

also available by contacting Mr. Charles Oliver, Augusta-Richmond County Administrator, 801 Municipal Building, Augusta, Georgia 30911, phone (706) 821-1714. A copy of the application may also be viewed or printed by accessing the Commission's website on the Internet at <http://www.ferc.fed.us/online/rims.htm> or call (202) 208-2222 for assistance.

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

**Preliminary Permit**—Anyone desiring to file a competing application for preliminary permit for a proposed project must submit the competing application itself, or a notice of intent to file such an application, to the Commission on or before the specified comment date for the particular application (see 18 CFR 4.36).

Submission of a timely notice of intent allows an interested person to file the competing preliminary permit application no later than 30 days after the specified comment date for the particular application. A competing preliminary permit application must conform with 18 CFR 4.30(b) and 4.36.

**Preliminary Permit**—Any qualified development applicant desiring to file a competing development application must submit to the Commission, on or before a specified comment date for the particular application, either a competing development application or a notice of intent to file such an application. Submission of a timely notice of intent to file a development application allows an interested person to file the competing application no later than 120 days after the specified comment date for the particular application. A competing license application must conform with 18 CFR 4.30(b) and 4.36.

**Notice of intent**—a notice of intent must specify the exact name, business address, and telephone number of the prospective applicant, and must include an unequivocal statement of intent to submit, if such an application may be filed, either a preliminary permit application or a development application (specify which type of application). A notice of intent must be served on the applicant(s) named in this public notice.

**Proposed Scope of Studies under Permit**—A preliminary permit, if issued does not authorize construction. The term of the proposed preliminary permit would be 36 months. The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental

impacts. Based on the results of these studies, the Applicant would decide whether to proceed with the preparation of a development application to construct and operate the project.

**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.

**Filing and Service of Responsive Documents**—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", "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, N.E., Washington, D.C. 20426. An additional copy must be sent to Director, Division of Project Review, Federal Energy Regulatory Commission, at the above-mentioned address. A copy of any notice of intent, competing application or motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

**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. 99-26651 Filed 10-12-99; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6454-6 ]

### Proposed Administrative Settlement Under Section 7003 of the Resource Conservation and Recovery Act; Aerovox Incorporated

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of proposed settlement agreement and request for public comment.

**SUMMARY:** The Environmental Protection Agency ("EPA") is proposing to enter into a settlement agreement with Aerovox Incorporated of New Bedford, Massachusetts to address claims under Section 7003 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, and further amended by the Hazardous and Solid Waste Amendments of 1984 ("RCRA"), 42 U.S.C. 6973. Notice is being published to inform the public of the proposed settlement and the opportunity for a public meeting and to comment on the proposed settlement. The settlement is intended to resolve the liability of Aerovox Incorporated under section 7003 of RCRA and sections 16 and 17 of the Toxic Substances and Control Act, as amended, 15 U.S.C. 2615 and 2616, for conditions at its plant and real property located at 740 Belleville Avenue in New Bedford, Massachusetts which may present an imminent and substantial endangerment to health and/or the environment. Under the proposed settlement, Aerovox Incorporated will relocate to a new facility and will demolish and construct a cap over impacted soil at its current facility. In the interim, Aerovox Incorporated will take steps to protect its employees at its current facility and will provide security and maintenance for the facility upon evacuation and relocation. Once Aerovox Incorporated has demolished its current facility; properly disposed of PCB-contaminated building debris; and constructed an engineered cap over the soil to prevent any further spread of PCB contamination, Aerovox Incorporated will receive a covenant not to sue from EPA under Section 7003 of RCRA and Sections 16 and 17 of TSCA for the soils at the 740 Belleville Avenue property and the previous presence of polychlorinated biphenyls in the building to be demolished on that property. The settlement has been approved by EPA Region I, subject to review by the public pursuant to this Notice. EPA will consider all comments received and may modify or withdraw

its consent to the settlement if comments received disclose facts or considerations which indicate that the settlement is inappropriate, improper or inadequate.

**DATES:** Comments on the proposed settlement and requests for a public meeting in New Bedford must be submitted on or before November 12, 1999.

**ADDRESSES:** The proposed settlement is available for public inspection at the New Bedford Free Public Library, 613 Pleasant Street, New Bedford, Massachusetts and at the offices of EPA, Region I, One Congress Street, Suite 1100, Boston, Massachusetts 02114-2023. A copy of the proposed settlement may be obtained from Eve S. Vaudo, U.S. Environmental Protection Agency, New England, Region I, One Congress Street, Suite 1100 (SES), Boston, Massachusetts 02114-2023, (617) 918-1089. Comments and requests for a public meeting should be addressed to Marianne Milette, Senior Enforcement Coordinator, U.S. Environmental Protection Agency, New England, Region I, 1 Congress Street, Suite 1100 (SEA), Boston, MA 02114-2023, and should refer to Proposed Administrative Agreement under Section 7003 of the Resource Conservation and Recovery Act; Aerovox Incorporated, New Bedford, Massachusetts; Docket No. RCRA-1-99-0054.

**FOR FURTHER INFORMATION CONTACT:** Eve S. Vaudo, Enforcement Counsel, U.S. Environmental Protection Agency, New England, Region I, 1 Congress Street, Suite 1100 (SES), Boston, MA 02114-2023, (617) 918-1089.

