

ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-5487-1]

Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared November 17, 1997 Through November 21, 1997 pursuant to the Environmental Review Process (ERP), under Section 309 of the Clean Air Act and Section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at (202) 564-7167.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in the **Federal Register** dated April 11, 1997 (62 FR 16154).

Draft EISs

ERP No. D-AFS-L65292-ID Rating EO2, Caribou National Forest, Implementation, Federal Phosphate Leasing Proposal for the Manning Creek and Dairy Syncline Tracts, Caribou County, ID.

Summary: EPA expressed environmental objections about project impacts on water quality, including 303(d) listed waters. Specific mitigation measures need to be included in the Final EIS.

Final EISs

ERP No. F-AFS-L60103-AK, Swan Lake-Lake Tyee Intertie Project, Electrical Transmission Line and Associated Facilities Construction and Operation, Northwestern Portion of Revillagigedo Island from Upper Carroll Inlet to Behm Canal and the Northeastern Portion of Cleveland Peninsula from Spacious Bay to Bradfield Canal, Special-Use-Permit Issuance, Tongass.

Summary: EPA expressed environmental concerns with the methodologies used and conclusions drawn about cumulative effects within the project corridor.

Dated: December 2, 1997.

William D. Dickerson,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 97-31916 Filed 12-4-97; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-5486-9]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564-7167 OR (202) 564-7153.

Weekly receipt of Environmental Impact Statements Filed November 24, 1997 Through November 28, 1997 Pursuant to 40 CFR 1506.9.

EIS No. 970457, Final EIS, FHW, NC, US-17/Wilmington Bypass Transportation Improvement Program, Updated Information, TIP R-2633C, Construction from I-40 to US 421, Funding, NPDES and US Coast Guard and COE Section 10 and 404 Permits, New Hanover County, NC, Due: January 5, 1998, Contact: Nicholas L. Graf, P.E. (919) 856-4346.

EIS No. 970458, Final EIS, IBR, CA, American River Water Resources Investigation, Implementation, Placer, Suter, EL Dorado, Sacramento and San Joaquin Counties, CA, Due: January 5, 1998, Contact: Al Candlish (916) 978-5187.

EIS No. 970459, Draft EIS, FHW, CA, CA-58, Transportation Corridor, Route Adoption and Purchases Right-of-Way Acquisition Project, between CA-99 in the Bakersfield Metropolitan Area and Interstate 5 in Kern County, Funding and COE Section 404 Permit, Kern County, CA, Due: January 25, 1998, Contact: John R. Schultz (916) 498-5041.

EIS No. 970460, Final EIS, COE, CA, Syar Mining Operation and Reclamation Plan, Six Sites Selected along the Russian River, Construction, Mining-Use-Permit and COE Section 404 Permit, City of Healdsburg, Sonoma County, CA, Due: January 5, 1998, Contact: Peter Straub (415) 977-8443.

EIS No. 970461, Draft EIS, AFS, CA, Ansel Adams, John Muir, Dinkey Lakes and Monarch Wildernesses, Proposed New Management Direction, Amending the Land and Resource Management Plans for the Inyo, Sierra and Sequoia National Forests, Implementation, Inyo, Madera, Mono and Fresno Counties, CA, Due: March 6, 1998, Contact: Robert Hawkins (619) 873-2400.

EIS No. 970462, Final EIS, NOAA, GA, State of Georgia Coastal Management Program, Comprehensive Coastal Land and Water Use Activities, Approval and Implementation, GA, Due: January 5, 1998, Contact: Joshua Lott (301) 713-3117.

EIS No. 970463, Draft EIS, BLM, AK, Northeast National Petroleum Reserve-Alaska (NPR-A), Integrate Activity Plan, Multiple-Use Management, for Land within the North Slope Borough, AK, Due: February 10, 1998, Contact: Gene Terland (907) 271-3369.

Dated: December 2, 1997.

William D. Dickerson,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 97-31917 Filed 12-4-97; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-5932-4]

Notice of Proposed NPDES General Permits for Discharges From Hydrostatic Testing of New and Existing Natural Gas Pipelines in Texas (TXG670000), Oklahoma (OKG670000) and New Mexico (NMG670000)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of draft NPDES general permits.

SUMMARY: EPA Region 6 is proposing to issue general NPDES permits authorizing discharges resulting from the hydrostatic testing of new and existing natural gas pipelines in Texas, Oklahoma and New Mexico. These permits cover discharges resulting from the hydrostatic testing, as required by Department of Transportation regulations 49 CFR Part 192, Subpart J, or equivalent State rules, of new as well as existing pipelines for natural gas. As proposed, the permits have the following requirements for hydrostatic test water discharges from new natural gas pipelines: Limits on oil and grease, total suspended solids and pH, and a limit of no acute toxicity if the hydrostatic test fill water is obtained from a source other than the receiving water to which the hydrostatic test water is discharged. For hydrostatic test water discharges from existing natural gas pipelines, the permits have the same limits as for new pipelines (limits on oil and grease, total suspended solids, pH and, in some cases, no acute toxicity) as well as a limit on benzene.

