

transportation capacity and the costs the facilities that create such capacity will be allocated between its existing and new customers. The specific rates for new and existing customers proposed in the Rate Settlement are listed as an appendix to the Rate Settlement (Exhibit U of Cove Point's application), and in Exhibit P of Cove Point's application. The Rate Settlement also allows for inclusion of the costs of for certain pipeline line enhancements listed as an appendix to the Rate Settlement, including the planned construction of an interconnection with Transcontinental Gas Pipe Line Corporation in Fairfax County, Virginia.

Cove Point's application also includes a *pro forma* copy of the revised FERC Gas Tariff under which Cove Point will provide firm and interruptible LNG tanker services on an open access basis and the continuance of its LNG peaking and transportation services. The proposed *pro forma* tariff includes new rate schedules for firm and interruptible LNG tanker discharging services, minor conforming changes to the rate schedules of existing services, changes to the General Terms and Conditions and conforming changes to *pro forma* service agreements. Changes to Cove Point's currently effective tariff sheets are reflected in the redlined version of the proposed tariff which is included in Exhibit P of Cove Point's application.

In addition, Cove Point seeks authorization to construct, site, and modify the import facilities at the terminal in Calvert County, Maryland under Section 3(a) of the NGA, and Part 153 of the Commission's regulations, 18 CFR Part 153.

Cove Point requests that the Commission issue a final order granting the requested certificates, approvals and authorizations by July 25, 2001. Cove Point states that this proposed schedule will enable it to refurbish and reactivate the above listed LNG facilities by April 1, 2002, and to construct and place in service the proposed fifth LNG storage tank at the terminal by September 1, 2003.

There are three ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before February 27, 2001, file with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be

placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit 14 copies of filings made with the Commission and must mail a copy to the applicant and to every other party in the proceeding. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have its comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commenters will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commenters will not be required to serve copies of filed documents on all other parties. However, the non-party commenters will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

A third way to participate is to file initial and/or reply comments about the Rate Settlement under Rule 602 of the Commission's Rules of Practice and Procedure (18 CFR 385.602). However, in this case, because of the commonality of Cove Point's requests in the above referenced dockets, the prescribed time for such initial and reply comments under Section 385.602(f)(2) is hereby set such that initial comments on the Rate Settlement must be filed with the Secretary on or before February 27, 2001, and reply comments must be filed with the Secretary on or before March 14, 2001. The date of March 14, 2001, should coincide with the date by which

any appropriate answers to motions to intervene or other motions must be filed in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.213).

The Commission may issue a preliminary determination on non-environmental issues prior to the completion of its review of the environmental aspects of the project. This preliminary determination typically considers such issues as the need for the project and its economic effect on existing customers of the applicant, on other pipelines in the area, and on landowners and communities. For example, the Commission considers the extent to which the applicant may need to exercise eminent domain to obtain rights-of-way for the proposed project and balances that against the non-environmental benefits to be provided by the project. Therefore, if a person has comments on community and landowner impacts from this proposal, it is important either to file comments or to intervene as early in the process as possible.

Comments and protests may be filed electronically via the Internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site at <http://www.ferc.fed.us/efi/doorbell.htm>.

If the Commission decides to set the application for a formal hearing before an Administrative Law Judge, the Commission will issue another notice describing that process. At the end of the Commission's review process, a final Commission order approving or denying the certificate and authorization, and accepting or rejecting the Rate Settlement will be issued.

David P. Boergers,
Secretary.

[FR Doc. 01-3349 Filed 2-8-01; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EG01-39-000]

Duke Energy McClain, L.L.C.; Notice of Amendment of Application for Commission Determination of Exempt Wholesale Generator Status

February 5, 2001.

Take notice that on January 18, 2001, Duke Energy McClain, LLC (Duke McClain), tendered for filing an amendment with the Federal Energy Regulatory Commission to its Application for Commission

Determinations of Exempt Wholesale Generator Status which was filed on December 1, 2000, in the above-referenced docket.

Duke McClain requests that the reference to "gas storage" activities be stricken from its Application. Duke McClain has also requested expedited consideration of its Application as modified.

