

otherwise participate in the proceeding should contact the Regional Hearing Clerk identified above.

The administrative record for the proceeding is located in the EPA Regional Office at the address stated above, and the file will be open for public inspection during normal business hours. All information submitted by the Northeast Public Sewer District is available as part of the administrative record subject to provisions of law restricting public disclosure of confidential information. In order to provide opportunity for public comment, EPA will issue no final order assessing a penalty in this proceeding prior to thirty (30) days from the date of this document.

Dated: January 15, 1999.

Dennis Grams,

Regional Administrator, Region 7.

[FR Doc. 99-2451 Filed 2-4-99; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-6226-8]

Clean Water Act Class II: Proposed Administrative Penalty Assessment and Opportunity To Comment Regarding Klein Products of Kansas, Inc., Fort Scott, KS

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed administrative penalty assessment and opportunity to comment regarding Klein Products of Kansas, Inc., Fort Scott, Kansas.

SUMMARY: EPA is providing notice of opportunity to comment on the proposed assessment.

Under 33 U.S.C. 1319(g), EPA is authorized to issue orders assessing civil penalties for various violations of the Act. EPA may issue such orders after filing a Complaint commencing either a Class I or Class II penalty proceeding. EPA provides public notice of the proposed assessment pursuant to 33 U.S.C. 1319(g).

Class II proceedings are conducted under EPA's Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, 40 CFR part 22. The procedures by which the public may submit written comment on a proposed Class II order or participate in a Class II proceeding, and the procedures by which a respondent may request a hearing, are set forth in the Consolidated Rules. The deadline

for submitting public comment on a proposed Class II order is thirty (30) days after issuance of public notice.

On December 30, 1998, EPA commenced the following Class II proceeding for the assessment of penalties by filing with the Regional Hearing Clerk, U.S. Environmental Protection Agency, Region VII, 726 Minnesota Avenue, Kansas City, Kansas 66101, (913) 551-7630, the following complaint:

In the Matter of, Klein Products of Kansas, Inc., Fort Scott, Kansas; EPA Docket No. CWA-7-99-0002.

The Complaint proposes a penalty of Eleven Thousand Dollars (\$11,000) for discharge of a xylene mixture to waters of the United States without a permit in violation of Sections 301(a) and 402 of the Clean Water Act.

FOR FURTHER INFORMATION CONTACT:

Persons wishing to receive a copy of EPA's Consolidated Rules, review the Complaint or other documents filed in this proceeding, comment upon the proposed penalty assessment, or otherwise participate in the proceeding should contact the Regional Hearing Clerk identified above.

The administrative record for the proceeding is located in the EPA Regional Office at the address stated above, and the file will be open for public inspection during normal business hours. All information submitted by the Klein Products of Kansas, Inc., is available as part of the administrative record subject to provisions of law restricting public disclosure of confidential information. In order to provide opportunity for public comment, EPA will issue no final order assessing a penalty in this proceeding prior to thirty (30) days from the date of this document.

Dated: January 15, 1999.

Dennis Grams,

Regional Administrator, Region 7.

[FR Doc. 99-2452 Filed 2-4-99; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-5499-5]

Intent To Prepare an Environmental Impact Statement To Consider Policies, Guidance, and Processes to Minimize the Environmental Impacts of Mountaintop Mining and Valley Fills in the Appalachian Coalfields

AGENCIES: Environmental Protection Agency (EPA), U.S. Army Corps of Engineers (Corps), Office of Surface

Mining (OSM), and U.S. Fish and Wildlife Service (FWS).

ACTION: Notice of intent to prepare an Environmental Impact Statement.

PURPOSE: The EPA, Corps, OSM, and FWS, in accordance with Section 102(2)(c) of the National Environmental Policy Act (NEPA), with the State of West Virginia, will prepare an Environmental Impact Statement (EIS) on a proposal to consider developing agency policies, guidance, and coordinated agency decision-making processes to minimize, to the maximum extent practicable, the adverse environmental effects to waters of the United States and to fish and wildlife resources from mountaintop mining operations, and to environmental resources that could be affected by the size and location of fill material in valley fill sites.

DATES: The agencies invite comments and suggestions on the scope of the analysis, including the regulatory issues and significant environmental effects to be addressed in the EIS. Written comments from the public regarding the environmental and regulatory issues and alternatives to be addressed in the EIS should be received in writing by March 31, 1999. The agencies will hold public meetings on February 23, 1999, in Summersville, West Virginia; February 24, 1999, in Charleston, West Virginia; and February 25, 1999, in Logan, West Virginia, to receive public input, either verbal or written, on relevant environmental and regulatory issues that should be addressed in the EIS. The locations and starting times of the public meetings are as follows: in Summersville, the meeting will be held at the Nicholas County Veteran's Memorial Park beginning at 6:30 p.m.; in Charleston, the meeting will be held at the rotunda at Riggleman Hall, University of Charleston in the afternoon from 2-4 p.m. and in the evening beginning at 6:30 p.m.; and in Logan, the meeting will be held at the Chief Logan State Park beginning at 6:30 p.m. Other public meetings may also be held and will be announced at a later date.

ADDRESSES: Send written comments and suggestions concerning this proposal to William Hoffman, Environmental Protection Agency, 3ES30, 1650 Arch Street, Philadelphia, Pennsylvania, 19103-2029; e-mail address, hoffman.william@epamail.epa.gov; telephone: 215-814-2995. Requests to be placed on the mailing list should also be sent to this address.

FOR FURTHER INFORMATION CONTACT: Questions about the proposed action