

c. If the applicant has met the eligibility criteria, Western will determine the amount of firm power to be allocated pursuant to the general allocation criteria set forth in section III. Western will send a draft contract to the applicant for review which identifies the terms and conditions of the offer and the amount of firm power allocated to the applicant.

2. All firm power shall be allocated according to the procedures in the general allocation criteria set forth in section III.

3. Western reserves the right to determine the amount of firm power to allocate to an applicant, as justified by the applicant in its APD.

#### VI. Review Under the Regulatory Flexibility Act

The Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.* (Act), requires Federal agencies to perform a regulatory flexibility analysis if a proposed regulation is likely to have a significant economic impact on a substantial number of small entities. Western has determined that (1) this rulemaking relates to services offered by Western, and, therefore, is not a rule within the purview of the Act, and (2) the impacts of an allocation from Western would not cause an adverse economic impact on a substantial number of such entities. The requirements of this Act can be waived if the head of the agency certifies that the rule will not, if promulgated, have a significant economic impact on a substantial number of small entities. By his execution of this **Federal Register** notice, Western's Administrator certifies that no significant economic impact on a substantial number of small entities will occur.

#### VII. Review Under the Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1980, 44 U.S.C. 3501-3520, Western has received approval from the Office of Management and Budget (OMB) to collect customer information in this rule, under control number 1910-1200.

#### VIII. Review Under the National Environmental Policy Act

Western has completed an environmental impact statement on the Program, pursuant to the National Environmental Policy Act of 1969 (NEPA). The Record of Decision was published in the **Federal Register** on October 12, 1995 (60 FR 53181). Western's NEPA review will assure all environmental effects related to these procedures have been analyzed.

#### IX. Determination Under Executive Order 12866

DOE has determined that this is not a significant regulatory action because it does not meet the criteria of Executive Order 12866, 58 FR 51735. Western has an exemption from centralized regulatory review under Executive Order 12866; accordingly, no clearance of this notice by OMB is required.

Dated: February 25, 2000.

**Michael S. Hacsakaylo**,

*Administrator.*

[FR Doc. 00-5948 Filed 3-9-00; 8:45 am]

**BILLING CODE 6450-01-P**

#### DEPARTMENT OF ENERGY

#### Western Area Power Administration

#### Boulder Canyon Project-Firm Power Services Base Charge and Rates

**AGENCY:** Western Area Power Administration, DOE.

**ACTION:** Notice of proposal to extend rate setting formula.

**SUMMARY:** Western Area Power Administration's (Western) Desert Southwest Customer Service Region is initiating a rate adjustment process for the Boulder Canyon Project (BCP). Western proposes to extend the existing rate setting formula, and approve the proposed base charge and rates for FY 2001. This **Federal Register** notice begins the formal rate adjustment process for the proposed base charge and rates.

**DATES:** The consultation and comment period begins today and ends June 8, 2000. Western will hold a public information forum on April 13, 2000, beginning at 10 a.m. MST, at the Desert Southwest Customer Service Regional Office to explain the proposed base charge and rates. Western will receive oral and written comments at a public comment forum on May 9, 2000, beginning at 10 a.m. MST, also to be held at the Desert Southwest Customer Service Regional Office.

**ADDRESSES:** Send written comments to: Mr. J. Tyler Carlson, Regional Manager, Desert Southwest Customer Service Region, Western Area Power Administration, P.O. Box 6457, Phoenix, AZ 85005-6457, or by e-mail: carlson@wapa.gov. Western must receive written comments by the end of the consultation and comment period to be assured consideration. The Desert Southwest Customer Service Regional Office is located at 615 South 43rd Avenue, Phoenix, Arizona.

**FOR FURTHER INFORMATION CONTACT:** Mr. Maher A. Nasir, Rates Team Lead, Desert Southwest Customer Service Region, Western Area Power Administration, P.O. Box 6457, Phoenix, AZ 85005-6457, (602) 352-2768, or by e-mail: nasir@wapa.gov.

