facilities).[29] As noted in the *SGPC* order, the Commission will have jurisdiction over rates charged by SGPC for gathering services over those facilities upstream of the WD 143 platform.

Moreover, in addition to our NGA ''in connection with'' jurisdiction over gathering rates charged by natural gas companies, the Commission has jurisdiction pursuant to sections 5(e) and 5(f) of the OCSLA. Such jurisdiction is not restricted to interstate pipelines subject to the Commission's NGA jurisdiction, but rather extends to all pipelines on the OCS, including gathering lines owned by non-interstate pipelines.[30] The Commission acknowledged this jurisdiction in Order Nos. 509 and 509–A. In Order No. 509–A, the Commission stated that ''the open-access mandate of the OCSLA applies to all pipeline operations on the OCS, and will consider appropriate measures for remedying discriminatory access to other OCS facilities on a case by case basis.'' [31]

The Commission continues to believe this and will treat seriously, and respond promptly to, complaints filed pursuant to the OCSLA by shippers on OCS gathering pipelines that are not otherwise subject to the Commission's NGA ''in connection with'' jurisdiction. The Commission interprets the nondiscrimination mandates of sections 5(e) and 5(f) of the OCSLA to require, at a minimum, nondiscriminatory access and nondiscrimination with respect to rates and terms and conditions of service.

In particular, the Commission believes it has the authority under the OCSLA to take those steps necessary to guarantee that all OCS pipelines, including those not subject to the NGA, provide fair and unrestricted access in a manner that ensures the efficient development of OCS natural gas resources. The Commission stated in Order No. 509 that if it received complaints it would ''use its ancillary authority, its authority under sections 4 and 5 of the NGA, and its authority under section 5 of the OCSLA, as appropriate under the circumstances presented.'' [32]

In sum, the Commission will continue to determine the primary function of offshore facilities on a case-by-case basis, as the majority of commenters advocate. However, in applying our primary function test to facilities offshore, in recognition of the technology and topography particular to operations in deep water, we will presume facilities located in deep water are primarily engaged in gathering or production. Other than this clarification regarding the primary function of facilities offshore, after consideration of the comments, we find no cause to seek to alter our regulatory authority under the NGA and OCSLA over natural gas facilities and services on the OCS. By the Commission.

Lois D. Cashell,

Secretary.

Appendix

Parties submitting comments in Docket No. RM96–5–000:

American Gas Association (AGA)
Amoco Energy Trading Corporation jointly with Amoco Production Company (Amoco)
ANR Pipeline Company (ANR)
Atlanta Gas Light Company jointly with Chattanooga Gas Company (Atlanta)
Brooklyn Union Gas Company (Brooklyn Union)
Blue Dolphin Exploration Company (Blue Dolphin Exploration)
Blue Dolphin Pipe Line Company (Blue Dolphin Pipe Line)
Centana Gathering Company (Centana)
Chemical Manufactures Association (Chemical Manufactures) *
Columbia Gas Transmission Corporation jointly with Columbia Gulf Transmission Company (Columbia)
Consolidated Natural Gas Company (CNG)
Energy Development Corporation (Energy Development)
Enron Interstate Pipelines (Enron)
Enserch Exploration, Inc. (Enserch)
Independent Petroleum Association of America (IPAA)
Interstate Natural Gas Association of America (INGAA)
Koch Gateway Pipeline Company (Koch)
Leviathan Gas Pipeline Company (Leviathan)
Marathon Oil Company
Maryland Department of the Environment *
Minerals Management Service, U.S. Department of Interior (MMS) *
Natural Gas Pipeline Company of America (Natural)
Natural Gas Supply Association (NGSA) *
OCS Producers
PanEnergy Companies (PanEnergy)
Process Gas Consumers Group jointly with American Iron and Steel Institute and Georgia Industrial Group (Process Gas Consumers)
Sea Robin Pipeline Company (Sea Robin)
State of Louisiana (Louisiana)
Tejas Power Corporation (Tejas)
Tennessee Gas Pipeline Company (Tennessee)
Texaco Natural Gas Inc. (Texaco)
Total Minatome Corporation (Total Minatome)
Vastar Resources, Inc. (Vastar)
Venice Gathering Company (Venice)
Williams Field Services Group, Inc. jointly with Transcontinental Gas Pipe Line Corporation (Williams Field Services)

