hydrographic monitoring of the disposal site during and after disposal operations to ensure proper placement of sediments, (6) use of sediment profile (underwater) photography of the disposal mound to ensure proper placement of sediments, (7) use of precision navigation equipment and a taut wire buoy at the disposal site to accurately locate the barge discharge point at the disposal site, and (8) presence of a barge inspector, certified by the Army Corps of Engineers, on each and every barge that takes dredged materials to the disposal site.

With the above mitigation measures, the Navy believes impacts to the Thames River and Long Island Sound marine environments will be minimized to the maximum extent practicable.

In addition to the specific mitigation measures set out above, the Navy will: (1) Encourage the Army Corps of Engineers to select a discharge point where a depression in the bottom already exists; (2) encourage the Army Corps of Engineers to dispose of clean dredged materials from future area projects at the NLDS; (3) pursue development of a post-disposal monitoring program in cooperation with the EPA and the Army Corps of Engineers; and (4) offer interested environmental groups the opportunity to cooperatively provide an independent observer on barges carrying dredged material for disposal.

In accordance with the Clean Air Act and General Conformity Rule requirements, an air quality review has been conducted for the proposed dredging. It has been determined that this action is in compliance with 40 CFR Part 63 (Determining Conformity of General Federal Actions to State or Federal Implementation Plans) and satisfies the requirements of Section 176(c) of the Clean Air Act (42 USC 7506). Accordingly, the proposed action in the Thames River conforms to the state implementation plan's purpose of eliminating or reducing the severity and number of violations of the federal ambient air quality standards and achieving expeditious attainment of those standards.

Section 404 of the Federal Water Pollution Control Act (FWPCA) requires authorization from the Army Corps of Engineers for the discharge of dredged material into ''waters of the United States''. Section 404 regulations prohibit the use of any disposal site in open water when its use would result in adverse effects on water quality, shellfish beds, fisheries and wildlife, or recreational areas. The Navy has determined that the proposed dredging would not have significant impacts and has applied for a section 404 permit for this project.

Section 401 of the FWPCA requires that any party proposing to engage in an activity which may affect water quality must obtain state water quality certification. Certification will not be granted unless it has been determined that the proposed activity will not violate state water quality standards. The Navy has received the requisite Section 401 permit from the CT Department of Environmental Protection for SEAWOLF homeporting. The NLDS is partially located in the State of New York, but, under EPA regulations, a water quality certificate is only required from the state having jurisdiction over the location where the dredged materials will be discharged. Disposal of dredged material will take place wholly within waters of the state of Connecticut and there will be no direct discharge of dredged material into New York waters, therefore a New York Water Quality Certificate is not required for this project.

In accordance with the Coastal Zone Management Act, the Navy has requested and received concurrence with its determination of coastal zone consistency for the SEAWOLF homeporting project from the CT Department of Environmental Protection. Although the NLDS lies partially within the waters of the State of New York, the Navy has determined that the proposed action will not affect the coastal resources of the State of New York, and included a negative determination to that effect in the EIS.

Pursuant to Executive Order 12898 on Environmental Justice, potential environmental and economic impacts on minority and low-income persons and communities were assessed. Any impacts caused by the SEAWOLF homeporting, particularly the dredging and disposal of dredged material, will be experienced equally by all groups within the overall regional population. Because no long-term negative environmental impacts are expected from the proposed action, no particular minority or low income segment of the population would be disproportionately affected. There is not anticipated to be any likelihood for minority or low income individuals to be subjected to adverse environmental or health risks.

In accordance with the National Historic Preservation Act, the Navy concluded that it is unlikely that there are any submerged ship wrecks in the area to be affected by the dredging or disposal operations. The State Historic Preservation Officer has concurred with this finding.

Questions regarding the Final Environmental Impact Statement prepared for this action may be directed to Mr. Robert Ostermueller, Head, Environmental Planning, Northern Division Naval Facilities Engineering Command, 10 Industrial Highway, Lester PA 19113, telephone (610) 595–0759; fax (610) 595–0778.

Dated: September 27, 1995.

Duncan Holaday,

Deputy Assistant Secretary of the Navy (Installations and Facilities).

[FR Doc. 95–24502 Filed 10–2–95; 8:45 am]

BILLING CODE 3810–FF–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. GT95–61–000]

Columbia Gas Transmission Corp.; Notice of Proposed Changes in FERC Gas Tariff

September 27, 1995.

Take notice that on September 22, 1995, Columbia Gas Transmission Corporation (Columbia) tendered for filing to become part of its FERC Gas Tariff, the following tariff sheets to be effective October 23, 1995:

Second Revised Volume No. 1
Fifth Revised Sheet No. 11
Original Volume No. 2
Fifteenth Revised Sheet No. 4E
First Revised Sheet No. 1400
First Revised Sheet No. 1412

Columbia states that these tariff sheets are being filed to cancel in their entirety Rate Schedules X–121 and X–122, which embody separate agreements between Columbia and Carnegie Natural Gas Company (Carnegie) as follows:

Rate Schedule X–121 for a transportation of natural gas agreement authorized under Docket No. CP84–217 (27 FERC 61,075 (1984));

Rate Schedule X–122 for a transportation of natural gas agreement authorized under Docket No. CP84–214 (27 FERC 61,075 (1984)).