DATES: Comments on these proposed permits must be submitted by February 3, 1998.

ADDRESSES: Comments on these proposed permits should be sent to the Regional Administrator, EPA Region 6,

1445 Ross Avenue, Dallas, Texas 75202-2733.

FOR FURTHER INFORMATION CONTACT: Ms. Wilma Turner, EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733, telephone (214) 665-7516. Copies of the complete fact sheet and proposed permits may be obtained from Ms. Turner. The fact sheet and proposed permits can also be found on the Internet at <http://www.epa.gov/earth1r6/6wq/6wq.htm>. In addition, the current administrative record on the proposal is available for examination at the Region's Dallas offices during normal working hours after providing Ms. Turner 24 hours advanced notice.

SUPPLEMENTARY INFORMATION:

Regulated categories and entities include:

Category	Examples of regulated entities
Industry	Operators of facilities discharging waste waters resulting from the hydrostatic testing of new and existing natural gas pipelines.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be regulated by this action. This table lists the types of entities that EPA is now aware could potentially be regulated by this action. Other types of entities not listed in the table could also be regulated. To determine whether your (facility, company, business, organization, etc.) is regulated by this action, you should carefully examine the applicability criteria in Part I, Section A.1 of these permits. If you have questions regarding the applicability of this action to a particular entity, consult the person listed in the preceding **FOR FURTHER INFORMATION CONTACT** section.

Section 301(a) of the Clean Water Act (CWA or the Act), 33 U.S.C. 1311(a), makes it unlawful to discharge pollutants to waters of the United States in the absence of authorizing permits. CWA section 402, 33 U.S.C. 1342, authorizes EPA to issue National Discharge Elimination System (NPDES) permits allowing discharges on condition they will meet certain requirements, including CWA sections 301, 304, and 401 (33 U.S.C. 1331, 1314 and 1341).

Those statutory provisions require that NPDES permits include effluent limitations requiring that authorized discharges: (1) Meet standards reflecting levels of technological capability, (2) comply with EPA-approved state water quality standards and (3) comply with other state requirements adopted under

authority retained by states under CWA 510, 33 U.S.C. 1370.

Two types of technology-based effluent limitations must be included in the permits proposed here. With regard to conventional pollutants, i.e., pH, BOD, oil and grease, TSS and fecal coliform, CWA section 301 (b)(1)(E) requires effluent limitations based on "best conventional pollution control technology" (BCT). With regard to nonconventional and toxic pollutants, CWA section 301(b)(2) (A), (C), and (D) require effluent limitations based on "best available pollution control technology economically achievable" (BAT), a standard which generally represents the best performing existing technology in an industrial category or subcategory. BAT and BCT effluent limitations may never be less stringent than corresponding effluent limitations based on best practicable control technology (BPT), a standard applicable to similar discharges prior to March 31, 1989 under CWA 301(b)(1)(A).

National guidelines establishing BPT, BCT and BAT standards have not been promulgated for discharges from the hydrostatic testing of pipelines. The BCT and BAT requirements for these discharges have, therefore, been established using best professional judgement, as required by CWA section 402(a)(1). The following limits are proposed:

Texas (TXG670000)		Daily maximum
Benzene ¹	50 µg/l	
Oil and Grease	15 mg/l	
Total Suspended Solids, pH 6.0-9.0 Std. Units.	90 mg/l	
Oklahoma (OKG670000)		Daily maximum
Benzene ¹	50 µg/l	
Oil and Grease	15 mg/l	
Total Suspended Solids, pH 6.5-9.0 Std. Units.	45 mg/l	
New Mexico (NMG67000)		Daily maximum
Benzene ¹	50 µg/l	
Oil and Grease	15 mg/l	
Total Suspended Solids, pH 6.0-9.0 Std. Units.	90 mg/l	

¹ Benzene limit applies to discharges from existing natural gas pipelines.

Requirements applicable for TXG670000, OKG670000 and NMG670000:

There shall be No Acute Toxicity as determined by requiring greater than 50% survival in 100% effluent using a 24 hour acute test. Sampling for the toxicity test shall be made on the fill

water prior to being used in the hydrostatic test. This toxicity limit applies only to fill water taken from a source different from the receiving water to which it is discharged. This toxicity limit does not, however, apply to fill water whose source is a municipal drinking water supply.

Other Legal Requirements

A. State Certification

Under section 401(a)(1) of the Act, EPA may not issue an NPDES permit until the State in which the discharge will originate grants or waives certification to ensure compliance with appropriate requirements of the Act and State law. Section 301(b)(1)(C) of the Act requires that NPDES permits contain conditions that ensure compliance with applicable state water quality standards or limitations. The proposed permits contain limitations intended to ensure compliance with state water quality standards and has been determined by EPA Region 6 to be consistent with the applicable state's water quality standards and the corresponding implementation plans. The Region has solicited certification from the Railroad Commission of Texas for TXG670000, the Oklahoma Corporation Commission for OKG670000 and the New Mexico Environment Department for NMG670000.

