

Commission and open for public inspection.

Northwest states the proposed facilities consist of a new meter station, to be named the Blanding Meter Station, approximately 2.86 miles of 6-inch pipeline, a block valve and appurtenances. Northwest will initially provide up to 1,000 Dth per day of natural gas transportation service. Northwest further states that the total cost of the project is estimated to be approximately \$327,768.

Northwest states that the total volumes to be delivered to the customer after the request do not exceed the total volumes authorized prior to the request. Northwest holds a blanket transportation certificate pursuant to Part 284 of the Commission's Regulations issued in Docket No. CP86-578-000.<sup>3</sup> Northwest states that construction of the proposed delivery point is not prohibited by its existing tariff and that it has sufficient capacity to deliver the requested gas volumes without detriment or disadvantage to its other customers.

*Comment date:* August 28, 1995, in accordance with Standard Paragraph G at the end of this notice.

#### 7. Northern Natural Gas Company

[Docket No. CP95-611-000]

Take notice that on July 11, 1995, Northern Natural Gas Company (Northern), 1111 South 103rd Street, Omaha, Nebraska 68124-1000, filed in Docket No. CP95-611-000 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 install and operate a new delivery point in Cerro Gordo County, Iowa, to accommodate natural gas deliveries to AG Processing, Inc. (AGP) 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 that is on file with the Commission and open to public inspection.

Northern states that it is currently providing service to Interstate Power Company (IPC) for resale by IPC to AGP for use at AGP's plant near Mason City, Iowa. It is stated that upon approval of the authorization herein, Northern will be providing service directly to AGP. It is also stated that service will be provided to AGP through either interruptible throughput service under Northern's currently effective throughput service agreements, or by accessing released capacity of other

shippers. Northern asserts that AGP has requested the new delivery point and throughput service.

Northern states that the proposed volumes to be delivered to AGP at the AGP TBS #1 are 1,875 Mcf on a peak day and 528,500 Mcf on an annual basis. Northern estimates the cost of constructing the delivery point to be \$130,000, which AGP will make a contribution in aid of construction of the total amount.

*Comment date:* August 28, 1995, in accordance with Standard Paragraph G at the end of this notice.

#### Standard Paragraphs

F. Any person desiring to be heard or to make any protest with reference to said application should on or before the comment date, 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) 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 the 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 application 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 and/or permission and approval for the proposed abandonment are 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 applicant to appear or be represented at the hearing.

G. Any person or the Commission's staff may, within 45 days after 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 therefor, 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.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

[FR Doc. 95-17805 Filed 7-19-95; 8:45 am]

BILLING CODE 6717-01-P

## ENVIRONMENTAL PROTECTION AGENCY

[AMS-FRL-5260-8]

### California State Nonroad Equipment Pollution Control Standards; Authorization of State Standards Notice of Decision

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice regarding authorization of State standards.

**SUMMARY:** EPA is authorizing California to enforce regulations for exhaust emission standards and test procedures for 1995 and later new utility and lawn and garden equipment engines 25 horsepower and below pursuant to section 209(e) of the Clean Air Act.

**ADDRESSES:** The Agency's decision document containing an explanation of the Administrator's decision, as well as all documents relied upon in reaching that decision, including those submitted by the California Air Resources Board (CARB), are available for public inspection in the Air and Radiation Docket and Information Center in Docket A-91-01 during the working hours of 8 a.m. to 5:30 p.m. at the Environmental Protection Agency, Air Docket (6102), Room M-1500, Waterside Mall, 401 M Street, SW., Washington, D.C. 20460. Copies of the decision can be obtained from EPA's Manufacturers Operations Division by contacting David Dickinson, as noted below.

**FOR FURTHER INFORMATION CONTACT:** David Dickinson, Attorney/Advisor, Manufacturers Operations Division (6405J), U.S. Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460. Telephone: (202) 233-9256.

<sup>3</sup> See, 42 FERC ¶ 61,019 (1988).

