

potential environment impacts of the project and concludes that licensing the project, with appropriate environmental protective measures, would not constitute a major federal action that would significantly affect the quality of the human environment.

Copies of the DEA are available for review in the Public Reference Room, Room 2A, of the Commission's offices at 888 First Street, N.E., Washington, D.C. 20426.

Any comments should be filed within 30 days from the date of this notice and should be addressed to David P.

Boergers, Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426. For further information, contact Nicholas Jayjack, Environmental Coordinator, at (202) 219-2825.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP98-538-000]

#### Midwestern Gas Transmission Company; Notice of Intent To Prepare an Environmental Assessment for the Proposed GPC Sales Tap Project and Request for Comments on Environmental Issues

October 9, 1998.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of Midwestern Gas Transmission Company's (Midwestern) proposal to construct 2.84 miles of 8-inch-diameter pipeline in Knox and Daviess Counties, Indiana; one hot tap in Knox County; and one meter station in Daviess County. The EA will also address the issues raised by other parties in the original prior notice filing.<sup>1</sup> This EA will be used by the Commission in its decision-making process to determine whether the project is in the public convenience and necessity.

If you are a landowner receiving this notice, you may be contacted by a pipeline company representative about the acquisition of an easement to construct, operate, and maintain the

proposed facilities. The pipeline company would seek to negotiate a mutually acceptable agreement. However, if the project is approved by the Commission, that approval conveys with it the right of eminent domain. Therefore, if easement negotiations fail to produce an agreement, the pipeline company could initiate condemnation proceedings in accordance with state law. A fact sheet addressing a number of typically asked questions, including the use of eminent domain, is attached to this notice as appendix 1.<sup>2</sup>

#### Summary of the Proposed Project

Midwestern wants to expand the capacity of its facilities in Indiana to transport an additional 10,000 dekatherms per day of natural gas to Grain Processing Corporation (GPC). Midwestern seeks authority to construct and operate:

- One 8-inch hot tap on its existing, 30-inch-diameter 2100 Line in Knox County, Indiana;
- 2.84 miles of 8-inch-diameter pipeline (lateral) extending from the hot tap in Knox County to the GPC Plant in Daviess County, Indiana; and
- One meter station with dual 6-inch orifice meter runs and electronic gas measurement equipment on a site provided by GPC, Daviess County, Indiana.

The general location of the project facilities is shown in appendix 2.

#### Land Requirements for Construction

Construction of the proposed facilities would require 36.94 acres of land. Midwestern proposes to use 100 feet for its construction right-of-way for the pipeline. The construction work area would be reduced to a 50-foot permanent right-of-way corridor through wetlands areas. Midwestern has not proposed a permanent right-of-way width for non-wetland areas.

Following construction, 0.25 acre would be maintained as new aboveground facilities. The meter station would require 0.23 acres. The hot tap facilities would require 900 square feet and would be surrounded by a 3-inch pipe cattle fence.

#### The EA Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action

whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires us to discover and address concerns the public may have about proposals. We call this "scoping". The main goal of the scoping process is to focus the analysis in the EA on the important environmental issues. By this Notice of Intent, the Commission requests public comments on the scope of the issues it will address in the EA. All comments received are considered during the preparation of the EA. State and local government representatives are encouraged to notify their constituents of this proposed action and encourage them to comment on their areas of concern.

The EA will discuss impacts that could occur as a result of the construction and operation of the proposed project under these general headings:

- Geology and soils.
- Water resources, fisheries, and wetlands.
- Vegetation and wildlife.
- Endangered and threatened species.
- Land use.
- Cultural resources.
- Air quality and noise.
- Public safety.

We will also evaluate possible alternatives to the proposed project or portions of the project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

Our independent analysis of the issues will be in the EA. Depending on the comments received during the scoping process, the EA may be published and mailed to Federal, state, and local agencies, public interest groups, interested individuals, affected landowners, newspapers, libraries, and the Commission's official service list for this proceeding. A comment period will be allotted for review if the EA is published. We will consider all comments on the EA before we make our recommendations to the Commission.

To ensure your comments are considered, please carefully follow the instructions in the public participation section on page 4 of this notice.

#### Currently Identified Environmental Issues

We have already identified several issues that we think deserve attention based on: (a) a preliminary review of the proposed facilities; (b) the environmental information provided by Midwestern; and (c) concerns raised by other commentors. This preliminary list

<sup>1</sup> Midwestern filed a prior notice under Section 157.211 of the Commission's regulations. It converted to a Section 7 filing due to protests filed during the comment period.

<sup>2</sup> The appendices referenced in this notice are not being printed in the **Federal Register**. Copies are available from the Commission's Public Reference and Files Maintenance Branch, 888 First Street, NE, Washington, DC 20426, or call (202) 208-1371. Copies of the appendices were sent to all those receiving this notice in the mail.

of issues may be changed based on your comments and our analysis.