Dated: September 29, 1999.

**John P. DeVillars,**

*Regional Administrator, U.S. EPA, Region I.*  
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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6456-1; CWA-HQ-99-009]

### Clean Water Act Class II: Proposed Administrative Settlement, Penalty Assessment and Opportunity To Comment Regarding the Bell Atlantic Companies

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** EPA has entered into a consent agreement with the Bell Atlantic Companies ("BAC") to resolve violations of the Clean Water Act ("CWA"), and its implementing

regulations. BAC failed to prepare Spill Prevention Control and Countermeasure ("SPCC") plans for seven facilities where they stored diesel oil in above ground tanks. EPA, as authorized by CWA section 311(b)(6), 33 U.S.C.

1321(b)(6), has assessed a civil penalty for these violations. The Administrator, as required by CWA section 311(b)(6)(C), 33 U.S.C. 1321(b)(6)(C), is hereby providing public notice of, and an opportunity for interested persons to comment on, this consent agreement and proposed final order.

**DATES:** Comments are due on or before November 12, 1999.

**ADDRESSES:** Mail written comments to the Enforcement & Compliance Docket and Information Center (2201A), Docket Number EC-1999-011, Office of Enforcement and Compliance Assurance, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460. (Comments may be submitted on disk in WordPerfect 8.0 or earlier versions.) Written comments may be delivered in person to: Enforcement and Compliance Docket Information Center, U.S. Environmental Protection Agency, Rm. 4033, Ariel Rios Bldg., 1200 Pennsylvania Avenue, NW, Washington, DC. Submit comments electronically to [doCKET.oeca@epa.gov](mailto:doCKET.oeca@epa.gov). Electronic comments may be filed online at many Federal Depository Libraries.

The consent agreement, the proposed final order, and public comments, if any, may be reviewed at the Enforcement and Compliance Docket Information Center, U.S. Environmental Protection Agency, Rm. 4033, Ariel Rios Bldg., 1200 Pennsylvania Avenue, NW, Washington, DC. Persons interested in reviewing these materials must make arrangements in advance by calling the docket clerk at 202-564-2614. A reasonable fee may be charged by EPA for copying docket materials.

**FOR FURTHER INFORMATION CONTACT:** Davis Jones, Multimedia Enforcement Division (2248-A), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460; telephone (202) 564-2235; fax: (202) 564-0010; e-mail: [jones.davis@epa.gov](mailto:jones.davis@epa.gov).

**SUPPLEMENTARY INFORMATION:** *Electronic Copies:* Electronic copies of this document are available from the EPA Home Page under the link "Laws and Regulations" at the Federal Register—Environmental Documents entry (<http://www.epa.gov/fedrgrstr>).

#### I. Background

The following Bell Atlantic Companies failed to prepare SPCC plans: Bell Atlantic-Pennsylvania, Inc.,

a telecommunications company incorporated in the State of Pennsylvania and located at 1717 Arch Street, Philadelphia, PA 19103; Telesector Resources Group, Inc., a telecommunications company incorporated in the State of Delaware and located at 1095 Avenue of the Americas, New York, NY 10036; Bell Atlantic Yellow Pages Company, a company incorporated in the State of Delaware and located at 35 Village Road, Middleton, MA 01949; and Bell Atlantic Global Networks, Inc. and BA Video Services Company both telecommunications companies incorporated in the State of Delaware and located at 1320 N. Court House Road, Arlington, VA 22201. The Bell Atlantic Companies disclosed, pursuant to the EPA "Incentives for Self-Policing: Discovery, Disclosures, Correction and Prevention of Violations" ("Audit Policy"), 60 FR 66706 (December 22, 1995), that they failed to prepare SPCC plans for seven facilities where they stored diesel oil in above ground storage tanks, in violation of the CWA section 311(b)(3) and 40 CFR Part 112. EPA determined that the BAC met the criteria set out in the Audit Policy for a 100% waiver of the gravity component of the penalty. As a result, EPA waived the gravity based penalty (\$17,850) and proposed a settlement penalty amount four thousand, eight hundred and eighty-two dollars (\$4,882). This is the amount of the economic benefit gained by the BAC, attributable to their delayed compliance with the SPCC regulations. The Bell Atlantic Companies have agreed to pay this amount in civil penalties. EPA and BAC negotiated and signed an administrative consent agreement, following the Consolidated Rules of Procedure, 40 CFR 22.13, on October 6, 1999 (*In Re: The Bell Atlantic Companies*, Docket No. CWA-HQ-99-009). This consent agreement is subject to public notice and comment under CWA section 311(b)(6), 33 U.S.C. 1321(b)(6).

Under CWA section 311(b)(6)(A), 33 U.S.C. 1321(b)(6)(A), any owner, operator, or person in charge of a vessel, onshore facility, or offshore facility from which oil is discharged in violation of the CWA section 311(b)(3), 33 U.S.C. 1321(b)(3), or who fails or refuses to comply with any regulations that have been issued under CWA section 311(j), 33 U.S.C. 1321(j), may be assessed an administrative civil penalty of up to \$137,500 by EPA. Class II proceedings under CWA section 311(b)(6) are conducted in accordance with 40 CFR Part 22.

The procedures by which the public may comment on a proposed Class II