Any person desiring to be heard concerning the application for exempt wholesale generator status should file a motion to intervene or comments with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). The Commission will limit its consideration of comments to those that concern the adequacy or accuracy of the application. All such motions and comments should be filed on or before February 15, 2001, and must be served on the applicant. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection or on the internet at <http://www.ferc.fed.us/online/rims.htm> (please call (202) 208-2222 for assistance).

Linwood A. Watson, Jr.,
Acting Secretary.

[FR Doc. 01-3339 Filed 2-8-01; 8:45 am]

BILLING CODE 6717-01-M

ENVIRONMENTAL PROTECTION AGENCY

[OPPTS-140287; FRL-6769-6]

Access to Confidential Business Information by Chemical Abstract Services

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has authorized its contractor Chemical Abstract Services (CAS) of Columbus, Ohio access to information which has been submitted to EPA under sections 5 and 8 of the Toxic Substances Control Act (TSCA). Some of the information may be claimed or determined to be confidential business information (CBI).

DATES: Access to the confidential data submitted to EPA under sections 5 and 8 of TSCA occurred as a result of an approved waiver dated September 29, 2000, which requested granting CAS immediate access to sections 5 and 8 of TSCA CBI. This waiver was necessary to

allow CAS to provide technical assistance in developing and operating the TSCA Chemical Substance Inventory.

FOR FURTHER INFORMATION CONTACT: For general information contact: Barbara A. Cunningham, Acting Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 554-1404; e-mail address: TSCA-Hotline@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

Does this Notice Apply to Me?

This action is directed to the public in general. This action may, however, be of interest to "those persons who are or may be required to conduct testing of chemical substances under the Toxic Substances Control Act (TSCA)." Since other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action to a particular entity, consult the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

II. How Can I Get Additional Information, Including Copies of this Document or Other Related Documents?

You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at <http://www.epa.gov/>. To access this document, on the Home Page select "Laws and Regulations," "Regulations and Proposed Rules," and then look up the entry for this document under the "Federal Register—Environmental Documents." You can also go directly to the **Federal Register** listings at <http://www.epa.gov/fedrgstr/>.

III. What Action is the Agency Taking?

Under contract number 68-W-00-127, contractor CAS, of 2540 Olentangy River Road, P.O. Box 3012, Columbus, OH, will assist the Office of Pollution Prevention and Toxics (OPPT) by providing technical assistance in developing and operating the TSCA Chemical Substance Inventory.

In accordance with 40 CFR 2.306(j), EPA has determined that under EPA contract number 68-W-00-127, CAS will require access to CBI submitted to EPA under sections 5 and 8 of TSCA to perform successfully the duties specified under the contract.

CAS personnel will be given access to information submitted to EPA under

sections 5 and 8 of TSCA. Some of the information may be claimed or determined to be CBI.

EPA is issuing this notice to inform all submitters of information under sections 5 and 8 of TSCA that EPA may provide CAS access to these CBI materials on a need-to-know basis only. All access to TSCA CBI under this contract will take place at EPA Headquarters and at CAS' site located at 2540 Olentangy River Road, Columbus, OH.

CAS will be authorized access to TSCA CBI at EPA Headquarters and at CAS' site located at 2540 Olentangy River Road, Columbus, OH, in accordance with the EPA *TSCA Confidential Business Information Security Manual*.

Clearance for access to TSCA CBI under this contract may continue until September 30, 2005.

CAS personnel will be required to sign nondisclosure agreements and will be briefed on appropriate security procedures before they are permitted access to TSCA CBI.

List of Subjects

Environmental protection, Access to confidential business information.

Dated: January 31, 2001.

Deborah A. Williams,

Acting Director, Information Management Division, Office of Pollution Prevention and Toxics.

[FR Doc. 01-3383 Filed 2-8-01; 8:45 am]

BILLING CODE 6560-50-S

ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-6615-4]

Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared 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 FR dated April 14, 2000 (65 FR 20157).

Draft EISs

ERP No. D-BOP-F80001-ID Rating EC2, Terre Haute United States Penitentiary (USP), Proposal to