B. Endangered Species Act

The proposed limits are sufficiently stringent to assure state water quality standards, both for aquatic life protection and human health protection, will be met. The effluent limitations established in these permits ensure protection of aquatic life and maintenance of the receiving water as an aquatic habitat. The Region finds that adoption of the proposed permits is unlikely to adversely affect any threatened or endangered species or its critical habitat. EPA is seeking written concurrence from the United States Fish and Wildlife Service and National Marine Fisheries Service on this determination.

C. Historic Preservation Act

Facilities which adversely affect properties listed or eligible for listing in the National Register of Historical Places are not authorized to discharge under this permit.

D. Executive Order 12866

The Office of Management and Budget (OMB) has exempted this action from the review requirements of Executive Order 12866.

E. Paperwork Reduction Act

The information collection required by this permit has been approved by OMB under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*, in submission made for the NPDES permit program and assigned OMB control numbers 2040-0086 (NPDES permit application) and 2040-0004 (discharge monitoring reports).

F. Unfunded Mandates Reform Act

Section 201 of the Unfunded Mandates Reform Act (UMRA), Public Law 104-4, generally requires Federal agencies to assess the effects of their "regulatory actions" on State, local, and tribal governments and the private sector. UMRA uses the term "regulatory actions" to refer to regulations. (See, e.g., UMRA section 201, "Each agency shall * * * assess the effects of Federal regulatory actions * * * (other than to the extent that such regulations incorporate requirements specifically set forth in law)" (emphasis added)). UMRA section 102 defines "regulation" by reference to section 658 of Title 2 of the U.S. Code, which in turn defines "regulation" and "rule" by reference to section 601(2) of the Regulatory Flexibility Act (RFA). That section of the RFA defines "rule" as "any rule for which the agency publishes a notice of proposed rulemaking pursuant to section 553(b) of [the Administrative Procedure Act (APA)], or any other law * * *".

NPDES general permits are not "rules" under the APA and thus not subject to the APA requirement to publish a notice of proposed rulemaking. NPDES general permits are also not subject to such a requirement under the CWA. While EPA publishes a notice to solicit public comment on draft general permits, it does so pursuant to the CWA section 402(a) requirement to provide "an opportunity for a hearing." Thus, NPDES general permits are not "rules" for RFA or UMRA purposes.

EPA thinks it is unlikely that this proposed permit issuance would contain a Federal requirement that might result in expenditures of \$100 million or more for State, local and tribal governments, in the aggregate, or the private sector in any one year.

The Agency also believes that the proposed permit issuance would not significantly nor uniquely affect small governments. For UMRA purposes, "small governments" is defined by reference to the definition of "small governmental jurisdiction" under the RFA. (See UMRA section 102(1), referencing 2 U.S.C. 658, which

references section 601(5) of the RFA.) "Small governmental jurisdiction" means governments of cities, counties, towns, etc., with a population of less than 50,000, unless the agency establishes an alternative definition.

The proposed permit issuance also would not uniquely affect small governments because compliance with the proposed permit conditions affects small governments in the same manner as any other entities seeking coverage under the permit.

G. Regulatory Flexibility Act

The Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, requires that EPA prepare a regulatory flexibility analysis for regulations that have a significant impact on a substantial number of small entities. Compliance with the permit requirements will not result in a significant impact on dischargers, including small businesses, covered by these permits. EPA Region 6 therefore concludes that the permits proposed today will not have a significant impact on a substantial number of small entities.

Dated: November 25, 1997.

Oscar Ramirez, Jr.,

Deputy Director, Water Quality Protection Division, EPA Region 6.

[FR Doc. 97-31913 Filed 12-4-97; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collection(s) Submitted to OMB for Review and Approval

November 28, 1997.

SUMMARY: The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility;

(b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

DATES: Written comments should be submitted on or before January 5, 1998. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all comments to Judy Boley, Federal Communications Commission, Room 234, 1919 M St., N.W., Washington, DC 20554 or via internet to jboley@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection(s), contact Judy Boley at 202-418-0214 or via internet at jboley@fcc.gov.

SUPPLEMENTARY INFORMATION:

OMB Control No.: 3060-0785.

Title: Changes to the Board of Directors of the National Exchange Carrier Association (NECA) and the Federal-State Joint Board on Universal Service, CC Docket Nos. 97-21 and 96-45.

Form No.: FCC Form 457.

Type of Review: Extension of a currently approved collection.

Respondents: Businesses or other for profit.

Number of Respondents: 5,000 respondents, 20,000 responses.

Estimated Time Per Response: 5 hours (avg).

Frequency of Response: Reporting requirements—on occasion, quarterly, semi-annually, and monthly.

Cost to Respondents: \$7,580,500.

Total Annual Burden: 86,250 hours.

Needs and Uses: The Universal Service Worksheet, FCC Form 457, will be submitted by contributors to universal service. Contributors are asked to submit semi-annually information regarding their end-user telecommunications revenues. The FCC Form 457 will be used by the Administrator of the Universal Service Support Mechanisms to calculate individual contributions. Contributors will also be required to submit quarterly contributions to universal service. Contributors may also submit information in order to get credits against their contributions. Additionally, contributors may submit monthly credit information, but this