

LIST OF CASES RECEIVED BY THE OFFICE OF HEARINGS AND APPEALS—Continued

[Week of January 18 through January 25, 1991]

Date	Name and location of applicant	Case No.	Type of submission
Jan. 23, 1991	Teesdale Oil, Bridger, MT	LEE-0021	Exception to the reporting requirements. If granted: Teesdale Oil would not be required to file Form EIA-782-B, "Resellers'/Retailers Monthly Petroleum Sales Report."
Jan. 23, 1991	Great Lakes Carbon Corporation Washington, DC	RR272-62	Request for modification/rescission in the crude oil refund proceeding. If granted: The November 27, 1990 Decision and Order (Case No. RF272-5971 and RF272-67247) issued to Great Lakes Carbon Corporation would be modified regarding the firm's application for refund submitted in the Crude Oil refund proceeding.
Jan. 25, 1991	The Lowry Coalition, Denver, CO	LFA-0095	Appeal of an information request denial. If granted: The Lowry Coalition would receive documents not previously provided pertaining to disposal of waste at the Lowry Landfill Superfund Site by DOE, Rockwell and other DOE contractors.
Jan. 25, 1991	Associated Service Corporation, Washington, DC	RR272-66	Request for modification/rescission in the crude oil refund proceeding. If granted: The January 4, 1991 Decision and Order (Case No. RF272-41459) would be modified regarding the firm's application for refund submitted in the Crude Oil refund proceeding.

REFUND APPLICATIONS RECEIVED

[Week of January 18 to January 25, 1991]

Date received	Name of refund proceeding/name of refund applicant	Case number
06/02/89	C & T Arco	RF304-12191
01/17/91	Don McCoy	RF309-1420
01/18/91	Horner's Exxon Service	RF307-10171
01/18/91	Dearman Transportation Co., Inc.	RF272-86034
01/22/91	Hillman Oil Co.	RF331-1
01/22/91	The Anschutz Corp.	RF326-216
01/22/91	Harbor Fuel Company, Inc.	RF326-217
01/22/91	Vantage Petroleum Corp.	RF326-218
01/22/91	Hyor Service Station	RF321-13097
01/22/91	Yellow Cab Co.	RF300-15207
01/23/91	G. Crawford Delivery & Storage	RF272-34
01/23/91	Edson, Inc.	RF315-10120
01/23/91	Jerald Wright's Gulf	RF300-15342
01/23/91	Marben Oil Co.	RF321-12978
01/25/91	East Central ISD	RF326-219
01/25/91	Rapid 1-90 Truck Stop	RF326-220
01/25/91	Bill's Gulf Centre	RF300-15345
01/25/91	Gilbert's Garage	RF300-15361
01/25/91	Southside Food Store	RF300-15362
01/25/91	Willmot Gulf	RF300-15363
01/25/91	Cook's Gulf	RF300-15364
01/25/91	Cook's Gulf #2	RF300-15365
01/28/91	American Colloid Company	RF326-221
01/28/91	Smokey's Service Station	RF326-222
01/28/91	Anchorage Borough School District	RF326-223
01/28/91	St. Regis/Champion Internat'l	RF307-10172
01/28/91	North Kitsap School District	RF272-86284
01/28/91	Piatt County, Illinois	RF272-86285
01/28/91	Winter Haven, FL	RF272-86286
01/18/91 thru 01/25/91	Crude Oil Refund, application received	RF272-86101 thru RF272-86292
01/18/91 thru 01/25/91	Gulf Oil Refund, application received	RF300-15192 thru RF300-15381
01/18/91 thru 01/25/91	Texaco Oil Refund, application received	RF321-12869 thru RF321-13015

[FR Doc. 91-4937 Filed 2-28-91; 8:45 am]

BILLING CODE 6450-01-M

Notice of Issuance of Decisions and Orders During the Week of January 21 through January 25, 1991

During the week of January 21 through January 25, 1991, the decisions and orders summarized below were issued with respect to applications for refund or other relief filed with the Office of Hearings and Appeals of the

Department of Energy. The following summary also contains a list of submissions that were dismissed by the Office of Hearings and Appeals.

