

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission****North Canal Waterworks; Notice of Availability of Environmental Assessment****[Project No. 5906-005 Massachusetts]**

August 11, 1995.

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's (Commission's) Regulations, 18 CFR Part 380 (Order 486, 52 FR 47897), the Commission's Office of Hydropower Licensing has reviewed a license surrender application for the North Canal Waterworks Project, No. 5906-005. The North Canal Waterworks Project is located on the Merrimack River in the City of Lawrence, Essex County, Massachusetts. The licensee is applying for a surrender of the license because the project is no longer economically viable. An Environmental Assessment (EA) was prepared for the application. The EA finds that approving the application would not constitute a major federal action significantly affecting the quality of the human environment.

Copies of the EA are available for review in the Public Reference Branch, Room 3104, of the Commission's offices at 941 North Capitol Street, N.E., Washington, D.C. 20426.

Linwood A. Watson, Jr.,*Acting Secretary.*

[FR Doc. 95-20368 Filed 8-16-95; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY**[FRL-5278-5]****Proposed Settlement Agreement, Clean Air Act Petition for Review****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: *Western States Petroleum Association v. Environmental Protection Agency*, No. 95-70034 (9th Cir.). These petitions for review were filed under § 307(b) of the Act, 42 U.S.C. 7607(b), contesting certain aspects of EPA's interim approval of the

Washington State title V program of November 9, 1994.

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 Phyllis J. Cochran, Air and Radiation Division (2344), Office of General Counsel, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460, (202) 260-7606. Written comments should be sent to Adan Schwartz, Esq. at the above address and must be submitted on or before September 18, 1995.

Dated: August 8, 1995.

Gary Guzy,*Acting Assistant Administrator (General Counsel).*

[FR Doc. 95-20425 Filed 8-16-95; 8:45 am]

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[FRL-5278-6]**Acid Rain Program: Draft Nitrogen Oxide Compliance Plans****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice of draft compliance plans and public comment period.

SUMMARY: The U.S. Environmental Protection Agency is issuing for comment nitrogen oxides (NO_x) compliance plans, which amend previously issued final Phase I Acid Rain Permits, for 10 utility units at 3 plants in accordance with the Acid Rain Program regulations (40 CFR parts 72 and 76).

DATES: Comments on draft NO_x compliance plans must be received no later than September 18, 1995 or 30 days after the publication date of a similar notice in local newspapers.

ADDRESSES: *Administrative records.* The administrative record for the NO_x compliance plans, except information protected as confidential, may be viewed during normal operating hours at the following locations: EPA Region 7 Library, 726 Minnesota Ave., Kansas City, KS 66101 or St. Louis County Air Pollution Control, 111 South Meramec,

Clayton, MO, 63105 or Missouri Dept. of Natural Resources, Jefferson State Office Building, Jefferson City, MO 65102.

Comments. Send comments to the following address: William A. Spratlin, Director, Air and Toxics Division, EPA Region 7 (address above). Submit comments in duplicate and identify the NO_x compliance plan to which the comments apply, the commenter's name, address, and telephone number, and the commenter's interest in the matter and affiliation, if any, to the owners and operators of the unit(s) covered by the compliance plan. All timely comments will be considered, except comments on aspects of the permit other than the NO_x compliance plan and comments not relevant to the compliance plan.

Hearings. To request a public hearing, state the issues proposed to be raised in the hearing. EPA may schedule a hearing if EPA finds that it will contribute to the decision-making process by clarifying significant issues affecting a NO_x compliance plan.

FOR FURTHER INFORMATION CONTACT: Jon Knodel, (913) 551-7622, EPA Region 7.

SUPPLEMENTARY INFORMATION: EPA proposes to approve NO_x averaging plans under which units will comply with the applicable emission limitations under 40 CFR 76.10, for the following utility plants:

Region 7

Labadie in Missouri: units 1, 2, 3, and 4 will each comply with a NO_x averaging plan for 1996-1999. For each year under the plan, the actual annual average emission rate for NO_x for each of these units shall not exceed the alternative contemporaneous annual emission limitation of 0.31 lbs/MMBtu, and the actual annual heat input for units 1, 2, 3, and 4 shall not be less than the annual heat input limits of 25,000,000 MMBtu, 30,000,000 MMBtu, 27,000,000 MMBtu, and 33,000,000 MMBtu, respectively. The other units designated in this plan are Meramec units 1, 2, 3, and 4, and Rush Island units 1 and 2. The designated representative is Paul A. Agathen.

Meramec in Missouri: units 1, 2, 3, and 4 will each comply with a NO_x averaging plan for 1996-1999. For each year under the plan, the actual annual average emission rate for NO_x for each of these units shall not exceed the alternative contemporaneous annual emission limitation of 0.90 lbs/MMBtu for units 1 and 2, and 1.00 lbs/MMBtu for units 3 and 4. The actual annual heat input for units 1, 2, 3, and 4 shall not be greater than the annual heat input limits of 6,000,000 MMBtu, 4,000,000