

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission****Notice of Application Ready for Environmental Analysis**

August 13, 1998.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

- a. *Type of Application:* Minor License.
- b. *Project No.:* P-11150-000.
- c. *Date Filed:* May 24, 1991.
- d. *Applicant:* Cameron Gas and Electric Company.
- e. *Name of Project:* Smithville and Mix Hodro Project.
- f. *Location:* On the Grant River, near Eaton Rapids, in Eaton County, Michigan.
- g. *Filed Pursuant to:* Federal Power Act 16 U.S.C. 791(a)-825(r).
- h. *Applicant Contact:* Ms. Jan Marie Evans, 4121 Okemos Road, Suite 23, Okemos, MI 48864, (517) 347-4048.
- i. *FERC Contact:* William Guey-Lee (202) 219-2808.
- j. *Deadline Date:* See paragraph D10.
- k. *Status of Environmental Analysis:* This application has been accepted for filing and is ready for environmental analysis at this time—see attached paragraph D10.

l. *Description of Project:* The existing constructed project consists of the following:

A. The Mix Development comprising (1) an existing 188-foot-long and 7-foot-high dam; (2) an existing 150-acre reservoir having a storage capacity of 500-acre-feet at elevation 184 feet (project datum); (3) a powerhouse containing two generating units for a total installed capacity of 202 kilowatts (kW); (4) an existing 300-foot-long, 15-Kilovolt transmission line; and (5) appurtenant facilities.

B. The Smithville Development comprising (1) an existing 440-foot-long and 17-foot-high dam; (2) an existing 80-acre reservoir having a storage capacity of 300-acre-feet at elevation 883.3 feet M.S.L.; (3) a powerhouse containing three generating units for a total installed capacity of 500-kW; (4) an existing 300-foot-long, 15-kV transmission line; and (5) appurtenant facilities.

The total project capacity would be 702-kW and the total average annual generation for this project would be 3,000 MWh. The dam and existing project facilities are owned by the applicant.

m. This notice also consists of the following standard paragraphs: A4 and D10.

n. *Available Location of Application:* A copy of the application, as amended and supplemented, is available for inspection and reproduction at the Commission's Public Reference and Filed Maintenance Branch, located at 888 First Street, NE, Room 2A-1, Washington, DC 20426, or by calling (202) 208-1371. A copy is also available for inspection and reproduction at Cameron Gas and Electric Company at 4121 Okemos Road, Suite 23, Okemos, MI 48864, or by calling (517) 347-4048.

A4. Development Application—Public notice of the filing of the initial development application, which has already been given, established the due date for filing competing applications or notices of intent. Under the Commission's regulations, any competing development application must be filed in response to and in compliance with public notice of the initial development application. No competing applications or notices of intent may be filed in response to this notice.

D10. Filing and Service of Responsive Documents—The application is ready for environmental analysis at this time, and the Commission is requesting comments, reply comments, recommendations, terms and conditions, and prescriptions.

The Commission directs, pursuant to Section 4.34(b) of the Regulations (see Order No. 533 issued May 8, 1991, 56 FR 23108, May 20, 1991) that all comments, recommendations, terms and conditions and prescriptions concerning the application be filed with the Commission within 60 days from the issuance date of this notice. All reply comments must be filed with the Commission within 105 days from the date of this notice.

Anyone may obtain an extension of time for these deadlines from the Commission only upon a showing of good cause or extraordinary circumstances in accordance with 18 CFR 385.2008.

All filings must (1) bear in all capital letters the title "COMMENTS", "REPLY COMMENTS", "RECOMMENDATIONS," "TERMS AND CONDITIONS," or "PRESCRIPTIONS;" (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the persons submitting the filing; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments,

recommendations, terms and conditions or prescriptions must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). Agencies may obtain copies of the application directly from the applicant. Any of these documents must be filed by providing the original and the number of copies required by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. An additional copy must be sent to Director, Division of Project Review, Office of Hydropower Licensing, Federal Energy Regulatory Commission, at the above address. Each filing must be accompanied by proof of service on all persons listed on the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b), and 385.2010.