Refund Applications

Delta Petroleum Products, Inc., Pam Oil, Inc., 1/22/91, RF272-36130, RF272-36229

The DOE issued a Decision and Order denying Applications for Refund filed by two resellers of refined petroleum products in the Subpart V crude oil

proceeding. During the crude oil control period, each applicant purchased diesel fuel for use in its delivery trucks. Since none of this diesel fuel was resold, each applicant claimed that it was an end-user and entitled to utilize the end-user presumption of injury. The DOE rejected this claim finding that as resellers of refined petroleum products both applicants were allowed to pass through their increased diesel fuel costs to their customers. Accordingly, both applicants' applications were denied.

Earl C. Smith, Inc., 1/24/91, RF272-70618, RD272-70618

The Department of Energy (DOE) issued a Decision and Order granting refund monies from crude oil overcharge funds to Earl C. Smith (Smith) based upon its purchases of refined petroleum products between August 19, 1973 and January 27, 1981. The applicant used the petroleum products for its transportation operations. The applicant was an end-user of the refined petroleum products and was therefore presumed injured. A consortium of 32 States and two territories (the States) filed a Statement of Objections and a Motion for Discovery with respect to Smith's Application. The DOE found that the States' filing was insufficient to rebut the presumption of injury. Therefore, Smith's Application for Refund was granted and the State's Motion for Discovery was denied. The refund granted to Smith was \$5,614.

Exxon Corporation/Consumers Power Co., 1/25/91, RF307-10074

The DOE issued a Decision and Order denying an Application for Refund filed in the Exxon Corporation refund proceeding on behalf of Consumers Power Company. Consumers, a public utility, requested a refund based on its purchases of imported crude oil from Imperial Oil Ltd., a Canadian subsidiary of Exxon. However, the firm alleged that the product it purchased should be considered residual fuel oil and requested a refund from the Exxon refined product pool. The DOE determined that the product purchased was crude oil and that Consumers' claim should be evaluated under the standards set forth in *Ernest A. Allerkamp*, 17 DOE ¶ 85,079 (1988), which implemented refund procedures for crude oil funds. The DOE found that Consumers was not eligible for a Subpart V crude oil refund since it had previously released its rights to all other crude oil refunds by participating in the Stripper Well Refiners Escrow. Accordingly, Consumers application was denied.

Exxon Corporation/Marlen L. Knutson Distributing, Inc., Fletcher-Hendley Oil Co., Inc., 1/23/91, RF307-8838, RF307-8904

The DOE issued a Decision and Order concerning two Applications for Refund filed in the Exxon Corporation special refund proceeding. Each applicant is a reseller of Exxon products, and has elected to limit its claim to the greater of \$5,000 or 40 percent of its allocable share. For Knutson, 40 percent is greater, and its total refund is \$17,229 (\$12,567 principal plus \$4,662 interest) and for Fletcher, \$5,000 is greater, and its total

refund is \$6,855 (\$5,000 principal plus \$1,855 interest).

Fibreboard Corporation, 1/23/91, RF272-63202, RD272-63202

The Department of Energy (DOE) issued a Decision and Order denying Fibreboard Corporation's (Fibreboard) Application to receive a Refund in the Subpart V crude oil refund proceeding. Fibreboard applied for a refund based on its purchases of refined petroleum products during the period August 19, 1973 through January 27, 1981. However, an affiliate of Fibreboard had previously executed a valid Waiver and Release in its receipt of a refund from the Surface Transporters' Escrow account, one of the eight Stripper Well escrows. Therefore, because the Waiver and Release filed by its affiliate bars Fibreboard from receiving a Subpart V crude oil refund, the DOE denied Fibreboard's Application for Refund. In light of this finding, the DOE dismissed a Motion for Discovery filed by a consortium of States in regard to Fibreboard's Application.

