

proceeding. Article V of the uncontested settlement provided that U-TOS would file its next general rate case under Section 4(e) "by the end of three (3) years of the date of a final, non-appealable Commission order approving the Agreement without conditions unacceptable to U-TOS".

U-TOS requests that the deadline in the captioned proceeding by which it must file its next general rate case under Section 4(e) of the Act be extended to no later than January 1, 2003, and that the time period for filing answers to the uncontested motion be shortened to the maximum extent possible.

Any person desiring to file an answer to this filing should file an answer with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, in accordance with Section 385.213 of the Commission's Rules and Regulations. All such answers must be filed within 15 days after U-TOS' motion was filed. Answers will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make persons who file answers parties to the proceedings. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room.

David P. Boergers,
Secretary.

[FR Doc. 98-26673 Filed 10-5-98; 8:45 am]
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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2232-334]

Duke Power Company; Notice of Availability of Environmental Assessment

September 30, 1998.

An environmental assessment (EA) is available for public review. The EA analyzes the environmental impacts of allowing Duke Power Company, licensee for the Catawba-Wateree Project, P-2232-334, to authorize the Charlotte-Mecklenburg Utility District to construct additional facilities at the Catawba River Pumping Station to increase the water withdrawal from Mountain Island Lake for municipal water supply. The EA concludes the proposed action would not constitute a major federal action significantly affecting the quality of the human environment. The Catawba-Wateree Project is on the Catawba and Wateree rivers in North and South Carolina.

A draft EA was noticed on June 25, 1998, and interested entities were provided the opportunity to comment. No comments were received in response to the draft EA. The EA has not been modified from the draft.

The EA was written by staff in the Office of Hydropower Licensing, Federal Energy Regulatory Commission. Copies of the EA can be obtained by calling the Commission's Public Reference Room at (202) 208-1371.

David P. Boergers,
Secretary.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-6172-5]

Proposed Settlement Agreement; Carbon Monoxide Nonattainment Areas; Carbon Monoxide SIP for Denver, Colorado

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed settlement agreement.

SUMMARY: In accordance with section 113(g) of the Clean Air Act (Act), as amended, 42 U.S.C. 7413(g), notice is hereby given of a proposed settlement agreement concerning litigation instituted against the Environmental Protection Agency (EPA) by Citizens for Balanced Transportation (CBT). The lawsuit concerns EPA's approval under the Clean Air Act of the State of Colorado's nonattainment area state implementation plan (SIP) for the Denver carbon monoxide (CO) nonattainment area.

EPA approved the Denver CO nonattainment area SIP on March 10, 1997 (62 FR 10690) and, on May 9, 1997, CBT sought review of that approval in the United States Court of Appeals for the 10th Circuit. Among other things, CBT challenged the air quality monitoring and modeling that supported the Denver CO SIP's attainment demonstration.

Under the proposed settlement agreement, CBT has agreed to dismiss its lawsuit if EPA operates a continuous CO monitor from November 1998 through February 1999 near the intersection of Broadway and Colfax in Denver, and, before March 31, 1999, the State of Colorado (1) establishes a comprehensive meteorological site on the Auraria College campus in Denver, (2) establishes a routine meteorological site near the intersection of Speer and

Auraria in Denver, and (3) obtains enhanced traffic data for the Speer and Auraria intersection. Although the State is not a party to the litigation or the settlement agreement, the State participated in negotiations and intends to perform these actions.

If the State and/or EPA fail to complete one or more of these actions by March 31, 1999, CBT's sole remedy is to proceed to the merits of the case. It is anticipated that the litigation will be stayed until May 30, 1999 to allow the parties to confirm that the State and EPA actions have been completed.

For a period of thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the settlement agreement. EPA or the Department of Justice may withhold or withdraw consent to the proposed settlement agreement if the comments disclose facts or circumstances that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act.

Copies of the settlement agreement are available from Samantha Hooks, Air and Radiation Division (2344), Office of General Counsel, U.S. Environmental Protection Agency, 401 M Street SW, Washington, DC 20460, (202) 260-7606. Written comments should be sent to Howard J. Hoffman at the above address and must be submitted on or before November 5, 1998.

Dated: September 28, 1998.

Scott C. Fulton,

Acting General Counsel.

[FR Doc. 98-26787 Filed 10-5-98; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-6173-1]

Draft Toxicological Review of Benzene (Noncancer Effects): In Support of Summary Information on the Integrated Risk Information System

AGENCY: Environmental Protection Agency.

ACTION: Notice of Peer-Review Panel Meeting and public comment period.

SUMMARY: The U.S. Environmental Protection Agency (EPA) is announcing an external peer-review panel meeting and a 45-day public comment period to review the external review draft document entitled, Toxicological Review of Benzene (Noncancer Effects): (NCEA-S-0455). The peer-review panel meeting will be organized, convened, and conducted by the American