

obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified or filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Linwood A. Watson, Jr.,

Acting Secretary,

[FR Doc. 99-7991 Filed 3-31-99; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Surrender of Exemption and Soliciting Comments, Motions To Intervene, and Protests

March 26, 1999.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

- a. *Application Type:* Surrender of Exemption.
- b. *Project No.:* 7108-001.
- c. *Date Filed:* November 18, 1998.
- d. *Applicant:* Virginia Hydro, Inc.
- e. *Name of Project:* Grove Mill.
- f. *Location:* On the Middle River, in Augusta County, Virginia. The project does not utilize federal or tribal lands.
- g. *Filed Pursuant to:* 18 CFR 4.200.
- h. *Applicant Contact:* Mr. John Pollack, P.O. Box 265, Batesville, VA 22924, (804) 823-7330.
- i. *FERC Contact:* Any questions on this notice should be addressed to Tom Papsidero at (202) 219-2715, or e-mail address: Thomas.Papsidero@ferc.fed.us.
- j. *Deadline for filing comments and/or motions:* May 3, 1999.

All documents (original and eight copies) should be filed with: David P. Boergers, Secretary, Federal Energy Regulatory Commission, Mail Code: DLC, HL-11.1, 888 First Street, NE., Washington, DC 20426.

Please include the project number (7108-001) on any comments or motions filed.

k. *Description of Surrender:* Virginia Hydro, Inc., a corporation, requests to surrender the exemption for economic reasons as a result of hurricane damage at the project.

l. *Locations of the application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE., Room 2A, Washington, DC 20426, or by calling (202) 208-1371. This filing may be viewed on <http://www.ferc.fed.us/online/rims.htm> (call (202) 208-2222 for

assistance). A copy is also available for inspection and reproduction at the address in item h above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *This notice also consists of the following standard paragraphs:* B, C1, D2.

B. Comments, Protests, or Motions to Intervene—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

C1. Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTEST", or "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

D2. Agency Comments—Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Linwood A. Watson, Jr.

Acting Secretary,

[FR Doc. 99-7994 Filed 3-31-99; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF ENERGY

Western Area Power Administration

Record of Decision and Floodplain Statement for the Interconnection of the Southpoint Power Plant With the Western Area Power Administration's Parker-Davis No. 1 and No. 2, 230-kilovolt Transmission Lines (DOE/EIS-0308)

AGENCY: Western Area Power Administration, DOE.

ACTION: Record of Decision.

SUMMARY: Calpine Corporation (Calpine) applied for transmission service from the Western Area Power Administration (Western) for the Southpoint Power Plant Project. To accommodate the request, Western proposed to upgrade its transmission system in order to accommodate the incorporation of new generation into the system. This Record of Decision (ROD) and Statement of Findings has been prepared in accordance with Council on Environmental Quality regulations for implementing the National Environmental Policy Act (NEPA) (40 CFR parts 1500-1508) and Department of Energy (DOE) Procedures for Implementing NEPA (10 CFR part 1021), and DOE's Floodplain/Wetland Review Requirements (10 CFR 1022). Western's decision for its action considered the environmental ramifications of the Southpoint Power Plant Project. Western has determined that no significant environmental impacts will result from construction, operation and maintenance of Calpine Corporation's Southpoint Power Plant, the two natural gas pipelines, or the approximately 7 miles of high voltage transmission lines, or from the upgrade of the Parker-Davis No. 1 230-kilovolt (kV) transmission line. Therefore, Western has decided to provide an interconnection with the plant and Western's transmission system in west central Arizona. However, Calpine has yet to obtain a permit from the Bureau of Land Management (BLM) for the construction of the two natural gas pipelines. Western will reconsider this decision if Calpine fails to obtain the permit from the BLM.