**SUPPLEMENTARY INFORMATION:** Annual base charge and rates adjustments are required by the existing rate setting formula approved by the Federal Energy Regulatory Commission (FERC) on April 19, 1996. The existing rate schedule was placed into effect on November 1, 1995. Western proposes to extend the existing rate setting formula through September 30, 2005, and approve the proposed base charge and rates for FY 2001. The proposed base charge for FY 2001 is \$49,460,974. The proposed forecasted energy rate is 5.70 mills per kilowatt-hour (kWh), and the proposed forecasted capacity rate is \$1.02 per kilowatt-month (kWmonth). The existing base charge is \$46,145,334. The existing forecasted energy rate is 4.59 mills per kWh, and the existing forecasted capacity rate is \$0.95 per kWmonth. The projected base charge and rates adjustments are due to increases in the annual operating expenses and will be explained during the rate adjustment process. All brochures, studies, comments, letters, memorandums, and other documents made or kept by Western in developing the proposed base charge and rates will be made available to all power customers and interested parties. The extension of the existing rate schedule and proposed firm power services base charge and rates are scheduled to become effective October 1, 2000.

Under Amendment No. 3 to Delegation Order No. 0204-108, published November 10, 1993 (58 FR 59716), the Secretary of Energy delegated (1) the authority to develop long-term power and transmission rates on a nonexclusive basis to Western's Administrator; and (2) the authority to confirm, approve, and place into effect on a final basis, to remand, or to disapprove such rates to FERC. In Delegation Order No. 0204-172, effective November 24, 1999, the Secretary of Energy delegated the authority to confirm, approve, and place such rates into effect on an interim basis to the Deputy Secretary. Existing DOE procedures for public participation in power rate adjustments are located at 10 CFR part 903, effective on September 18, 1985 (50 FR 37835).

The proposed firm power services base charge and rates for BCP are being established pursuant to the Department of Energy Organization Act (42 U.S.C.

7101, *et seq.*) and the Reclamation Act of 1902 (43 U.S.C. 371, *et seq.*), as amended and supplemented by subsequent enactments, particularly section 9(c) of the Reclamation Project Act of 1939, 43 U.S.C. 485h(c) and section 8 of the Act of August 31, 1964, 16 U.S.C. 837g, the Colorado River Basin Project Act of 1968 (43 U.S.C. 1501, *et seq.*), the Colorado River Storage Project Act (43 U.S.C. 620, *et seq.*), the Boulder Canyon Project Act (43 U.S.C. 617, *et seq.*), the Boulder Canyon Project Adjustment Act (43 U.S.C. 618, *et seq.*), the Hoover Power Plant Act of 1984 (43 U.S.C. 619, *et seq.*), the General Regulations for Power Generation, Operation, Maintenance, and Replacement at the BCP, Arizona/Nevada (43 CFR part 431) published in the **Federal Register** (51 FR 23960) on July 1, 1986, and the General Regulations for the Charges for the Sale of Power from the BCP, Final Rule (10 CFR part 904) published in the **Federal Register** (50 FR 37837) on September 18, 1985, and the DOE financial reporting policies, procedures, and methodology (DOE Order No. RA 6120.2, dated September 20, 1979).

Both a public information forum and a public comment forum will be held. After considering public comments, Western will recommend a proposed base charge and rates to be approved on an interim basis by the Deputy Secretary.

### Regulatory Procedural Requirements

#### *Regulatory Flexibility Analysis*

The Regulatory Flexibility Act of 1980 (5 U.S.C. 601, *et seq.*) requires Federal agencies to perform a regulatory flexibility analysis if a final rule is likely to have a significant economic impact on a substantial number of small entities and there is a legal requirement to issue a general notice of proposed rulemaking. Western has determined that this action does not require a regulatory flexibility analysis since it applies to rates or services applicable to public property.

