Docket No. CP79-221

Philadelphia Gas Works
Public Service Electric and Gas Company, Tennessee
The State of Louisiana
General Motors Corporation

Docket No. CP79-260

The Public Service Commission of the State of New York
General Motors Corporation
Consolidated Edison Company of New York, Inc.

Docket No. CP79-275

General Motors Corporation
Consolidated Edison Company of New York, Inc.

Docket No. CP79-278

The Public Service Commission of the State of New York
Philadelphia Electric Company (Philadelphia Electric) in Docket No. CP79-214 and General Motors Corporation (General Motors) in Docket Nos. CP79-260 and CP79-275 as well as Docket Nos. CP79-214 and CP79-221 request formal hearings.

It is the Commission's view that the subject applications raise a number of issues and that a consolidated formal hearing in these matters should be held to determine whether the granting of the applications would be in the public interest. It appears that the subject applications raise the following issues and questions with respect to the proposed arrangements:

1. What is the source of the gas to be sold by National Distribution to Con Ed and whether the natural gas being sold for boiler fuel use is actually surplus gas since Philadelphia Electric, Con Ed and National Supply are each customers of Transco and Texas Eastern, both of which are either curtailing or may be projecting future curtailment? Further, what would be the disposition of the subject gas if the sale by National Distribution to Con Ed were not made? In this regard, what has been the disposition, if any, of this source of excess gas in the past?

2. If the subject arrangement were not authorized, would National Distribution have excess supplies and therefore be required to back-off takes from its interstate suppliers (through National Supply), thus providing additional gas to the interstate market; or, posed in another way, what is the "actual impact" of the subject arrangement upon the curtailment levels of the interstate suppliers of National Distribution and Con Ed?

3. Whether the proposed arrangement will achieve the stated objective of reducing oil consumption and conserving fuel oil:

(a) What restrictions, if any, are placed upon the fuel oil to be displaced by the gas to be sold by National Distribution?

(b) Do National Distribution's synthetic natural gas (SNG) sources use more fuel oil in the manufacture of SNG than Con Ed will displace?

(c) Would reduced curtailment on National Supply's interstate suppliers conserve fuel oil?

4. What will be the impact of the subject arrangement on National Distribution's other customers? Whether National Distribution's ability to meet its customers' requirements in the future will be impaired if the gas to be sold to Con Ed comes in part from sources other than SNG?

5. Whether the price to be charged by National Distribution to Con Ed is reasonable and whether National Distribution's other customers will be required to bear any of the costs associated with the proposed off-system sale.

Accordingly, the applications in the subject dockets shall be consolidated and an expedited formal hearing shall be held on the issues and questions set forth above. Upon the conclusion of the hearing so ordered, the Administrative Law Judge's intermediate decision shall be omitted and the record in the proceedings shall be certified directly to the Commission for decision.

Con Ed filed out of time a petition to intervene in Docket No. CP79-214. However, Con Ed has filed timely petitions to intervene in Docket Nos. CP79-260 and CP79-275. As a result, the Commission will permit it to participate as a party in the consolidated proceeding. Similarly, General Motors filed out of time a petition to intervene and request for formal hearing in Docket Nos. CP79-214 and CP79-221. Because General Motors timely filed to intervene in Docket Nos. CP79-260 and CP79-275 the Commission will permit it to participate as a party in the consolidated proceeding.

The Commission finds

(1) Due to common issues of fact and law, it is in the public interest to conoldiate for all purposes the applications in Docket Nos. CP79-214, CP79-221, CP79-260, CP79-275, and CP79-278, and further, it is necessary and appropriate in carrying out the provisions of the Natural Gas Act that said applications be set for formal hearing in accordance with the procedures herein set forth.

(2) Participation by the petitioners to intervene in the subject dockets may be in the public interest.

(3) Good cause exists to permit the late interventions by Con Ed and General Motors.

The Commission orders

(A) The applications in Docket Nos. CP79-214, CP79-221, CP79-260, CP79-275, and CP79-278 are consolidated.

(B) Pursuant to the authority of the Natural Gas Act, particularly Sections 7 and 15 thereof, the Commission's Rules of Practice and Procedure and the Regulations under the Natural Gas Act, a public hearing shall be held on the subject consolidated applications, in the manner provided for in the instant order.