**David P. Boergers,**

*Secretary.*

[FR Doc. 98-22251 Filed 8-18-98; 8:45 am]

BILLING CODE 6717-01-M

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission****Notice of Draft License Application and Preliminary Draft Environmental Assessment (PDEA) and Request for Preliminary Terms and Conditions**

August 13, 1998.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

- a. *Type of Applications:* Major (FERC No. 2901, 1.875 kilowatts) and Minor (FERC No. 2902, 480 kilowatts) New Licenses.
- b. *Project Nos.:* 2901 and 2902.
- c. *Applicant:* Nekoosa Packaging Corporation (Nekoosa), a wholly-owned subsidiary of Georgia-Pacific Corporation.
- d. *Name of Projects:* Holcomb Rock and Big Island Hydroelectric Projects.
- e. *Location:* James River, Counties of Amherst and Bedford (near the city of Lynchburg), Commonwealth of Virginia.
- f. *Applicants Contact:* Mr. Richard Judy, Manufacturing Services Manager, Georgia-Pacific Corporation, Highway 501 North, Big Island, VA 24526.
- g. *FERC Contact:* James T. Griffin, (202) 219-2799.

h. Nekoosa mailed copies of the PDEA and Draft License Application to the parties on July 24, 1998. The Commission received a copy of the PDEA and Draft License Application on July 27, 1998. Copies of these

documents are available from Nekoosa at Georgia-Pacific Corporation, Highway 501 North, Big Island, VA 24526.

i. With this notice we are soliciting preliminary terms, conditions, and recommendations on the PDEA and comments on the Draft License Application. All comments on the PDEA and Draft License Application should be sent to the address noted above in item (f) with one copy filed with the Commission at the following address: Federal Energy Regulatory Commission, 888 First Street, NE, Attn: James T. Griffin, Mailstop HL-11.3, Washington, DC 20426. Moreover, all comments must include the project name and number and bear the heading "Preliminary Comments", "Preliminary Recommendations", "Preliminary Terms and Conditions", or "Preliminary Prescriptions". Any party interested in commenting should do so before Thursday, October 22, 1998.

**David P. Boergers,**

*Secretary.*

[FR Doc. 98-22252 Filed 8-18-98; 8:45 am]

BILLING CODE 6717-01-M

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6147-4]

### Kammer Power Plant; West Virginia; Stack Height Infeasibility Analysis

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** This notice is to announce that EPA has informed the State of West Virginia that it does not accept the "Kammer Plant Infeasibility Analysis" dated January 5, 1995, as supplemented on April 28, 1995, as revised on February 8, 1996, and as clarified on June 29, 1998. EPA is publishing this notice to inform all interested parties that it disagrees with the State of West Virginia's decision to accept the "Kammer Plant Infeasibility Analysis" prepared by the Ohio Power Company (OPC). EPA has determined that OPC has failed to demonstrate that it is not feasible to meet an emission limit equivalent to the new source performance standard (NSPS) applicable to electric utility steam generating units. The NSPS limit is presumed to be met in order to seek credit for having a tall stack. The credit for stack height in excess of good engineering practice (GEP) sought by OPC for the Kammer Plant in Moundsville, West Virginia, cannot be granted. This notice further informs all interested parties that any

revision(s) to the West Virginia State Implementation Plan (SIP) submitted to EPA based upon technical analyses which rely upon acceptance of this "Kammer Plant Infeasibility Analysis" will not meet the Clean Air Act's criteria for approval.

#### FOR FURTHER INFORMATION CONTACT:

Marcia L. Spink, Associate Director, Air Programs, Mailcode 3AP20, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103 at (215) 814-2104.

