

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 this "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 the general headings:

- Geology and soils
- Water resources, fisheries, and wetlands
- Vegetation and wildlife
- Endangered and threatened species
- Public safety
- Land use
- Cultural resources
- Air quality and noise
- Hazardous waste

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 facilities and the environmental information provided by

Great Lakes. This preliminary list of issues may be changed based on your comments and our analysis.

- Effect on three federally listed endangered or threatened species, Bald eagle, Piping plover, and Timber wolf, and state special concern species.
- Eleven perennial waterbodies would be crossed and three of them are coldwater fisheries (two are trout stocking fisheries).
- Four waterbodies would be crossed that are over 100 feet wide (South Branch Two Rivers, Mississippi River, Schoolcraft River, and Nemadji River).
- Effect on Mississippi Headwaters State Forest land.
- Effect on residences that are potentially within 50 feet of the proposed construction work area.
- Several prehistoric and historic archaeological sites may be affected by the project (only 30 percent of the cultural resources surveys have been completed to date).

Public Participation

- You can make a difference by sending a letter addressing your specific comments or concerns about the project. You should focus on the potential environmental effects of the proposal, alternatives to the proposal (including alternative routes), and measures to avoid or lessen environmental impact. The more specific your comments, the more useful they will be. Please follow the instructions below to ensure that your comments are received and properly recorded:

- Address your letter to: Lois Cashell, Secretary, Federal Energy Regulatory Commission, 888 First St., N.E., Washington, DC 20426.
- Reference Docket No. CP96-647-000.
- Mail your comments so that they will be received in Washington, DC on or before March 3, 1997.

If you wish to receive a copy of the EA, please write to the Secretary of the Commission at the address on page 4 of this notice.

Becoming an Intervenor

In addition to involvement in the EA scoping process, you may want to become an official party to the proceeding or become an "intervenor". Among other things, intervenors have the right to receive copies of case-related Commission documents and filings by other intervenors. Likewise, each intervenor must provide copies of its filings to all other parties. If you want to become an intervenor you must file a motion to intervene according to Rule 214 of the Commission's Rules of

Practice and Procedure (18 CFR 385.214) (see appendix 2).

The date for filing timely motions to intervene in this proceeding has passed. Therefore, parties now seeking to file late interventions must show good cause, as required by § 385.214(b)(3), why this time limitation should be waived. Environmental issues have been viewed as good cause for late intervention.

You do not need intervenor status to have your scoping comments considered.

Lois D. Cashell,

Secretary.

[FR Doc. 97-2773 Filed 2-4-97; 8:45 am]

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[Docket Nos. CP96-16-000 and CP96-16-001]

Transcontinental Gas Pipeline Corporation; Notice of Meeting

January 30, 1997.

On February 6, 1997, Office of Pipeline Regulation Staff will meet with representatives of Transcontinental Gas Pipe Line Corporation (Transco) to discuss pre-filing matters for a compliance filing on compressor station architectural design required by Commission Order issued December 2, 1996 in Docket No. CP96-16-000 and 001. Transco requested this pre-filing meeting by letter filed January 29, 1997 in the subject docket.

The meeting will be at 10:00 AM at the Commission's headquarters, 888 First Street NE, Washington, DC.

Kevin P. Madden,

Director, Office of Pipeline Regulation.

[FR Doc. 97-2772 Filed 2-4-97; 8:45 am]

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Southwestern Power Administration

Transmission Rate Design Development

AGENCY: Southwestern Power Administration, DOE.

ACTION: Notice canceling a planned technical conference.

SUMMARY: The Administrator, Southwestern Power Administration (Southwestern) will *not* conduct the Technical Conference that was anticipated to be convened as noted in the Federal Register (61 FR 53732) on October 15, 1996.

FOR FURTHER INFORMATION CONTACT: Mr. Forrest E. Reeves, Assistant Administrator, Office of Corporate Operations, Southwestern Power Administration, U.S. Department of

Energy, P.O. Box 1619, Tulsa, Oklahoma 74101, (918) 595-6696.

SUPPLEMENTARY INFORMATION: Following Department of Energy (DOE) guidance in its response to the Federal Energy Regulatory Commission's April 24, 1996, Order No. 888 (Promoting Wholesale Competition Through Open Access Non-Discriminatory Transmission Services by Public Utilities), Southwestern Power Administration (Southwestern) is reviewing its rate design structure to ensure compliance with the intent of Order 888 for open access wholesale electric transmission rates. A Public Forum was convened Tuesday, October 29, 1996, in Southwestern's offices in Tulsa, Oklahoma. The Forum was held to explain the goals of the rate design review process and identify areas of specific concern. At the Forum and through a formal comment period, Southwestern sought comments and opinions regarding potential approaches to the rate design of ancillary services and the unbundling of the generation and transmission rates.