(C) A Presiding Administrative Law Judge designated by the Chief Administrative Law Judge shall preside over the hearing provided for in this order and shall consistent therewith assure its timely commencement in a hearing room of the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. The Presiding Administrative Law Judge is authorized to establish such further rules and any other procedural dates as provided for in this order and in the Commission's Rules of Practice and Procedure.

(D) The Administrative Law Judge's intermediate decision in these proceedings is omitted and upon the conclusion of the hearing ordered, the record in these consolidated proceedings shall be certified directly to the Commission for decision.

(E) Petitioners to intervene are permitted to intervene in these proceedings subject to the rules and regulations of the Commission; *Provided, however,* that the participation of such interveners shall be limited to matters affecting asserted rights and interests as specifically set forth in their petitions to intervene; and, *Provided, further,* that the admission of said interveners shall not be construed as recognition by the Commission that they might be aggrieved because of any order of the Commission entered in these proceedings

By the Commission.
Kenneth F. Plumb,
Secretary.

[FR Doc. 79-17209; Filed 6-1-79; 8:45 am]
BILLING CODE 6450-01-M

[Docket No. RA79-26]

Stephens and Cass; Filing of Petition for Review Under 42 U.S.C. 7194

May 25, 1979.

Take notice that Stephens and Cass on April 20, 1979 filed a Petition for

Review under 42 U.S.C. § 719(b) (1977 Supp.) from an order of the Secretary of Energy.

Copies of the petition for review have been served on the Secretary, Department of Energy, and all participants in prior proceedings before the Secretary.

Any person desiring to be heard with reference to such filing should on or before June 12, 1979, file a petition to intervene with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with the Commission's rules of practice and procedure (18 CFR 1.8). Any person wishing to become a party or to participate as a party must file a petition to intervene. Such petition must also be served on the parties of record in this proceeding and the Secretary of Energy through Gaynell C. Methvin, Deputy General Counsel for Enforcement and Litigation, Department of Energy, 12th and Pennsylvania Ave., N.W., Washington, D.C. 20461. Copies of the petition for review are on file with the Commission and are available for public inspection at Room 1000, 825 North Capitol St., N.E., Washington, D.C. 20426.

Kenneth F. Plumb,

Secretary.

[FR Doc. 79-17208 Filed 6-1-79; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. RI79-36]

Triton Oil & Gas Corp.; Petition for Declaratory Order

May 29, 1979.

Take notice that on April 5, 1979, Triton Oil and Gas Corporation (Triton), One Energy Square, 4925 Greenville Avenue, Dallas, Texas 75206 filed in Docket No. RI79-36 a petition for declaratory order pursuant to Section 1.7 of the Commission's Rules of Practice and Procedure. Triton requests a determination that it has no refund obligation under Southern Louisiana Area Rate Opinion No. 598 for rates it collected for certain sales of gas. The gas is produced from four fields in the Southern Louisiana Area and sold to Tennessee Gas Pipeline Company, Texas Gas Transmission Company and Southern Natural Gas Company under Triton's Rate Schedules 1 and 8, 6, and 7 respectively.

On June 6, 1978, the Commission directed Triton, among other producers, to disburse refunds for the period from October 1968 to January 1971 pursuant to the Commission's Opinion Nos. 598 and 598-A or show cause why such refunds were not due. Triton's position is that because sales under these rate schedules were authorized by permanent certificates of public convenience and necessity which contained no refund conditions, there is no refund obligation. Triton acknowledges that the Commission may order refunds and reductions in rates after August 1, 1971—the effective date of Opinion No. 598. However, it asserts that the Commission is without authority to order such adjustments prior to the effective date where rates were not collected subject to a suspension order or under a temporary certificate.

Any person desiring to be heard or to make any protest with reference to said petition should file a petition to intervene or a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with requirements of the Commission's rules of practice and procedure (18 C.F.R. 1.8 or 1.10). All such petitions or protests should be filed on or before June 20, 1979. All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the procceding. Any person wishing to become a party to a proceeding, or to participate as a party in any hearing therein, must file a petition to intervene in accordance with the Commission's rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 79-17210 Filed 6-1-79; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. RP78-68]

United Gas Pipe Line Co.; Informal Settlement Conference

May 23, 1979.