#### *Environmental Compliance*

In compliance with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321, *et seq.*); Council On Environmental Quality Regulations (40 CFR parts 1500–1508); and DOE NEPA Regulations (10 CFR part 1021), Western has determined that this action is categorically excluded from the preparation of an environmental assessment or an environmental impact statement.

#### *Determination Under Executive Order 12866*

Western has an exemption from centralized regulatory review under Executive Order 12866; accordingly, no clearance of this notice by the Office of Management and Budget is required.

#### *Small Business Regulatory Enforcement Fairness Act*

Western has determined that this rule is exempt from congressional notification requirements under 5 U.S.C. 801 because the action is a rulemaking of particular applicability relating to rates or services and involves matters of procedure.

Dated: February 25, 2000.

**Michael S. Hacskaylo**,  
Administrator.

[FR Doc. 00–5947 Filed 3–9–00; 8:45 am]

**BILLING CODE 6450–01–U**

## ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–6251–9]

### Environmental Impact Statements and Regulations; Availability of EPA

Comments Availability of EPA comments prepared February 21, 2000 through February 25, 2000 pursuant to the Environmental Review Process (ERP), under Section 309 of the Clean Air Act and Section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at (202) 564–7167.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated April 09, 1999 (63 FR 17856).

#### Draft EISs

ERP No. D–COE–F39039–00 Rating EO2, John T. Myers and Greenup Lock Improvements, To Alleviate Commercial Navigation Traffic Congestion, Ohio River Mainstem Systems Study, (ORMSS), Interim Feasibility Report, Indiana, Kentucky and Ohio.

*Summary:* EPA expressed environmental objections based on issues with how the project purpose and need was formulated, the apparent phased approach to NEPA compliance, the lack of cumulative impact analysis, inadequate mitigation and the need for additional analysis of the sediment quality.

ERP No. D–SFW–L65334–WA Rating LO, Simpson Washington Timberlands Forest Management and Timber Harvesting Project, Proposed Issuing of a Multiple Species Incidental Take

Permit, Mason, Thurston and Gray Harbor Counties, WA.

*Summary:* EPA had no objections to the proposed action.

#### Final EISs

ERP No. F–FRC–E03008–00 Florida Gas Transmission Phase IV Expansion Project (Docket No. CP99–94–000), To Deliver Natural Gas to Electric Generator, FL and MS.

*Summary:* EPA expressed concerns over the proposed conversion of forested wetlands to herbaceous wetlands and other impacts associated with pipeline placement, including induced growth associated with the project. EPA also expressed concerns over the lack of information regarding potential environmental justice issues.

ERP No. RF–OSM–A01102–00 Valid Existing Rights—Proposed Revisions to the Permanent Program Regulations Implementing Section 522(E) of the Surface Mining Control and Reclamation Act of 1977 and Proposed Rulemaking Clarifying the Applicability of Section 522(E) to Subsidence from Underground Mining.

*Summary:* The final EIS and rule have adequately addressed EPA's concerns on the air quality analysis, impacts to water quality and environmental justice.

#### Regulations

ERP No. R–AFS–A65166–00 National Forest Service System Land and Resource Management Planning; Proposed Rule 36 CFR Parts 217 and 219.

*Summary:* EPA was pleased to see that the Forest Service used the recommendations given by the Committee of Scientists as a corner stone of the planning process, especially ecological sustainability, the principles of ecosystem management and requirements for implementation, monitoring and evaluation. EPA also believes that the proposed rule attempts to simplify planning process; reduce burdensome and costly procedural requirements and strengthen relationships with the public, States, Tribes and other government agencies. EPA requests that the final rule supply additional information on issues related to implementation of pre-decisional appeals, monitoring, terms and definitions sustainability and species viability.

Dated: March 6, 2000.

**B. Katherine Biggs**,

Associate Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 00–5929 Filed 3–9–00; 8:45 am]

**BILLING CODE 6560–50–U**