

16. Consolidated Edison Company of New York, Inc.

[Docket No. ER95-1704-000]

Take notice that on September 5, 1995, Consolidated Edison Company of New York, Inc. (Con Edison), tendered for filing a Supplement to its Rate Schedule, Con Edison Rate Schedule FERC No. 123, a facilities agreement with Central Hudson Gas and Electric Corporation (CH). The Supplement provides for a decrease in the monthly carrying charges. Con Edison has requested that this increase take effect as of August 1, 1995.

Con Edison states that a copy of this filing has been served by mail upon CH.

*Comment date:* September 29, 1995, in accordance with Standard Paragraph E at the end of this notice.

#### Standard Paragraph

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. 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.

Lois D. Cashell,

*Secretary.*

[FR Doc. 95-23543 Filed 9-21-95; 8:45 am]

BILLING CODE 6717-01-P

#### [Project No. 11243 Alaska]

#### Whitewater Engineering Corporation; Notice of Scoping Pursuant to the National Environmental Policy Act of 1969

September 18, 1995.

The Energy Policy Act of 1992, allows applicants to prepare their own draft environmental assessment (EA) for hydropower projects and file it with the Federal Energy Regulatory Commission (Commission) along with their license application as part of the "applicant-prepared EA" process. Whitewater Engineering Corporation (Whitewater) intends to prepare an EA to file with the Commission for the Power Creek Hydroelectric Project No. 11243.

Whitewater will hold two public scoping meetings, pursuant to the National Environmental Policy Act of 1969, to identify the scope of environmental issues that should be analyzed in the EA.

#### Scoping Meetings

The times and locations of the two scoping meetings are:

##### Public Meeting

*Date:* Tuesday, October 10, 1995.

*Place:* Cordova High School's Library, 100 Fisherman's Way, Cordova, Alaska.

*Time:* 7:00 p.m.

##### Agency Meeting

*Date:* Thursday, October 12, 1995.

*Place:* New Federal Building, 222 W. 7th Avenue, Room 133, Anchorage, Alaska.

*Time:* 1:30 pm.

At the scoping meetings, Whitewater will (1) summarize the environmental issues tentatively identified for analysis in the EA; (2) solicit from the meeting participants all available information, especially qualified data, on the resources at issue; and (3) encourage statements from experts and the public on issues that should be analyzed in the EA.

All interested individuals, organizations, and agencies are invited and encouraged to attend either or both meetings to assist in identifying and clarifying the scope of environmental issues that should be analyzed in the EA.

To help focus discussions at the meetings, Whitewater prepared and distributed Scoping Document 1 for this project. Copies of this scoping document can be obtained by calling Mike Prewitt of Whitewater at (206) 957-1874, or can be obtained directly at either meeting.

#### Site Visit

Whitewater will also conduct a site visit for this project on Wednesday, October 11, 1995. Those attending the site visit must meet in the lobby of the Old Courthouse (Old Post Office), at 612 2nd Street, in Cordova by 9:00 am. Those planning to attend the site visit must notify Whitewater at least three days prior to that date.

#### Meeting Procedures

The meetings will be conducted according to the procedures used at Commission scoping meetings. Because this meeting will be a NEPA scoping meeting, the Commission will not conduct another NEPA scoping meeting when the application and draft EA are filed with the Commission.

Both meetings will be recorded by a stenographer, and thus will become a part of the formal record of the proceedings for this project.

Those who choose not to speak may instead submit written comments on the project. These comments should be mailed to Mike Prewitt at Whitewater's Seattle office, 1415 140th Street, #9, Bellevue, Washington 98085. All correspondence should clearly show the following caption on the first page: Scoping Comments, Power Creek Project, FERC No. 11243, Alaska.

For further information, please contact Mike Prewitt at (206) 957-1874, or Mike Strzelecki of the Commission at (202) 219-2827.

Lois D. Cashell,

*Secretary.*

[FR Doc. 95-23509 Filed 9-21-95; 8:45 am]

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#### ENVIRONMENTAL PROTECTION AGENCY

(ER-FRL-5229-1)

#### Environmental Impact Statements And Regulations; Availability of EPA Comments

Availability of EPA comments prepared September 04, 1995 Through September 08, 1995 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) 260-5076.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated April 14, 1995 (60 FR 19047).

#### Draft EISs

ERP No. D-FRC-L05213-WA Rating EO2, Rocky Reach Hydroelectric Project (FERC No. 2145). Operating License Amendment Issuance to Increase Lake Entiat Reservoir, Chelan and Douglas Counties, WA.

#### Summary

EPA expressed environmental objections due to potentially significant water quality, wetland and fish impacts. Additional information was requested on cumulative effects, mitigation measures and impacts on water quality, wetlands and fisheries resources.

ERP No. D-NAS-K59011-CA Rating EC2, Programmatic EIS—NASA Ames Aerodynamic Testing Program, Implementation, Analyzation of the Noise Envelope of Future Wind Tunnel Testing at the National Full-Scale Aerodynamic Complex (NFAC), NASA Ames Research Center, Moffet Field, Santa Clara County, CA.

#### Summary

EPA expressed environmental concerns regarding the lack of air quality mitigation measures, noise impacts to Air Force housing and dependents, and the lack of detail concerning noise mitigation.

ERP No. DS-AFS-L65183-AK Rating LO, Central Prince of Wales Ketchikan

Pulp Long-Term Timber Sale, Additional Information, Implementation, Tongass National Forest, Prince of Wales Island, AK.