***Filed out-of-time.**

[FR Doc. 96–5066 Filed 3–4–96; 8:45 am]

BILLING CODE 6717–01–P

[29] Under sections 4 and 5 of the NGA, the Commission has jurisdiction over the rates and charges received by natural gas companies for or ''in connection with'' the jurisdictional transportation of gas. Thus, an interstate pipeline's gathering rates generally are subject to the Commission's jurisdiction because they are in connection with the pipeline's jurisdictional transportation services. *See* Northern Natural Gas Company, 929 F.2d 1261 (8th Cir. 1991), *cert. denied*, 112 S.Ct. 169 (1991).

[30] The only pipelines that may be exempt from the Commission's jurisdiction under the OCSLA are certain ''feeder lines,'' which are defined in section 5(f) of the OCSLA, 43 USC 1334(f)(2), as a pipeline which feeds into a facility where oil and gas are ''first collected'' or a facility where oil and gas are ''first separated, dehydrated, or otherwise processed.'' Moreover, these ''feeder lines'' only may be exempted from the requirements of the OCSLA by order of the Commission.

[31] Interpretation of, and Regulations Under, Section 5 of the Outer Continental Shelf Lands Act (OCSLA) Governing Transportation of Natural Gas by Interstate Natural Gas Pipelines on the Outer Continental Shelf, 54 FR 8,301 (February 28, 1989), FERC Stats. & Regs. ¶ 30,848 at 31,334 (1989).

[32] Interpretation of, and Regulations Under, Section 5 of the Outer Continental Shelf Lands Act (OCSLA) Governing Transportation of Natural Gas by Interstate Natural Gas Pipelines on the Outer Continental Shelf, 53 FR 50,925 (December 19, 1988), FERC Stats. & Regs. ¶ 30,842 at 31,289 (1988).

[Docket No. CP96–201–000, et al.]

Algonquin Gas Transmission Company, et al.; Natural Gas Certificate Filings

February 26, 1996.

Take notice that the following filings have been made with the Commission:

1. Algonquin Gas Transmission Company

[Docket No. CP96–201–000]

Take notice that on February 20, 1996, Algonquin Gas Transmission Company (Algonquin), 1284 Soldiers Field Road, Boston, Massachusetts 02135 filed an application pursuant to Sections 7(c) of the Natural Gas Act and Part 157 of the Commission's Regulations for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities necessary to connect Algonquin's existing pipeline system with facilities owned by The Connecticut Light and Power Company (CL&P) in Middletown, Connecticut (the ''Middletown Plant'').

Algonquin's application is on file with the Commission and open to public inspection.

Algonquin proposes to construct and operate approximately 8.4 miles of 20-inch pipeline lateral, a meter station and appurtenant facilities (the ''Middletown Lateral''), extending from a point on Algonquin's existing mainline system in Glastonbury, Connecticut, south through Portland, Connecticut and across the Connecticut River to CL&P's Middletown Plant. Algonquin plans to construct the lateral facilities generally within CL&P's electric transmission light right-of-way. Algonquin states that the facilities would be constructed during the Spring and Summer of 1997 for an in-service date of July 1, 1997; and, the cost of the facilities is estimated to be approximately $15.1 million.

Algonquin proposes to construct and operate the Middletown Lateral for the transportation of up to 82,500 MMBtu per day of natural gas for CL&P. Algonquin states that CL&P intends to use the gas as an alternate fuel for the No. 2 and No. 3 Units of its electric generating station at the Middletown Plant. Algonquin and CL&P have executed a precedent agreement dated February 15, 1996, contemplating firm transportation service under Algonquin's Rate Schedule AFT–1 following the construction of the facilities necessary to provide that service. Algonquin states that upon satisfaction of the conditions specified in the precedent agreement, principally Commission approval, Algonquin and CL&P will execute a service agreement for transportation service for a term of twenty years.

Comment date: March 18, 1996, in accordance with Standard Paragraph F at the end of this notice.