Columbia states that a copy of this filing was served upon Carnegie and have been mailed to all holders of Columbia's FERC Gas Tariff.

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, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure. All such motions or protests should be filed on or before October 4, 1995. 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 proceedings. Any person wishing to become a party must file a motion to intervene. Copies of Columbia's filings are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 95–24500 Filed 10–2–95; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. CP95–779–000]

Gateway Pipeline Company, Complainant v. Western Gas Interstate Company, Respondent; Notice of Complaint

September 27, 1995.

Take notice that on September 26, 1995, Gateway Pipeline Company (Complainant), 333 North Sam Houston Parkway East, Houston, Texas 77060, filed a complaint in Docket No. CP95–779–000, pursuant to Section 385.206 of the Commission's Rules of Practice and Procedure (18 CFR 385.206) against Western Gas Interstate Company (Respondent) to immediately cease and desist all activity related to its application filed in Docket No. CP95–606–000, as amended. Complainant states that this pleading is in response to respondent's on-going construction activities related to the proposed interstate transmission facilities identified in the above-mentioned proceeding, all as more fully set forth in the complaint which is on file with the Commission and open to public inspection.

Complainant states that respondent has already constructed the permanent delivery point facilities for which it currently has pending an application for construction authority in Docket No. CP95–606–000, and it is now in the process of constructing the associated permanent mainline transmission facilities for which it has pending an application in Docket No. CP95–606–001. Complainant states that respondent began construction of these mainline facilities on Friday, September 22, 1995, and as of Sunday, September 24, has already strung, welded and buried some four miles of mainline transmission pipeline. Complainant states that at respondent's current pace, it should complete the construction and installation of nearly all of the 16-mile mainline by the end of the week ending September 30, 1995, and the facilities should be operational within three weeks.

Complainant asserts that respondent has no authority to construct these facilities, because the amendment to the pending application filed in Docket No. CP95–606–001 is still pending before the Commission, and the Commission is in the process of conducting an environmental assessment of respondent's proposal.

Complainant also asserts that respondent's construction activities therefore appear to violate Section 7(c) of the Natural Gas Act (NGA), which, among other things, requires natural gas companies to secure prior approval of proposals to construct and operate facilities used for the transmission of gas in interstate commerce.

Complainant further asserts that by respondent having unilaterally decided to begin constructing its interstate transmission facilities without obtaining prior Commission approval of its application, respondent has now in effect told the Commission: ''Never mind''; respondent never really needed to file anything because these are NGPA Section 311 facilities.[1]

Complainant states that the Commission should reject Western's transparent and flagrant attempt to rationalize, on a *post hoc* basis, citing what it considers respondent's ''no-holds-barred'' effort to get its pipeline in the ground. In its petition, complainant states that these facilities are not even arguably legitimate 311 facilities—''facilities utilized solely for transportation authorized under Section 311(a) of the NGPA'' [2]—since no intrastate or LDC entity is involved in the proposed transportation transaction to Seaboard.[3]

Further, complainant states that respondent's FERC filings have evidence a pronounced ''make-it-up-as-we-go'' flavor, geared toward getting its pipeline in the ground as soon as possible, with as little Commission scrutiny as it can get by with. Complainant further states that respondent is not content to wait for a Commission order on its abbreviated application and has decided simply to construct its pipeline, apparently hoping that it can cure any FERC problems after its pipeline is up and running. Complainant argues that the Commission should not tolerate respondent's disregard of Commission authority.

Complainant requests that, in order to prevent respondent from completing the construction and installation of its entire project and to preserve the *status quo* pending Commission investigation of this complaint, the Director of Enforcement issue by telephone a cease and desist order directly to respondent's offices, via telephone, by close-of-business on September 25, 1995, but in no event later than 12 noon September 26, 1995. Complainant also requests that the Commission should (1) institute an investigation into respondent's construction activities related to respondent's application, (2) order respondent to show cause why it should not be held in violation of Section 7(c) of the NGA, and thus subject to penalties under Section 21 of the NGA, including criminal and civil penalties under Sections 21(a) and 21(b), respectively, of the NGA and (3) grant other appropriate relief pursuant to Sections 5 and 16 of the NGA as a result of the requested investigation.

Any person desiring to be heard or to make protest with reference to said complaint should on or before October 4, 1995, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules. Answers to the complaint are also due on or before October 4, 1995.

Lois D. Cashell,

Secretary.

[FR Doc. 95–24487 Filed 10–2–95; 8:45 am]

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[1] In the Notice of Withdrawal, respondent attempts to withdraw both its request and abbreviated application, claiming that both of these applications have ''become moot, because [Western] will construct and operate the 15.5 miles of 8″ pipeline and sales tap to the Seaboard Farm (Seaboard) processing plant * * * pursuant to Section 311 of the Natural Gas Policy Act.'' Notice of Withdrawal at 1–2.

[2] 18 CFR 284.3(c).

[3] According to Exhibit I of Western's Abbreviated Application, Seaboard is to be served by Western under a Rate Schedule FT–N transportation contract executed by Seaboard. Nowhere in that contract or in the abbreviated application is there any mention of an LDC or intrastate pipeline ''on behalf of'' entity, the essential element for transportation service to qualify as a Section 311(a) transaction.