FOR FURTHER INFORMATION CONTACT: Mr. John Holt, Environment Manager, Desert Southwest Customer Service Region, Western Area Power Administration, P.O. Box 6457, Phoenix, AZ 85005, telephone (602) 352-2592, email holt@wapa.gov. Copies of the Environmental Impact Statement (EIS) and the Bureau of Indian Affairs ROD are available from Ms. Amy Heuslein,

Area Environmental Protection Officer, Bureau of Indian Affairs, P.O. Box 10, Phoenix, AZ 85001.

SUPPLEMENTARY INFORMATION: Western based its decision on the information contained in the Bureau of Indian Affairs (BIA) Southpoint Power Plant Project EIS (BIA EIS 98-25; Final dated November 1998), the BLM's Topock Substation Environmental Assessment (EA) 1997 and South Point Natural Gas Pipeline draft EA. The Phoenix Area Office of the BIA prepared the Southpoint Power Plant Project EIS in considering the approval of a lease between Calpine and the Fort Mojave Indian Tribe (Tribe) for the project site. Western was designated a cooperating agency for the Southpoint Power Plant Project EIS by the BIA on November 24, 1998. After an independent review of the Final EIS, Western concluded that its comments and suggestions have been satisfied and adopted the BIA EIS for its participation in the Southpoint Power Plant Project. However, following the preparation of the Final EIS and based on system studies conducted for the proposed interconnection, Western identified a need to upgrade its existing Parker-Davis No. 1 230-kV transmission line between the Topock Substation and the Parker Substation. To determine whether a Supplemental EIS was required for the proposed upgrade, Western prepared a Supplement Analysis (DOE/EIS-0308-SA-1) pursuant to 10 CFR part 1021. Based on the Supplement Analysis, Western determined that no further NEPA documentation is required for the proposed upgrade. Therefore, Western has decided to provide an interconnection for the power plant with Western's Parker-Davis transmission system in west-central Arizona and enter into construction agreements with Calpine Corporation for new transmission lines described in the EIS.

The Southpoint Power Plant Project EIS addresses the effects of constructing and operating a 540-megawatt, natural gas-fired, combined cycle, electrical generation station on the Fort Mojave Indian Reservation in Mojave County, Arizona. Calpine proposes to lease the site from the Fort Mojave Indian Tribe (Tribe) to build the project. The project will include the construction of a natural gas transmission system for supplying fuel to the plant site, a water transmission system for cooling and on-site use, and an electric transmission system for delivering the power. The BIA ROD (March 1999) for the Southpoint Power Plant Project indicated that the environmentally

preferred alternative was selected, and concluded that no significant, unmitigated impacts will occur.

The gas transmission system will include two pipelines, one connected to an El Paso Natural Gas pipeline and one to a Transwestern Gas Company pipeline. The second pipeline will ensure reliability. The BLM, Lake Havasu Field Office, is the lead Federal agency for the gas pipeline. A draft EA has been prepared for the grant of right-of-way for the gas pipeline. A review of the draft EA has shown that the pipeline will have no significant impacts. BLM's visual resource management requirements will be met, and impacts to soils and geology will be moderate due to the erosion potential. There will be no long-term impacts to air quality. Biological resources are rare to nonexistent in the project area, and the pipeline will not affect significant cultural properties. The project will impact floodplains but impacts will be minor. Only one Federally protected species, the southwestern willow flycatcher, has been documented in the area; however, there is no habitat for that species in the vicinity of the pipeline route.

The water transmission system will consist of a pipeline, which will carry water from the Tribe's existing pumping platform on the Colorado River to the power plant site. The system will be part of the Tribe's central irrigation pumping complex. A backup system consisting of two wells on site will be used only if river water becomes temporarily unavailable. Process wastewater will be handled separately from domestic wastewater. Domestic wastewater will be collected and trucked to the Tribe's wastewater treatment plant. Process wastewater, the waste stream created by operation of the power plant, will be discharged into a 30-acre evaporation pond located on the bluffs above the proposed plant.