Take notice that on June 7, 1979, at 1:30 p.m. an informal conference of all interested persons will be convened for the purpose of continued settlement discussions in this proceeding. The conference will be held in Room 3200 of the Federal Energy Regulatory Commission at 941 North Capitol Street, N.E., Washington, D.C. 20426.

Customers and other interested persons will be permitted to attend, but if such persons have not previously been permitted to intervene by order of the Commission, attendance will not be deemed to authorize intervention as a party in this proceeding.

All parties will be expected to come fully prepared to discuss the merits of the issues arising in this proceeding and to make commitments with respect to such issues and any offers of settlement or stipulation discussed at the conference.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 79-17211 Filed 6-1-79; 8:45 am]

BILLING CODE 6450-01-M

Office of Energy Conservation and Solar Applications

Meeting Regarding Emergency Building Temperature Restrictions Program

Notice is hereby given that the Department of Energy (DOE) will hold a meeting with the National Governors' Association on Friday, June 8, 1979, at 11 a.m. in Room 265, 444 North Capitol Street, Washington, D.C.

The purpose of the meeting will be to discuss the role of the States in implementing the Emergency Building Temperature Restrictions Program. This program is authorized by the President's "Standby Conservation Plan No. 2: Emergency Building Temperature Restrictions," which recently was approved by the Congress.

Issued in Washington, D.C. on May 31, 1979.

Maxine Savitz,

Deputy Assistant Secretary, Conservation and Solar Applications.

[FR Doc. 79-17456 Filed 6-1-79; 12:05 pm]

BILLING CODE 6450-01-M

ENVIRONMENTAL PROTECTION AGENCY

[FRL 1238-6]

Air Quality; Clarification of Agency Policy Concerning Ozone SIP Revisions and Solvent Reactivities

ACTION: This notice is published under the authority of section 101(b) and section 103 of the Clean Air Act. The notice clarifies EPA's "Recommended Policy on Control of Volatile Organic Compounds," 42 FR 35314 (July 8, 1977).

STATEMENT: The July 1977 Policy Statement noted that only reactive volatile organic compounds participate in the chemical reactions that form photochemical oxidants. Currently available information suggests that negligibly photochemically reactive volatile organic compounds as defined in that Statement, including methyl chloroform and methylene chloride, do not appreciably affect ambient ozone levels. Hence, EPA will not disapprove any state implementation plan or plan revision for its failure to contain regulations restricting emissions of these compounds.

Although these substances need not be controlled under state implementation plans for the purpose of achieving ambient ozone standards, nothing in this memorandum is intended to modify past EPA expressions of concern about the uncontrolled use of methyl chloroform and methylene chloride. As noted in the above referenced policy and the clarification presented in memoranda of August 24, 1978 and March 6, 1979, there is suggestive evidence that both compounds are potentially carcinogenic and methyl chloroform is suspected of contributing to depletion of stratospheric ozone. See, for example, the following studies:

Simmon, V. F., Kauhanen, K. and Tardiff, R. G., "Mutagenic Activity of Chemicals Identified in Drinking Water" in *Progress in Genetic Toxicology*, ed. I. D. Scott, B. A. Bridges, and F. H. Sobels, at 249–258 (Elsevier, 1977);

Price, P. G., Hassett, C. M. and Mansfield, O. I., "Transforming Activities of Trichloroethylene and Proposed Industrial Alternatives" *In Vitro* 14:3, at 290–293 (1978);

Theiss, J. C., Stoner, G. D., Shimkin, M. B., *et al.*, "Test for Carcinogenicity of Organic Contaminants of United States Drinking Waters by Pulmonary Tumor Response In Strain A Mice," *Cancer Research*, 37(8 Pt. 1): 2717–20, (August 1977);

The EPA Carcinogen Assessment Group's Preliminary Risk Assessment on Methyl Chloroform, Type I—Air Program, (January 17, 1979);

The EPA Carcinogen Assessment Group's Preliminary Risk Assessment on Methylene Chloride, Type I—Air Program, (January 17, 1979);

Conference on Methyl Chloroform and other Halocarbon Pollutants, sponsored by Environmental Sciences Research Laboratory, U.S. EPA, February 27–28, 1979, Washington, D.C. (proceedings in press).