- One federally listed endangered species, the Indian Bat may occur in the proposed project area.
- Two streams and six wetlands would be crossed by the pipeline.
- A total of 7.3 acres of forested wetlands, including about 6.4 acres of bottomland forest, would be cleared for the new right-of-way.
- An alternative pipeline route has been identified by Southern Indiana Gas & Electric Company.

### Public Participation

You can make a difference by providing us with your specific comments or concerns about the project. By becoming a commentor, your concerns will be addressed in the EA and considered by the Commission. You should focus on the potential environmental effects of the proposal, alternatives to the proposal (including alternative locations/routes), and measures to avoid or lessen environmental impact. The more specific your comments, the more useful they will be. Please carefully follow these instructions to ensure that your comments are received in time and properly recorded:

- Send two copies of your letter to: David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First St., NE., Room 1A, Washington, DC 20426;
- Label one copy of the comments for the attention of the Environmental Review and Compliance Branch, PR-11.1
- Reference Docket No. CP98-528-000; and
- Mail your comments so that they will be received in Washington, DC on or before November 9, 1998.

### Becoming an Intervenor

In addition to involvement in the EA scoping process, you may want to become an official party to the proceeding known as an "intervenor". Intervenor play a more formal role in the process. Among other things, intervenors have the right to receive copies of case-related Commission documents and filings by other intervenors. Likewise, each intervenor must provide 14 copies of its filings to the Secretary of the Commission and must send a copy of its filings to all other parties on the Commission's service list for this proceeding. If you want to become an intervenor you must file a motion to intervene according to Rule 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.214) (see appendix 3). Only

intervenors have the right to seek rehearing of the Commission's decision.

The date for filing timely motions to intervene in this proceeding has passed. Therefore, parties now seeking to file later interventions must show good cause, as required by section 385.214(b)(3), why this time limitation should be waived. Environmental issues have been viewed as good cause for late intervention. You do not need intervenor status to have your environmental comments considered.

Additional information about the proposed project is available from Mr. Paul McKee of the Commission's Office of External Affairs at (202) 208-1088.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EL98-52-000]

#### North American Electric Reliability Council; Notice of Presentation

October 9, 1998.

Take notice that representatives of the North American Electric Reliability Council (NERC) will make a presentation to the Commission Staff. The presentation will cover the latest developments in the Security Coordinator Procedures, including developments in the Transmission Loading Relief procedures and the Capacity Deficiency Alert Procedure. The purpose of the presentation is not to discuss issues currently pending before the Commission, but to update the Staff on NERC's ongoing efforts with respect to refining these procedures.

The presentation will be made on October 29, 1998 at 10 a.m. at the Commission's offices at 888 First St., N.E., Washington, D.C. 20426. The public is invited to attend.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

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## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-5496-2]

### Environmental Impact Statements; Notice of Availability

*Responsible Agency:* Office of Federal Activities, General Information (202) 564-7167 OR (202) 564-7153.

Weekly receipt of Environmental Impact Statements Filed October 05, 1998 Through October 09, 1998 Pursuant to 40 CFR 1506.9.

*EIS No. 980403*, FINAL EIS, FHW, MN, MN TH-100 Reconstruction, between Glenwood Avenue in the City of Golden Valley extending to north of 50th Avenue north in Brooklyn Center, COE Section 404 Permit, Hennepin County, MI, *Due:* November 16, 1998, *Contact:* Cheryl Martin (612) 291-6120.

*EIS No. 980404*, REVISED DRAFT EIS, NPS, AK, Legislative—Lower Sheejeck River, Revised/Updated Information, Designation and Non-Designation for inclusion in the National Wild and Scenic River System, Tributary of the Porcupine River, Yukon Flats National Wildlife Refuge, AK, *Due:* January 15, 1998, *Contact:* Jack Mosby (907) 257-2650.

*EIS No. 980405*, FINAL EIS, AFS, OR, Young'n Timber Sales, Implementation, Willamette National Forest Land and Resource Management Plan, Middle Fork Ranger District, Lane County, OR, *Due:* November 16, 1998, *Contact:* Rick Scott (541) 782-2283.

*EIS No. 980406*, FINAL EIS, AFS, WA, Green River Road Access Requests, Easements Grant, Mt. Baker-Snoqualmie National Forest, North Bend Ranger District, King County, WA, *Due:* November 16, 1998, *Contact:* Lloyd Johnson (425) 888-1421.

*EIS No. 980407*, FINAL EIS, FHW, CA, CA-4 "GAP" Closure Project, Improvements between I-80 and Cunnings Skyway, Funding, NPDES Permit and COE Section 404 Permit, City of Hercules, Contra Costa County, CA, *Due:* November 16, 1998, *Contact:* John Schultz (916) 498-5041.

*EIS No. 980408*, FINAL EIS, AFS, WA, Plum Creek Checkerboard Access Project, Grant Permanent Easements, Cle Elum and Naches Ranger Districts, Wenatchee National Forest, Kittitas County, WA, *Due:* November 16, 1998, *Contact:* Floyd Rogalski (509) 674-4411.

*EIS No. 980409*, FINAL EIS, NPS, AK, Sitka National Historical Park, General Management Plan,