The electric transmission system includes the Topock Substation, which is being built by the Arizona Electric Power Cooperative. The Topock facility includes the substation, two 69-kV transmission lines for local service, and two 230-kV transmission lines to tie into Western's Parker-Davis No. 1 and No. 2, 230-kV Transmission Lines. The Kingman Field Office of the BLM was the lead Federal agency for the EA. The BLM issued a finding of no significant impact for the substation project in 1997. Western will construct two 230-kV transmission lines to bring power from the Southpoint Power Plant to the Topock Substation.

Western will also be required to upgrade the existing Parker-Davis No. 1

Transmission Line in order to carry the additional load from the Southpoint Power Plant. The upgrade will require the replacement of the existing conductor and the addition of up to 15 new structures for that portion of the line from the Topock Substation to the Parker Dam Substation. These structures will add support to the line where additional ground clearance is required. The design of the new lines and the upgraded facilities is such that electrocutions of birds of prey will be minimized.

Description of Alternatives

The BIA evaluated three alternative power plant sites. The environmentally preferred location was selected. The No Action Alternative for the power plant was evaluated and found that it will not meet the needs of the Tribe. The natural gas pipeline draft EA evaluated two different routing locations and identified the environmentally preferred route. The gas pipeline No Action Alternative will not meet the need of providing natural gas to fuel the power plant. The Topock Substation EA, which is incorporated into the Southpoint Power Plant Project EIS by reference, evaluated two alternative substation locations, two system configurations, three routing alternatives, and two access alternatives. In each case, Western selected the environmentally preferred alternative. The No Action Alternative was not selected because it will not meet the needs defined in the Southpoint Power Plant Project EIS and the Supplement Analysis. Nor will the No Action Alternative allow Western to meet its obligations defined by its own Open Access Transmission Tariff which was implemented to meet the intent of the Federal Energy Regulatory Commission (FERC) order to open transmission line access (FERC Order Nos. 888 and 888-A).

Mitigation Measures

The BIA identified mitigation measures needed to reduce the impacts of Southpoint Power Plant to less than significant levels. The specific measures are discussed in the EIS on pages 229 to 231. In addition, mitigative measures associated with the Topock Substation EA are discussed on pages 3-3; 3-10; 3-14; 3-18; and Appendix A. Mitigative measures are suggested in the draft EA for the natural gas pipeline in Appendix A. Each agency will be required to monitor the project for compliance with its own mitigation measures. Table 3.1-4 of Western's Supplement Analysis lists the standard mitigative measures that are part of every Western

construction contract that will apply to this project. Some of the measures include restricting vehicular traffic to existing access roads or public roads, re-contouring and reseeded disturbed areas, environmental awareness training for all construction and supervisory personnel, and mitigation of radio and television interference generated by transmission lines. Mitigation for the desert tortoise is in Table 3.1-5 of the Supplement Analysis.

Specific mitigation that applies to the construction of the new lines and the upgrading of the existing lines is identified in the Supplement Analysis. These measures include the following provisions:

1. A desert tortoise mitigation plan which will include compensation for unmitigated impacts;
2. Restriction of construction and routine maintenance activities along the transmission lines in bighorn sheep lambing areas between January 1 and June 30;
3. When existing conductors are replaced, non-specular conductors will be used; and
4. High-pressure sodium lights will be turned on only when maintenance personnel are present.

Floodplain/Wetlands Statement of Findings

Construction of the Southpoint Power Plant will result in substantial alteration to the natural drainage patterns onsite. However, no significant impacts to off-site drainage patterns or stormwater volumes will result from the construction of the plant or the associated facilities. The existing volume of stormwater flows, prior to construction of the plant, will be retained on site in constructed basins to minimize sheet flows.

Only minor impacts from constructing the gas pipeline are anticipated to the floodplain of the unnamed wash in the southwest corner of Section 9, Township 17 North, Range 21 West. The ground surface will remain relatively unchanged from pre-development conditions.

The electric transmission system avoids floodplains to the extent practical. The Topock Substation and associated lines are not located in designated floodplains. The existing Parker-Davis No. 1 230-kV transmission line crosses some ephemeral washes, but few transmission structures were placed in the floodplains.