A transcript of the Public Forum was made. For a fee, copies of the transcript may be obtained from the transcribing service.

An interested parties list was also developed for those parties that were unable to attend the Public Forum, but wanted to receive any mailings regarding this issue in the future.

It was anticipated that a Technical Conference would need to be convened before the end of February 1997 to review specific comments and encourage discussions to help ensure a better understanding of the technicalities of the issues being reviewed (e.g. Development of Ancillary Services). In October 15, 1996, Federal Register Notice (61 FR 53732), Southwestern provided notification of its plan to convene a conference to review, in detail, the technical comments received to help determine how the technicalities could best be incorporated into the rates for transmission services. The Comments received were not technical in nature and virtually all are consistent with Southwestern's anticipated approach to unbundling transmission and generation rates. Therefore, with only minimal benefits expected to be gained from holding a technical conference, Southwestern will *not* conduct such a conference.

Southwestern proposes to pursue the unbundling of its transmission services in conjunction with its normal repayment process. As part of this process, a formal comment period will

be provided to allow interested parties to provide comments and suggestions regarding the rates being developed.

We look forward to your continued interest and participation in the ongoing process of rate development.

Issued in Tulsa, Oklahoma, this 27th day of January, 1997.

Michael A. Deihl,

Administrator.

[FR Doc. 97-2826 Filed 2-4-97; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-5685-4]

Proposed Settlement, Acid Rain Opt-in-Rule Litigation

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed settlement; Request for public comment.

SUMMARY: In accordance with section 113(g) of the Clean Air Act ("Act"), notice is hereby given of a proposed settlement of *Alcoa Generating Corporation v. United States Environmental Protection Agency*, No. 95-1292 (D.C. Cir.).

This case involves a challenge to the final rule, entitled "Opting into the Acid Rain Program," which, *inter alia*, established provisions that allow certain sulfur dioxide emitting combustion sources that are not otherwise subject to the Acid Rain Program to voluntarily become subject to, or "opt into," the Acid Rain Program and receive marketable emission allowances.

For a period of thirty (30) days following the date of publication of this notice, the environmental Protection Agency will receive written comments relating to the settlement from persons who were not named as parties to the litigation in question. The Agency or the Department of Justice may withhold or withdraw consent to the proposed settlement if the comments disclose facts or circumstances that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Copies of the settlement are available from Jacqueline Jordan, Cross-Cutting Issues Division (2322), Office of General Counsel, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460, (202) 260-7622. Written comments should be sent to Jonathan Averback, Air and Radiation division (2344), Office of General Counsel, U.S. Environmental Protection Agency, 401 M Street, S.W.,

Washington, D.C. 20460 and must be submitted on or before March 7, 1997.

Dated: January 27, 1997.

Scott C. Fulton,

Acting General Counsel.

[FR Doc. 97-2842 Filed 2-4-97; 8:45 am]

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[FRL-5683-2]

Clean Water Act Section 303(d) Total Maximum Daily Load (TMDL) Program; Draft TMDL Program Implementation Strategy

AGENCY: Environmental Protection Agency.

ACTION: Notice of availability.

SUMMARY: EPA's Assistant Administrator for Water hereby makes available for public comment a Draft TMDL Program Implementation Strategy. The TMDL program addresses waters that do not meet State water quality standards even after pollution sources have implemented required pollution controls. CWA section 303(d) requires States to identify these waters and develop TMDLs for them, with oversight from the Environmental Protection Agency (EPA). A TMDL allocates pollutant loadings among pollution sources in a watershed, and is a basis for taking the actions needed to restore a waterbody.

The Draft TMDL Program Implementation Strategy explains EPA's vision, priorities and the steps the Agency will take to help States meet TMDL program requirements. The Strategy identifies issues for which EPA may develop guidance and/ or make regulatory changes. The Strategy also describes activities that are currently underway, have been recently initiated, or for which EPA will direct a greater portion of its available program resources.

EPA will use this Draft Strategy to explain the Agency's current plans to fully implement the TMDL program and to facilitate broad-based public discussion on how the TMDL program can be improved. EPA has provided the Draft Strategy as background information to the recently formed TMDL Federal Advisory Committee Act (FACA) Committee. The Committee will develop recommendations concerning needed changes to this Draft Strategy as well as all TMDL related policies, guidance regulations, and priorities.

DATES: EPA is accepting comments on the Draft TMDL Program Implementation Strategy for 90 days following the date of publication of this notice.