**SUPPLEMENTARY INFORMATION:** I have decided to authorize California to enforce regulations for standards and test procedures for nonroad engines pursuant to section 209(e) of the Clean Air Act, as amended (Act), 42 U.S.C. 7543. These regulations establish exhaust emission standards and test procedures for 1995 and later new utility and lawn and garden equipment engines 25 horsepower and below, including a second tier of standards for engines produced on or after January 1, 1999. A comprehensive description of these California regulations can be found in the decision document for this authorization and in materials submitted by CARB.

On the basis of the record before me, I cannot make the findings required to deny authorization under section 209(e)(2) of the Act. Therefore, I am authorizing California to enforce these regulations.

On September 6, 1991 EPA published a "Proposed Decision of the Administrator; Opportunity for Public Comment" for the California Air Resources Board's (CARB) authorization request.<sup>1</sup> On July 20, 1994 EPA published its final rule under section 209(e) entitled "Air Pollution Control; Preemption of State Regulation for Nonroad Engine and Vehicle Standards" (section 209(e) rule).<sup>2</sup> On November 8, 1994 EPA published a notice of opportunity for a public hearing and a request for written comments concerning a revised authorization request received from CARB.<sup>3</sup> EPA held its public hearing on December 6, 1994 and received oral comments from the California Air Resources Board (CARB), the Portable Power Equipment Manufacturers Association (PPEMA), the Engine Manufacturers Association (EMA) and Outdoor Power Equipment Institute (OPEI), and Kohler. EPA received written comments from the American Pulpwood Association, the Associated California Loggers, the Illinois Farm Bureau, CARB, the American Forest & Paper Association, the Manufacturers of Emission Controls Association, the North American Equipment Dealers Association, PPEMA, EMA and OPEI, and Toro. Consequently, this determination is based on the oral and written submissions by CARB, the oral comments delivered at the December 6, 1994 hearing, and the written comments submitted in response to the above-

mentioned notice and all other relevant information.<sup>4</sup>

Section 209(e) of the Act as amended, 42 U.S.C. 7543(e), addresses state regulation of nonroad engines and vehicles. EPA issued on July 20, 1994 a final regulation to implement section 209(e).<sup>5</sup> Section 209(e)(1) preempts states from regulating new engines which are used in construction equipment or vehicles or used in farm equipment or vehicles and which are smaller than 175 horsepower and new locomotives or new engines used in locomotives. The section 209(e) rule sets forth definitions for these preempted categories of engines.

For those new pieces of equipment or new vehicles other than those a State is permanently preempted from regulating under section 209(e)(1), the State of California may promulgate standards regulating such new equipment or new vehicles provided California complies with Section 209(e)(2). The section 209(e) rule provides that if certain criteria are met, the Administrator shall authorize California to adopt and enforce standards and other requirements relating to the control of emissions from such vehicles or engines. The criteria include consideration of whether California arbitrarily and capriciously determined that its standards are, in the aggregate, at least as protective of public health and welfare as applicable Federal standards; whether California needs state standards to meet compelling and extraordinary conditions; and whether California's standards and accompanying enforcement procedures are consistent with section 209.

California determined that its standards and test procedures would not cause California emission standards, in the aggregate, to be less protective of public health and welfare as the applicable Federal standards. Information presented to me by parties opposing California's authorization request did not demonstrate that California arbitrarily or capriciously reached this protectiveness determination. Therefore, I cannot find California's determination to be arbitrary or capricious.

CARB has continually demonstrated the existence of compelling and extraordinary conditions justifying the need for its own motor vehicle pollution

control program. In addition, CARB provided information regarding actions taken by the California Legislature in an effort to address the current air quality conditions in California, directing CARB to consider adopting regulations for off-road engines. Information presented to me by parties opposing California's authorization request did not demonstrate that California no longer has a compelling and extraordinary need for its own program. Based on previous showings by California in the context of motor vehicle waivers and CARB's submission to the record regarding the status of air quality in the state, I agree that California continues to have compelling and extraordinary conditions for its own program. Thus, I cannot deny the waiver on the basis of the lack of compelling and extraordinary conditions.

CARB has submitted information that the requirements of its emission standards and test procedures do not violate the permanent preemption provisions of section 209(e)(1), do not violate the motor vehicle preemption provisions of section 209(a), and are technologically feasible and present no inconsistency with Federal requirements and are, therefore, consistent with section 209 of the Act.