No wetlands or waters of the United States will be affected by the proposed action. The proposed facilities will conform to all Tribal, State, and local floodplain protection standards.

Dated: March 19, 1999.

Michael S. HacsKaylo,

Administrator.

[FR Doc. 99-8057 Filed 3-31-99; 8:45 am]

BILLING CODE 6450-01-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6318-4]

Proposed Settlement Pursuant to Section 122(g) of the Comprehensive Environmental Response, Compensation, and Liability Act, Regarding the Friedrichsohn's Cooperage, Inc. Superfund Site, Waterford, Saratoga County, NY

AGENCY: Environmental Protection Agency.

ACTION: Notice of proposed administrative settlement and opportunity for public comment.

SUMMARY: In accordance with Section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. 9622(i), the U.S. Environmental Protection Agency ("EPA"), Region II, announces a proposed administrative *de minimis* settlement pursuant to Section 122(g)(4) of CERCLA, 42 U.S.C. 9622(g)(4), relating to the Friedrichsohn's Cooperage, Inc. Superfund Site ("Site"), located at 153-155 Saratoga Avenue in the Town of Waterford, Saratoga County, New York. This notice is being published pursuant to Section 122(i) of CERCLA to inform the public of the proposed settlement and give the public the opportunity to comment.

The proposed settlement, between EPA and Mohawk Paper Mills, Inc., Reliable Motor Parts Co., Monsey Products Co., and American Chemical and Equipment Co., Inc. ("Respondents"), has been memorialized in an Administrative Order on Consent (Index Number II-CERCLA-98-0210). This Agreement will become effective after the close of the public comment period, unless comments received disclose facts or considerations which indicate the Agreement is inappropriate, improper, or inadequate, and EPA, in accordance with Section 122(i)(3) of CERCLA, modifies or withdraws its consent to the Agreement. Under the settlement, Respondents will be obligated to make payment of \$37,259.43 to the Hazardous Substance Superfund in reimbursement of EPA response costs relating to the Site. This payment is based on

documentation indicating each company contributed minimal volumes of hazardous substances to the Site. In exchange, the settling companies will receive a covenant not to sue from EPA relating to liability for the Site under Sections 106 and 107(a) of CERCLA, 42 U.S.C. 9606 and 9607(a).

DATES: Comments must be provided on or before May 3, 1999.

ADDRESSES: Comments should be addressed to the U.S. Environmental Protection Agency, Office of Regional Counsel, New York/Caribbean Superfund Branch, 17th Floor, 290 Broadway, New York, New York 10007-1866, and should refer to: "Friedrichsohn's Cooperage, Inc. Superfund Site, U.S. EPA Index No. II-CERCLA-98-0210". For a copy of the settlement document, contact the individual listed below.

FOR FURTHER INFORMATION CONTACT: Elizabeth Leilani Davis, Assistant Regional Counsel, New York/Caribbean Superfund Branch, Office of Regional Counsel, U.S. Environmental Protection Agency, 17th Floor, 290 Broadway, New York, New York 10007. Telephone: (212) 637-3249.

Dated: March 9, 1999.

William J. Muszynski,

Acting Regional Administrator, Region II.

[FR Doc. 99-8085 Filed 3-31-99; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[PB-402404-WV; FRL-6066-6]

Lead-Based Paint Activities in Target Housing and Child-Occupied Facilities; The State of West Virginia's Authorization Application

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice; request for comments and opportunity for public hearing.

SUMMARY: On December 17, 1998, the State of West Virginia submitted an application for EPA approval to administer and enforce training and certification requirements, training program accreditation requirements, and work practice standards for lead-based paint activities in target housing and child-occupied facilities under section 402 of the Toxic Substances Control Act (TSCA). This notice announces the receipt of West Virginia's application, provides a 45-day public comment period, and provides an opportunity to request a public hearing on the application.