

late interventions must show good cause, as required by section 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 environmental comments considered.

Additional information about the proposed project is available from Mr. Paul McKee of the Commission's Office of External Affairs at (202) 208-1088 or on the FERC website ([www.ferc.fed.us](http://www.ferc.fed.us)) using the "RIMS" link to information in this docket number. For assistance with access to RIMS, the RIMS helpline can be reached at (202) 208-2222. Access to the texts of formal documents issued by the Commission with regard to this docket, such as orders and notices, is also available on the FERC website using the "CIPS" link. For assistance with access to CIPS, the CIPS helpline can be reached at (202) 208-2474.

**David P. Boergers,**

*Secretary.*

[FR Doc. 99-1954 Filed 1-27-99; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP96-606-001]

#### Texas Eastern Transmission Corporation; Notice of Intent To Prepare an Environmental Assessment for the CNG Lease Expansion Project and Request for Comments on Environmental Issues

January 22, 1999.

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 CNG Lease Expansion Project involving construction and operation of the facilities by Texas Eastern Transmission Corporation (Texas Eastern) in Westmoreland and Juniata Counties, Pennsylvania.<sup>1</sup> These facilities would consist of about 3.98 miles of 36-inch-diameter loop, aboveground facilities to connect the loop to an adjacent existing pipeline; and modifications at an existing compressor station. This EA will be used by the Commission in its decision-making process to determine whether the project is in the public convenience and necessity. The application and

other supplemental filings in this docket are available for viewing on the FERC Internet website ([www.ferc.fed.us](http://www.ferc.fed.us)). Click on the "RIMS" link, select "Docket #" from the RIMS Menu, and follow the instructions.

Similarly, the "CIPS" link on the FERC Internet website provides access to the texts of formal documents issued by the Commission, such as order, notices, and rulemakings. From the FERC Internet website, click on the "CIPS" link, select "Docket #" from the CIPS menu, and follow the instructions.

If you are a landowner receiving this notice, you may be contacted by a pipeline company representative about the acquisition of an easement to construct, operate, and maintain the proposed facilities. The pipeline company would seek to negotiate a mutually acceptable agreement. However, if the project is approved by the Commission, that approval conveys with it the right of eminent domain. Therefore, if easement negotiations fail to produce an agreement, the pipeline company could initiate condemnation proceedings in accordance with state law. A fact sheet addressing a number of typically asked questions, including the use of eminent domain, is attached to this notice as appendix 1.<sup>2</sup>

#### Summary of the Proposed Project

Texas Eastern wants to amend its certificate to change the facilities necessary to provide CNG Transmission Corporation (CNG) leased capacity in the CNG Lease Expansion Project. The facilities would provide up to 19,500 decatherms per day (Dth/d) of leased capacity to CNG. In addition, the facilities would provide up to 50,000 Dth/d of capacity on Texas Eastern's Penn-Jersey System. Texas Eastern seeks authority to:

- Construct 3.98 miles of 36-inch-diameter loop downstream of the Delmont Compressor Station from milepost (MP) 2.90 to MP 6.88 and aboveground facilities to connect the loop to the adjacent existing pipeline facilities in Westmoreland County, Pennsylvania; and
- Construct a 30-inch suction valve; remove a 12-inch valve; and install remote control capability on another 12-inch valve at its Perulack Compressor Station in Juniata County, Pennsylvania.

The location of the project facilities is shown in appendix 2.

<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.

#### Land Requirements for Construction

Construction of the proposed facilities would require about 29.9 acres of land. Following construction, about 12.1 acres would be maintained as new permanent right-of-way (ROW) and new aboveground facility sites. The remaining 17.8 acres of land would be restored and allowed to revert to its former use.

#### 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 these 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 recommendation 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 interests 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

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

comments on the EA before we make our recommendations to the Commission.

To ensure your comments are considered, please carefully follow the instructions in the public participation section on page 4 of this notice.

### 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 Texas Eastern. This preliminary list of issues may be changed based on your comments and our analysis.

- Three streams would be crossed.
- Sixteen wetlands would be affected.
- About 43 percent of the land that would be affected by the project is forested.
- One residence would be located within 36 feet of the construction ROW near MP 3.71.
- The project would cross about 0.13 mile of land owned by the U.S. Army Corps of Engineers.

### Public Participation

You can make a difference by providing us with your specific comments or concerns about the project. By becoming a commentor, your concerns will be addressed in the EA and considered by the Commission. 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 carefully follow these instructions to ensure that your comments are received in time and properly recorded:

- Send two copies of your letter to: David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First St., N.E., Room 1A, Washington, DC 20426;
- Label one copy of the comments for the attention of the Environmental Review and Compliance Branch, PR-11.2;
- Reference Docket No. CP96-606-001; and
- Mail your comments so that they will be received in Washington, DC on or before February 22, 1999.

### Becoming an Intervenor

In addition to involvement in the EA scoping process, you may want to become an official party to the proceeding known as an "intervenor". Intervenor play a more formal role in the process. Among other things,

intervenor have the right to receive copies of case-related Commission documents and filings by other intervenors. Likewise, each intervenor must provide 14 copies of its filings to the Secretary of the Commission and must send a copy of its filings to all other parties on the Commission's service list for this proceeding. 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 3). Only intervenors have the right to seek rehearing of the Commission's decision.

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 section 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 environmental comments considered.

Additional information about the proposed project is available from Mr. Paul McKee of the Commission's Office of External Affairs at (202) 208-1088 or on the FERC website ([www.ferc.fed.us](http://www.ferc.fed.us)) using the "RIMS" link to information in this docket number. For assistance with access to RIMS, the RIMS helpline can be reached at (202) 208-2222. Access to the texts of formal documents issued by the Commission with regard to this docket, such as orders and notices, is also available on the FERC website using the "CIPS" link. For assistance with access to CIPS, the CIPS helpline can be reached at (202) 208-2474.

**David P. Boergers,**

*Secretary.*

[FR Doc. 99-1955 Filed 1-27-99; 8:45 am]

BILLING 6717-01-M

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Amendment of License

January 22, 1999.

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

- a. *Type of Application:* Amendment of license.
- b. *Project No:* 2170-010.
- c. *Date Filed:* November 17, 1998.
- d. *Applicant:* Chugach Electric Association, Inc.
- e. *Name of Project:* Cooper Lake.
- f. *Location:* On the Cooper Creek, Copper Lake, and Kenai Lake on Kenai

Peninsula, in the vicinity of Cooper Landing, Alaska.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)-825(r).

h. *Applicant Contact:* Burke Wick, Chugach Electric Association, Inc., 5601 Minnesota Drive, P.O. Box 196300, Anchorage, Alaska 99519-6300, Tel: (907) 563-7494.

i. *FERC Contact:* Mohamad Fayyad, (202) 219-2665.

j. *Comment Date:* March 1, 1999.

k. *Description of Amendment:*

Licensee proposes to upgrade the two generating units of the project by replacing the turbines and rewinding the generators and auxiliary equipment. This upgrade would increase the projects installed capacity from 15 MW (2 units at 7.5 MW each) to 21.2 MW (2 units at 10.6 MW each). The new units would have a hydraulic capacity of 190 cfs each.

l. This notice also consists of the following standard paragraphs: B, C1, and D2.

B. Comments, Protests, or Motions to Intervene—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

C1. Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTEST", OR "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

D2. Agency Comments—Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does