from the O&M costs attributable to the power plant.

Response: As stated in the data request response mailed July 2, 1996, Reclamation's O&M cost accounts are set up to reflect the FERC classifications. Reclamation's accounting system does not distinguish between costs associated with the dam and appurtenances, and costs associated with the power plant; therefore, this information cannot be provided.

By Amendment No. 3 to Delegation Order No. 0204-108, published November 10, 1993 (58 FR 59716), the Secretary of Energy (Secretary) delegated (1) the authority to develop long-term power and transmission rates on a nonexclusive basis to the Administrator of 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 FERC. Existing DOE procedures for public participation in power rate adjustments

(10 CFR Part 903) became effective on September 18, 1985 (50 FR 37835).

These charges and rates are established pursuant to section 302(a) of the DOE Organization Act, 42 U.S.C. 7152(a), through which the power marketing functions of the Secretary of the Interior and Reclamation under the Reclamation Act of 1902, 43 U.S.C. 371 *et seq.*, 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.

Issued in Washington, DC, September 23, 1996.

Charles B. Curtis,

Deputy Secretary.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-5618-6]

Agency Information Collection Activities: Proposed Collection; Comment Request; Emergency Planning and Release Notification Requirements; Community Right-to-Know Reporting Requirements; Trade Secret Claims for Emergency Planning and Community Right-to-Know Information

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*) this notice announces that EPA is planning to submit the following continuing Information Collection Request (ICR) to the Office of Management and Budget (OMB). Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below. The ICRs are: (1) continuing ICR entitled "Emergency Planning and Release Notification Requirements (EPCRA sections 302, 303, and 304)," (2) continuing ICR entitled "Community Right-to-Know Reporting Requirements (EPCRA sections 311 and 312)," (3) continuing ICR entitled "Trade Secret Claims for Emergency Planning and Community Right-to-Know Information." 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.

DATES: Comments must be submitted on or before November 29, 1996.

ADDRESSES: Submit three copies of all written comments to: Lea Anne Gleason (202) 260-7387, fax (202) 260-0927, E-Mail Gleason.L@EPAMail.EPA.Gov, or John Ferris (202) 260-4043, fax (202) 260-0927, E-Mail Ferris.J@EPAMail.EPA.Gov.

The above information can also be used to obtain a copy of the ICR without charge.

FOR FURTHER INFORMATION CONTACT: Lea Anne Gleason, (202) 260-7387 or John Ferris (202) 260-4043, or as above.

SUPPLEMENTARY INFORMATION:

Information below is provided for the three Information Collection Requests (ICRs):

Affected entities: Entities potentially affected by this action are those who (1) must comply with the emergency planning and emergency release notification provisions of EPCRA sections 302, 303, and 304, (2) must comply with Right-to-Know provisions of EPCRA requiring reporting information about the presence of chemicals and their inventories (Sections 311 and 312 of EPCRA) or (3) wish to file a claim of trade secrecy of reporting requirements under Sections 322 (trade secrets).

Title: (1) Emergency Planning and Release Notification Requirements (EPCRA sections 302, 303, and 304). OMB #2050-0092, EPA ICR #1395.02, expiring 01/31/97.

Abstract: EPCRA established broad emergency planning and facility reporting requirements. Section 302 (40 CFR 355.30) requires any facility where an extremely hazardous substance (EHS) is present in an amount at or in excess of the threshold planning quantity (TPQ) to notify the state emergency response commission (SERC) by May 17, 1987. This activity has been completed; the section 302 costs and burden hours for this ICR, therefore, reflect only the estimate of the cost and burden incurred by those additional facilities who come to have an EHS in excess of the TPQ during the years 1996 through 1999.

Section 303 (40 CFR 355.30) requires local emergency planning committees (LEPCs) to prepare emergency plans. Facilities subject to section 302 are required to provide local planners with information necessary for the preparation of these emergency plans. In addition, the facilities are required to inform LEPCs of any relevant changes in