No information has been submitted to demonstrate that California did not satisfy its burden of demonstrating that its emission standards and test procedures do not violate section 209(e)(1). No information has been submitted to demonstrate that California's emission standards and test procedures violate section 209(a). Information submitted to me by parties opposing California's authorization request did not satisfy the burden of persuading EPA that the standards are not technologically feasible within the available lead time, considering costs. In addition, no information has been submitted to demonstrate that California's certification test procedures are inconsistent with Federal certification test procedures. Accordingly, I cannot make the determinations required for a denial of this authorization under section 209(e) of the Act, and therefore, I authorize the State of California to enforce these regulations.

My decision will affect not only persons in California but also the manufacturers outside the State who must comply with California's requirements in order to produce nonroad equipment engines for sale in California. For this reason, I hereby determine and find that this is a final action of national applicability.

<sup>4</sup>This information is contained in Docket A-91-01.

<sup>5</sup> See 59 FR 36969, July 20, 1994 (to be codified at 40 CFR Part 85, Subpart Q, §§ 85.1601-85.1606). This final rule titled "Air Pollution Control; Preemption of State Regulation for Nonroad Engine and Vehicle Standards" was proposed at 56 FR 45866, Sept. 6, 1991.

<sup>1</sup> 56 FR 45873 (September 6, 1991). No final EPA decision was made on this proposal until today's authorization determination.

<sup>2</sup> 59 FR 36969 (July 20, 1994).

<sup>3</sup> 59 FR 55658 (November 8, 1994).

Under section 307(b)(1) of the Act, judicial review of this final action may be sought only in the United States Court of Appeals for the District of Columbia Circuit. Petitions for review must be filed by September 18, 1995. Under section 307(b)(2) of the Act, judicial review of this final action may not be obtained in subsequent enforcement proceedings.

As with past waiver decisions, this action is not a rule as defined by Executive Order 12866. Therefore, it is exempt from review by the Office of Management and Budget as required for rules and regulations by Executive Order 12866.

In addition, this action is not a rule as defined in the Regulatory Flexibility Act, 5 U.S.C. 601(2). Therefore, EPA has not prepared a supporting regulatory flexibility analysis addressing the impact of this action on small business entities.

Finally, the Administrator has delegated the authority to make determinations regarding waivers of Federal preemption under section 209(e) of the Act to the Assistant Administrator for Air and Radiation.

Dated: July 5, 1995.

**Mary D. Nichols,**

*Assistant Administrator for Air and Radiation.*

[FR Doc. 95-17762 Filed 7-19-95; 8:45 am]

BILLING CODE 6560-50-P

[FRL-5260-6]

**Public Notice; Extension of Public Comment Period for the Lake Michigan Lakewide Management Plan**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Extension of public comment period.

**ACTION:** This notice extends the public comment period for the revised draft Lakewide Management Plan (LaMP) for Lake Michigan by 30 days, through August 5, 1995. A Notice of Availability for the draft Lake Michigan LaMP was published in the **Federal Register** on May 5, 1995 (60 FR 22381-22388), soliciting public review and comment.

All comments should be addressed to Jeanette Morris-Collins, Environmental Protection Assistant, U.S. EPA, Region 5 (WQ-16J), 77 West Jackson Boulevard, Chicago, Illinois 60604 (telephone: 312/886-0152).

**ADDRESSES:** To obtain a copy of the revised draft Lake Michigan LaMP, please contact Jeanette Morris-Collins, Environmental Protection Assistant, U.S. Environmental Protection Agency,

Region 5 (WQ-16J), 77 West Jackson Boulevard, Chicago, Illinois 60604, 312/886-0152. Copies of the revised draft Lake Michigan LaMP may also be obtained from the following offices:

Illinois Environmental Protection Agency, Attn: Bob Schacht, 1701 S. First Avenue, Suite 600, Maywood, Illinois 60153, 708/338-7900

Indiana Department of Environmental Management, Attn: Adriane Esparza, Gainer Bank Building, 504 N. Broadway, Suite 418, Gary, Indiana 46402, 219/881-6707