2. Williston Basin Interstate Pipeline Company

[Docket No. CP96–202–000]

Take notice that, on February 20, 1996, Williston Basin Interstate Pipeline Company (Williston Basin), 200 North Third Street, Suite 300, Bismarck, North Dakota 58501, filed a request, pursuant to its blanket certificate in Docket No. CP82–487–000 *et al.* (30 FERC ¶ 61,143), section 7 of the Natural Gas Act (NGA) and §§ 157.205 and 157.211 of the Commission's Regulations, for authorization to construct and operate a new metering station and appurtenant facilities to provide deliveries of transportation service volumes to Montana-Dakota Utilities Company (Montana-Dakota), a local distribution company, for ultimate use by Dunbar Resorts of Deadwood, South Dakota, all as more fully set forth in the request, which is on file with the Commission and open to public inspection.

Williston Basin states that the proposed facilities are estimated to cost $17,000 and will consist of a meter, regulators, and miscellaneous gauges and valves. The delivery point that Williston Basin will use to serve Dunbar Resorts is an existing farm tap which was installed in the late 1950's to serve a right-of-way grantor. Williston Basin states that the Commission authorized this tap, and the service Williston Basin provides to Montana-Dakota through it, in Williston Basin's above-referenced blanket certificate proceeding. Williston Basin further states that the transportation service it will provide to Montana-Dakota through the proposed facilities will be performed under its FERC Gas Tariff, Second Revised Volume No. 1, under Rate Schedules FT–1 and/or IT–1.

The proposed meter station facilities are to be located on existing pipeline right-of-way, in the NE¼ of the NW¼ of Section 14, T5N, R3E, in Lawrence County, South Dakota. Williston Basin states that the currently estimated maximum quantity of natural gas to be delivered to Montana-Dakota through this meter station is 120 Mcfd, that the proposed facilities will be designed to deliver gas at a rate of up to 1,200 Mcfd, and that the costs incurred to increase the design capacity of the facilities in excess of current projected usage are minimal and will allow for expected future growth in the area.

Williston Basin adds that all of the proposed facilities will be enclosed within a security fence, that such enclosure will be approximately 10 feet by 15 feet, and that the soil within such area will be sterilized and covered with aggregate to prevent any undesirable vegetation growth.

Comment date: April 11, 1996, in accordance with Standard Paragraph G at the end of this notice.

3. Northern Natural Gas Company

[Docket No. CP96–203–000]

Take notice that on February 20, 1996, Northern Natural Gas Company (Northern), 1111 South 103rd Street, Omaha, Nebraska 68124–1000, filed in Docket No. CP96–203–000 a request pursuant Sections 157.205(b) and 157.212 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205(b) and 157.212) for a authority to upgrade an existing delivery point, located in Olmsted County, Minnesota, to accommodate natural gas deliveries to UtiliCorp United, Inc. (UCU) under Northern's blanket certificate issued in Docket No. CP82–401–000 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

Northern states that service would be provided to UCU under currently effective interruptible throughput service agreement(s). Northern asserts that the upgrade of Elcor Asphalt TBS is required in order to provide additional transportation service to the Elcor Asphalt plant.

It is further asserted that the incremental volumes that would be delivered to UCU at the Elcor Asphalt TBS are 296 MMBtu on a peak day and 52,435 MMBtu on an annual basis. Northern states that the total estimated cost to upgrade the existing Elcor Asphalt TBS is $9,500.

Comment date: April 11, 1996, in accordance with Standard Paragraph G at the end of this notice.

4. Columbia Gas Transmission Corporation

[Docket No. CP96–204–000]

Take notice that on February 20, 1996, Columbia Gas Transmission Corporation (Columbia), 1700 MacCorkle Avenue, S.E., Charleston, West Virginia 25314, filed in Docket No. CP96–204–000 a request pursuant to Sections 157.205 and 157.212 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205, 157.212) for authorization to construct and operate a new natural gas delivery point located in Goochland County, Virginia under Columbia's blanket certificate issued in Docket No. CP83–76–000 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

Columbia proposes to construct and operate a new delivery point (West Creek) consisting of a 4-inch tap, a filter separator, and a 4-inch meter for Commonwealth Gas Services, Inc. (COS). Columbia states that the new facilities would cost approximately $102,000 and COS would reimburse Columbia for these costs.