*Summary*

EPA provided no comments and therefore has no objection to the preferred alternative as described in the EIS.

*Final EISs*

ERP No. F-AFS-L65238-WA Thunder Mountain Fire Recovery and Salvage Project, Implementation, Okanogan National Forest, Tonasket and Methow Valley Ranger Districts, Okanogan County, WA.

*Summary*

EPA had no objection to the proposed action. The final EIS has addressed EPA concerns.

ERP No. F-NPS-L64043-WA Elwha River Ecosystem Restoration, Implementation, Olympic National Park, Clallam County, WA.

*Summary*

EPA had no objection to the proposed action.

ERP No. FS-RUS-E08017-FL Hardee Unit 3 440 Megawatt (MW) Natural Gas and Oil Fired Combined Cycle Electric Power Station, Construction and Operation, Approval, Funding and NPDES Permit, Hardee County, FL.

*Summary*

EPA expressed environmental concerns regarding groundwater and environmental justice.

Dated: September 19, 1995.

B. Katherine Biggs,

*Associate Director, NEPA Compliance Division, Office of Federal Activities.*

[FR Doc. 95-23585 Filed 9-21-95; 8:45 am]

**BILLING CODE 6560-50-U**

**[FRL-5301-6]**

**Proposed Settlement Agreement, Clean Air Act Citizen Suit**

**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, as amended ("Act"), notice is hereby given of a proposed settlement agreement in the following case: *OZ Technology v. Environmental Protection Agency*, No. 95-0289 (D. Id.). This action was filed pursuant to 28 U.S.C. 1331 and 1361 and 5 U.S.C. 701-706, seeking a preliminary injunction. At issue is the

alleged failure of EPA to respond to petitions filed by OZ Technology pursuant to section 612(d) of the CAA, 42 U.S.C. 7671k(d). In addition, OZ Technology sought relief from "misinformation and misstatements" allegedly communicated by EPA regarding OZ Technology's products.

For a period of thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the proposed settlement agreement from persons who were not named as parties or intervenors to the litigation in question. EPA or the Department of Justice may withhold or withdraw consent to the proposed agreement if the comments disclose facts or circumstances that indicate that such agreement is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act.

A copy of the proposed settlement agreement is available from Sonja Lee, Air and Radiation Division (2344R), Office of General Counsel, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460, (703) 235-5330. Written comments should be sent to Jan M. Tierney, at the above address and must be submitted on or before October 23, 1995.

Dated: September 12, 1995.

Jonathan Z. Cannon,

*Assistant Administrator (General Counsel).*

[FR Doc. 95-23572 Filed 9-21-95; 8:45 am]

**BILLING CODE 6560-50-P**

**[FRL-5301-4]**

**Access to Confidential Business Information by Armstrong Data Services, Inc.**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice.

**SUMMARY:** EPA has authorized Armstrong Data Services, Inc. (ADSI) of Vienna, Virginia who is the prime contractor, and Labat-Anderson, Inc. (LAI) of Arlington, Virginia who is the subcontractor, for access to information which has been submitted to EPA under the environmental statutes administered by the Agency. Some of this information may be claimed or determined to be confidential business information (CBI).

**DATES:** Comments concerning CBI access will be accepted through September 29, 1995.

**FOR FURTHER INFORMATION CONTACT:** Irvin Weiss, Environmental Protection Agency, Office of Information Resources Management, Management Evaluation Staff (3401), 401 M Street, SW.,

Washington, DC 20460. Telephone (202) 260-9388.

**SUPPLEMENTARY INFORMATION:** Under EPA Contract Number 68-W5-0024, ADSI and LAI provide agency-wide information management support services to the Environmental Protection Agency for the operation of dockets, records management support programs, records centers, and file rooms in certain Headquarters, Regional, Laboratory, and other offices. In performing these tasks, ADSI and LAI employees have access to Agency documents for purposes of document processing, filing, abstracting, analyzing, inventorying, retrieving, tracking, filming, scanning, etc. The documents to which ADSI and LAI have access potentially include all documents submitted under the Resource Conservation and Recovery Act, Clean Air Act, Clean Water Act, and Comprehensive Environmental Response, Compensation, and Liability Act. Some of these documents may contain information claimed as CBI.

Pursuant to EPA regulations at 40 CFR part 2, subpart B, EPA has determined that ADSI and LAI require access to CBI to perform the work required under the contract. These regulations provide for five days notice before contractors are given CBI.

ADSI and LAI are required by contract to protect confidential information. When their need for the information is completed, ADSI and LAI will return them to EPA.

Dated: September 15, 1995.

Sallyanne Harper,

*Acting Assistant Administrator for Administration and Resource Management.*

[FR Doc. 95-23575 Filed 9-21-95; 8:45 am]

**BILLING CODE 6560-50-M**

**[ER-FRL-5228-9]**

**Environmental Impact Statements; Notice of Availability**

Responsible Agency: Office of Federal Activities, General Information (202) 260-5076 OR (202) 260-5075.

Weekly receipt of Environmental Impact Statements Filed September 11, 1995 Through September 15, 1995 Pursuant to 40 CFR 1506.9.

*EIS No. 950422*, DRAFT EIS, COE, CA, Delta Wetlands Project, Construction and Operation, Water Storage Project on Four Islands in the Sacramento-San Joaquin Delta, Approval of Permits, San Joaquin and Contra Costa Counties, CA, Due: November 21, 1995, Contact: Jim Monroe (916) 557-5266.