Michigan Department of Natural Resources, Attn: Bob Day, P.O. Box 30028, Lansing, Michigan 48909, 517/335-3314

Water Resources Management, Wisconsin Department of Natural Resources, Attn: Jo Mercurio, 101 S. Webster Street, P.O. Box 7921, Madison, Wisconsin 53707, 608/267-2452

Lake Michigan Federation, 59 E. Van Buren Street, Suite 2215, Chicago, Illinois 60605, 312/939-0838

Lake Michigan Federation, 1270 Main Street, Green Bay, Wisconsin 54302, 414/432-5253

Lake Michigan Federation, 647 W. Virginia, Milwaukee, Wisconsin 53204, 414/271-5059

Lake Michigan Federation, 425 Western Avenue, Suite 201, Muskegon, Michigan 49440, 616/722-5116

**FOR FURTHER INFORMATION CONTACT:** Gary Kohlhepp, Lake Michigan LaMP Coordinator, U.S. EPA, Region 5 (WA-16J), 77 West Jackson Blvd., Chicago, Illinois 60604.

Dated: July 10, 1995.

**Valdas V. Adamkus,**

*Regional Administrator, Region 5.*

[FR Doc. 95-17764 Filed 7-19-95; 8:45 am]

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[FRL-5261-2]

**Clean Air Scientific Advisory Committee, Science Advisory Board, Notification of Public Advisory Committee Meeting; Open Meeting**

Pursuant to the Federal Advisory Committee Act, Public Law 92-463, notice is hereby given that the Clean Air Scientific Advisory Committee (CASAC) of the Science Advisory Board (SAB) will meet on August 3 and 4, 1995 at the Holiday Inn, 4810 New Page Road, Research Triangle Park, NC (919) 941-6000. The meeting will begin at 9:00 a.m. and end no later than 5:00 p.m. on both days (times noted are Eastern Time). The meeting is open to the public. Due to limited space, seating at the meeting will be on a first-come first-

served basis. *Important Notice:*

Documents that are the subject of SAB reviews are normally available from the originating EPA office and are not available from the SAB Office—information concerning document availability from the relevant Program area is included.

**Purpose of the Meeting**

The Committee will meet to discuss the draft EPA document Air Quality Criteria for Airborne Particulate Matter (600/AP-95/001abc). That criteria document is being prepared by EPA as part of the process to meet Clean Air Act statutory requirements for the periodic review and revision, as appropriate, of criteria and National Ambient Air Quality Standard for Particulate Matter. Single copies of the draft document can be obtained from Ms. Diane Ray, Environmental Criteria and Assessment Office (MD-52), U.S. EPA, Research Triangle Park, NC 27711. Ms. Ray can also be reached by phone at (919) 541-3637 or by fax at (919) 541-1818.

**For Further Information**

Members of the public desiring additional information about the meeting should contact Mr. Randall Bond, Designated Federal Official, Clean Air Scientific Advisory Committee, Science Advisory Board (1400), U.S. EPA, 401 M Street, SW, Washington, DC 20460, by telephone at 202/260-8414, or by fax at 202/260-1889, or via the INTERNET at BOND.RANDY@EPAMAIL.EPA.GOV. Those individuals requiring a copy of the draft Agenda should contact Ms. Lori Anne Gross at 202/260-8414, by fax at 202/260-1889 or by way of the INTERNET at GROSS.LORI@EPAMAIL.EPA.GOV. Additional information concerning the Science Advisory Board, its structure, function, and composition, may be found in The Annual Report of the Staff Director which is available by contacting Ms. Gross at the previously stated address.

Members of the public who wish to make a brief oral presentation to the Committee must contact Mr. Bond in writing (by letter or fax—see previously stated information) no later than 12 noon Eastern Time, Friday, July 21, 1995 in order to be included on the Agenda. Public comments will be limited to five minutes per speaker or organization. The request should identify the name of the individual who will make the presentation, the organization (if any) they will represent, any requirements for audio visual equipment (e.g., overhead projector, 35mm projector, chalkboard, etc), and at