Columbia states that COS would receive 500 Dth of gas per day and 400,000 Dth of gas per year at the West Creek point and would reduce by like quantity the amount of gas it receives at the existing Monocan delivery point. Columbia mentions that since COS has not requested an increase in its firm entitlement, there is no impact on Columbia's existing peak day obligations.

Comment date: April 11, 1996, in accordance with Standard Paragraph G at the end of this notice.

5. ANR Pipeline Company

[Docket No. CP96–208–000]

Take notice that on February 21, 1996, ANR Pipeline Company (ANR), 500 Renaissance Center, Detroit, Michigan 48243, filed in Docket No. CP96–208–000 an application pursuant to Section 7(c) of the Natural Gas Act for authorization to use additional work space associated with a pipeline replacement project in St. Landry Parish, Louisiana, all as more fully set forth in the application on file with the Commission and open to public inspection.

ANR proposes to replace a 1.2 mile segment of its Southeast Mainline because of increased population density and in order to satisfy U.S. Department of Transportation safety regulations. ANR states that in order to accomplish this replacement construction it will have to utilize work areas which may not have been included in the scope of the authorizations for these facilities when they were originally certificated and constructed. Therefore, ANR requests the temporary use of work space adjacent to the right-of-way of the pipeline being replaced. It is stated that the construction will be done under the authority of Section 2.55 of the Commission's Regulations, which authorizes replacement within the existing right-of-way.

Comment date: March 18, 1996, in accordance with Standard Paragraph F at the end of this notice.

Standard Paragraphs

F. Any person desiring to be heard or make any protest with reference to said filing should on or before the comment date file with the Federal Energy Regulatory Commission, 888 First Street, N.E., 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 385.211 and 385.214) and the Regulations under the Natural Gas Act (18 CFR 157.10). 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.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this filing if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for the applicant to appear or be represented at the hearing.

G. Any person or the Commission's staff may, within 45 days after the issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to Section 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefore, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to Section 7 of the Natural Gas Act.

Lois D. Cashell,

Secretary.

[FR Doc. 96–5002 Filed 3–4–96; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–5434–3]

Agency Information Collection Activities Under OMB Review; New Source Performance Standards, Calciners and Dryers in the Mineral Processing Industry; OMB# 2060–0251, EPA# 0746.03

AGENCY: Environmental Protection Agency.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3507(A)(1)(D), this notice announces that the Information Collection Request (ICR) for Standards of Performance for New Stationary Sources—Calciners and Dryers in the Mineral Industry (Subpart UUU) described below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected burden and cost; where appropriate, it includes the actual date collection instrument.

DATES: Comments must be submitted on or before April 4, 1996.

FOR FURTHER INFORMATION OR A COPY CALL: Sandy Farmer at EPA, (202) 260–2740, and refer to EPA ICR No. 746.03 and OMB No. 2060–0251.

SUPPLEMENTARY INFORMATION: *Title:* Standards of Performance for Calciners and Dryers in Mineral Industries (Subpart UUU) OMB Control No. 2060–0251; EPA ICR No. 0746.03. This is a request for revision of a currently approved collection.

Abstract: The Administrator has judged that PM emissions from calciners and dryers in the mineral industry cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Owners/operators of calciners and dryers must notify EPA of construction, modification, startups, shut downs, date and results of initial performance test. Owners/operators with facilities using any wet scrubbing device shall install, calibrate, and maintain continuous monitoring devices to measure pressure drop and flow rate. Weekly records of the pressure drop and flow rate are to be maintained, and semi-annual reports are to be submitted when the pressure drop is less than 90% of the average value, and/or the flow rate is less than 80% or greater than 120%, from the most recent performance test recorded according to § 60.736(c).

In order to ensure compliance with the standards promulgated to protect public health, adequate reporting and recordkeeping is necessary. In the absence of such information enforcement personnel would be unable to determine whether the standards are being met on a continuous basis, as required by the Clean Air Act.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15. The Federal Register notice required under 5 CFR 1320.8(d), soliciting comments on this collection of information was published on September 29, 1995 and no comments were received.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average 51 hours per