Because both methyl chloroform and methylene chloride are potentially harmful, EPA recommends that these chemicals not be substituted for other solvents in efforts to reduce ozone concentrations. EPA further recommends that the states control these compounds under the authority reserved to them in section 116 of the Clean Air Act. Moreover, there is a strong possibility for future regulation of these compounds under the Clean Air Act.

FOR FURTHER INFORMATION CONTACT: Joseph Padgett, Director, Strategies and Air Standards Division, Office of Air Quality Planning and Standards, MD–12 Research Triangle Park, North Carolina 27711 (919) 541–5204.

Dated: May 25, 1979.

David G. Hawkins,

Assistant Administrator for Air, Noise and Radiation.

[FR Doc. 79-17264 Filed 6-1-79; 8:45 am]

BILLING CODE 6560-01-M

[FRL 1239-3]

Region II; Groundwater System of the New Jersey Coastal Plains Aquifer

On March 21, 1979, a notice was published stating that a petition has been submitted by the Environmental Defense Fund, Inc. and the Sierra Club-New Jersey Chapter, pursuant to Section 1424(e) of the Safe Drinking Water Act, Pub. L. 93–523, requesting the Administrator of the Environmental Protection Agency to make a determination that the aquifer underlying the Counties of Monmouth, Burlington, Ocean, Camden, Gloucester, Atlantic, Salem, Cumberland and Cape May and portions of Mercer and Middlesex Counties, New Jersey is the sole or principal drinking water source for the coastal plain area which, if contaminated, would create a significant hazard to public health.

The notice indicated that comments, data and references in response to the petition should be submitted by May 21, 1979. Due to the complexity of issues which surround the designation of the Coastal Plain Area as a sole source aquifer, EPA was requested to extend the comment period. In order to permit sufficient time for all interested individuals to provide their input, EPA will extend the comment period on this petition request from May 21, 1979 to August 20, 1979. Comments, data and references in response to the Coastal Plain Petition should be submitted in writing to Eckardt C. Beck, Regional Administrator, Region II, Environmental Protection Agency, 26 Federal Plaza, Room 1009, New York, N.Y. 10007, Attention: Coastal Plain Aquifer. Information concerning the Coastal Plain Aquifer System will be available for inspection at the above address.

Dated: May 21, 1979.

Eckardt C. Beck,

Regional Administrator.

[FR Doc. 79-17266 Filed 6-1-79; 8:45 am]

BILLING DATE 6560-01-M

[FRL 1239-3 OPP-00095]

State-FIFRA Issues Research and Evaluation Group (SFIREG); Working Committee on Enforcement; Open Meeting

AGENCY: Environmental Protection Agency (EPA), Office of Pesticide Programs.

ACTION: Notice of Open Meeting.

SUMMARY: There will be a two-day meeting of the Working Committee on Enforcement of the State-FIFRA Issues Research and Evaluation Group (SFIREG) on Tuesday and Wednesday, June 5–6, 1979, beginning at 8:30 a.m. each day, and concluding by 12 noon on June 6th. The meeting will be held at the Atlanta Town House, 100 Tenth Street, N.W., Atlanta, Georgia, Telephone: 404/892–6800, and will be open to the public.

FOR FURTHER INFORMATION CONTACT: Mr. William Buffaloe, North Carolina Department of Agriculture, Raleigh, North Carolina, Telephone: 919/733–3556; or Mr. Anthony Dellavecchia, Pesticide and Toxic Substances Enforcement Division, EPA, 401 M Street, S.W., Washington, D.C., telephone: 202/755–0914.

SUPPLEMENTARY INFORMATION: This the second meeting of the Working Committee on Enforcement. The meeting will be concerned with the following topics:

1. Plan for future recall and suspension orders;
2. Clarification of undefined terms in Section 26 and 27 of FIFRA;
3. Status of State primacy use enforcement notice;
4. Use of recommendations of agricultural extension publications by pesticide sales representatives;
5. Discussion of definition of "non crop land;"
6. FIFRA Section 7—producers of active ingredients; and
7. Other enforcement matters which may arise.

Dated: May 25, 1979.

Edwin L. Johnson,

Deputy Assistant Administrator for Pesticide Program.

[FR Doc. 79-17265 Filed 6-1-79; 8:45 am]

BILLING CODE 6560-01-M