**SUPPLEMENTARY INFORMATION:** The Kammer Plant is a 630 MW, coal-fired power plant constructed in Marshall County, West Virginia in 1959. The Kammer Plant is owned and operated by Ohio Power Company (OPC), a subsidiary of American Electric Power (AEP). Kammer operates three coal-fired boilers and was built specifically to provide power to the Ormet Corporation aluminum production facility in nearby Hannibal, Ohio. High sulfur coal is currently delivered by barge from the nearby Shoemaker Mine of Consolidation Coal Company.

In 1994, EPA began development of an enforcement case against OPC for the Kammer Plant's failure to comply with the applicable sulfur dioxide (SO<sub>2</sub>) emission limit in the West Virginia State Implementation Plan (SIP). On May 21, 1996, EPA and OPC entered into a modified partial consent decree which provided that a comprehensive SO<sub>2</sub> SIP revision be developed for the Marshall County Area by November 1998. As part of that SIP development effort, West Virginia must address the stack height provisions of the Clean Air Act as they apply to the Kammer Plant.

In the mid-1970s, OPC replaced two 600-foot stacks at the Kammer Plant with a single, 900-foot stack. According to EPA's stack height regulations, the 900-foot stack exceeds good engineering practice (GEP) design specifications. In the late 1970s and early 1980s, EPA developed stack height regulations to limit the common practice of using tall smokestacks to abate localized pollution problems without decreasing net emissions. According to the stack height rules OPC has two options with regard to this issue: (1) Accept the "grandfathered" creditable stack height of 600-feet for the Kammer Plant or (2) attempt to receive credit for some or all of the existing stack height above 600-feet. Determination of the creditable stack height is necessary for use as input into air quality dispersion modeling that will support the SIP revision establishing the allowable emission limits for the affected sources, including

the Kammer Plant. OPC has chosen to seek credit for that portion of the stack that exceeds GEP in order to justify the approval of a higher allowable emission rate at the Kammer Plant.

In order to obtain such credit, Ohio Power must satisfy the requirements of the federal and state stack height regulations that allow a source to rebut the presumptive new source performance standards (NSPS) emission limit when seeking credit for stack height above that height provided by the good engineering practice (GEP) formulae. Such a rebuttal is commonly termed an "infeasibility analysis" because the affected company presents operational and economic information to justify its contention that it is unable to meet the present industry standard for new sources (the NSPS) and that the emission limit is therefore "infeasible" for its source.

On May 30, 1995, West Virginia submitted to EPA the "Kammer Plant Infeasibility Analysis" dated January 5, 1995, and supplemented on April 28, 1995, as prepared by OPC. West Virginia's submittal also included its decision to approve the analysis. On September 13 and October 20, 1995, EPA provided extensive and significant comments to West Virginia and OPC regarding the "Kammer Plant Infeasibility Analysis." EPA suggested in its comments that OPC overstated the regional economic impacts that would occur if OPC pursued emission reductions at the Kammer Plant and that it erroneously presented economic forecasts of the costs of certain control options. On June 28, 1996, West Virginia officially forwarded to EPA the "Kammer Plant Infeasibility Analysis—Revision 1, February 8, 1996," as prepared by OPC, again along with the State's decision to approve the analysis.

The original "Kammer Plant Infeasibility Analysis" and the revised analysis state that any alternative other than the status quo at the facility would be catastrophic to the regional economy and the viability of Ormet and the Shoemaker coal mines. EPA's review of the original and revised analyses indicate that West Virginia had not adequately supported this position. On October 17, 1997, EPA informed West Virginia that the June 28, 1996 Infeasibility Analysis—Revision 1 was inadequate and would not be approved as part of, or as the basis of, any SIP revision for Kammer. EPA based this decision on the fact that in September 1996 AEP and Ormet entered into a new electric supply contract whereby the Kammer Plant will supply Ormet's needs only until the end of 1999. After 1999, Kammer will market its electricity