

Name	Case No.
POE ASPHALT PAVING, INC .....	RG272-990
SANKEY CONSTRUCTION, INC .....	RG272-992

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-5680-5]

### Clean Air Act; Acid Rain Provisions

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of the 1997 EPA SO<sub>2</sub> allowance auctions.

**SUMMARY:** Pursuant to Title IV of the Clean Air Act and 40 CFR Part 73, the EPA is responsible for implementing a program to reduce emissions of sulfur dioxide (SO<sub>2</sub>), a precursor of acid rain. The centerpiece of the SO<sub>2</sub> control program is the allocation of transferable allowances, or authorizations to emit SO<sub>2</sub>, which are distributed in limited quantities for existing utility units and which eventually must be held by virtually all utility units to cover their SO<sub>2</sub> emissions. These allowances may be transferred among polluting sources and others, so that market forces may govern their ultimate use and distribution, resulting in the most cost-effective sharing of the emissions control burden. In addition, EPA is directed under Section 416 of the Act to conduct annual sales and auctions of a small portion of allowances (2.8%) withheld from the total allowances allocated to utilities each year. Sales and auctions are expected to stimulate and support such a market in allowances and to provide a public source of allowances, particularly to new units for which no allowances are allocated. Today, the Acid Rain Division is giving notice of the fifth annual SO<sub>2</sub> allowance auctions. The regulations governing the auctions and sales were promulgated on December 17, 1991 (40 CFR Part 73, Subpart E).

EPA has delegated the administration of the EPA allowance auctions to the Chicago Board of Trade (CBOT). The auctions will be conducted under the regulations cited above. Anyone can participate in the EPA auctions and bidders are not restricted as to the quantity or price of their bid. Allowances sold at the auctions will be sold to the highest bidder until no allowances remain. The 1997 auctions will consist of one "spot" auction and

two "advance" auctions. Allowances sold in the spot auction are useable for compliance beginning in 1997. Allowances sold in the 6-year advance auction are useable for compliance beginning in 2003; allowances sold in the 7-year advance auction are useable for compliance beginning in 2004. 25,000 allowances—the unsold allowances from the 1996 direct sale—will be sold in the 6-year advance auction, 150,000 allowances will be sold in the spot auction and 125,000 allowances will be sold in the 7-year advance auction. Bid Forms for the 1997 auctions must be received by the CBOT by the close of business on March 18, 1997. The auctions themselves will be conducted on March 24, 1997, with the results announced on March 26.

CBOT will also sell in the 1997 auctions any spot, 6-year advance, or 7-year advance allowances that are offered by others holding allowances in EPA's Allowance Tracking System. However, offered allowances will be sold after the allowances that were withheld from the utilities, so offered allowances will consequently be sold at a lower price than the withheld allowances. Owners of offered allowances may set a minimum price for their allowances. However, under 40 CFR 73.70, such offered allowances must have a minimum price in whole dollars. To offer allowances in the EPA auctions, owners of allowances must submit a SO<sub>2</sub> Allowance Offer Form to EPA by the close of business on March 3, 1997. The auction and sale regulations require that offer forms be received by EPA no later than 15 business days prior to the date of the auctions.

**ADDRESSES:** U.S. EPA Acid Rain Division (6204J), Attn: Auctions and Sales, 401 M St., S.W., Washington, DC 20460.

Chicago Board of Trade, Attn: EPA Auctions, 141 W. Jackson Blvd., Suite 2240, Chicago, IL 60604.

Forms needed to participate in the EPA auctions are available from the Acid Rain Division. To obtain forms, call the Acid Rain Hotline at (202) 233-9620.

**FOR FURTHER INFORMATION:** Information on bidding in the 1997 EPA auctions can be found in the brochure "How to Bid in the EPA SO<sub>2</sub> Allowance Auctions, Fifth Annual Auctions—March 24, 1997;" general information on the EPA auctions can be found in the

"Acid Rain Program Allowance Auctions and Direct Sales" fact sheet. These publications can be obtained by calling the Acid Rain Hotline, by writing to EPA at the address listed above, or by accessing the Acid Rain Program home page on the Internet at <http://www.epa.gov/acidrain/ardhome.html> where additional information on the Acid Rain Program is also available.

Dated: January 13, 1997.

Brian J. McLean,  
Director, Acid Rain Division.

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[ER-FRL-5476-8]

### Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564-7167 OR (202) 564-7153. Weekly receipt of Environmental Impact Statements Filed January 13, 1997 Through January 17, 1997 Pursuant to 40 CFR 1506.9.

EIS No. 970009, Final EIS, FHW, NC, US-220 Connecting the Star/Biscoe/Candor Bypass, Improvement, Funding, Right-of-Way, Possible COE Permit, Montgomery and Richmond County, NC, Due: February 24, 1997, Contact: Nicholas L. Graf (919) 856-4346.

EIS No. 970010, Final EIS, COE, CA, San Diego County Water Authority Emergency Water Storage Project, Construction and Operation, COE Section 404 Permit and Permit Application, San Diego County, CA, Due: February 24, 1997, Contact: David Zoutendyk (619) 674-5384.

EIS No. 970011, Final EIS, AFS, AK, Lab Bay Project Area Timber Harvest, Implementation, COE Section 404, EPA NPDES and Coast Guard Bridge Permits Issuance, Thorne Bay Ranger District, Ketchikan Administrative Area, Tongass National Forest, Prince of Wales Island, AK, Due: February 24, 1997, Contact: Dave Arrasmith (907) 225-3101.

EIS No. 970012, Final EIS, AFS, PA, Allegheny National Wild and Scenic River Management Plan, Implementation, Allegheny National Forest, Venango, Warren and Forest Counties, PA, Due: February 24, 1997, Contact: Lionel Lemery (814) 723-5150.  
EIS No. 970013, Draft EIS, FHW, WA, I-5 Toutle Park Road to Maytown,