Luhr Bros., Inc., 1/25/91, RF272-63109, RD272-63109

The Department of Energy (DOE) issued a Decision and Order denying Luhr Bros., Inc.'s (Luhr) Application to receive a Refund in the Subpart V crude oil refund proceeding. Luhr applied for a refund based on its purchases of refined petroleum products during the period August 19, 1973 through January 27, 1981. However, Luhr acknowledged having previously executed a valid Waiver and Release in its receipt of a refund from the Rail and Water Transporters' Escrow account, one of the eight Stripper Well escrows. Luhr applied for a Subpart V crude oil refund based on the refined petroleum products for which it did not receive a refund in the Stripper Well proceeding. However, the DOE decided that a company executing a valid Waiver and Release and receiving a refund from the Rail and Water Transporters' escrow is ineligible to receive a refund in the Subpart V crude oil refund proceeding for any of its purchases of refined petroleum products between 1973 and 1981. Therefore, the DOE denied Luhr's Application for Refund. In light of this finding, the DOE dismissed a Motion for Discovery filed by a consortium of States in regard to Luhr's Application.

Marathon Petroleum Company/Township Oil Company, 1/25/91, RR250-8

The DOE issued a Decision and Order reviewing a Motion for Reconsideration filed by Township Oil Company in the Marathon Petroleum Company special

refund proceeding. In approving the Motion, the DOE found that Township had provided information to allow it to approve a refund at greater than the volumetric rate. Specifically, the DOE measured the per gallon overcharge to Township as the differences between (i) the May 15 price to Township's class of purchaser (the jobber class) plus estimated deemed recovery amounts passed through to the Dealer Tankwagon class and (ii) the price that Township actually paid. Township's principal refund was \$195,359. The firm showed that it had incurred injury at that level. Township also received interest of \$79,126.

Shell Oil Company/Dunahoo Shell, White House Service Station, Childs Service Station, Ladson Shell, 1/22/91, RF315-2114, RF315-2177, RF315-2118, RF315-2120

The DOE issued a Decision and Order denying the Shell refund application of four retailers who claimed to have purchased Shell petroleum products indirectly. None of the four applicants was able to establish a reasonable gallonage figure or verify that the product it purchased originated with Shell. Accordingly, the four applications were denied.

State of New York, 1/23/91, RF272-62522

The Department of Energy (DOE) issued a Decision and Order granting refund monies from crude oil overcharge funds to the State of New York (New York) based on its purchases of refined petroleum products during the period August 19, 1973 through January 27, 1981. The State applied for a refund based solely on its purchases of refined petroleum products for its end-use and included in its claim the purchases of all State agencies in New York. Phillip P. Kalodner, counsel for utilities, transporters and manufacturers filed objections to this application in which he argues that governmental entities are ineligible to receive Subpart V crude oil refunds and that non-governmental claimants should have priority in receiving refunds. Moreover, Mr. Kalodner attempted to rebut New York's reliance on the end-user presumption. The DOE found Mr. Kalodner's objections to New York's eligibility unconvincing and granted the State a refund of \$946,836.

Stolaruk Corporation, 1/25/91, RF272-49625, RD272-49625

Stolaruk Corporation is involved in the manufacturing and selling of specialty asphalts. It filed an Application for Refund as an end-user of

refined petroleum products in the Subpart V crude oil refund proceeding. A group of State governments and two territories of the United States (the States) objected to the application filed by Stolaruk Corporation, provided evidence concerning the construction industry as a whole, and filed a Motion for Discovery. The DOE determined that the States had failed to produce any convincing evidence to show that Stolaruk Corporation had been able to pass on the crude oil overcharges to its customers. As in previous decisions, the DOE rejected the States' contention that industry-wide data constituted sufficient evidence to rebut the presumption that end-users such as Stolaruk Corporation were injured by crude oil overcharges. Stolaruk Corporation was unable to pass through its alleged overcharges through the use of price escalator clauses. The DOE therefore denied the Motion for Discovery filed by the States, and granted Stolaruk Corporation a refund of \$30,575 based on its approved purchases of 38,218,216 gallons of petroleum products.

Superba Print Works, 1/25/91, RF272-77262

The Department of Energy issued a Decision and Order granting a refund from the crude oil overcharge funds to Superba Print Works (Superba) based upon its purchases of refined petroleum products during the period August 19, 1973 through January 27, 1981. Petroleum Funds, Inc., the filing service which submitted Superba's application, estimated Superba's middle distillate and naphtha purchases based on yearly purchases during the period 1973 through 1976. Superba's maintenance manager (who was with the company during the refund period) substantiated that Superba purchases middle distillates throughout the refund period, but only purchased naphthas through 1978. Accordingly, the DOE determined that Superba was eligible to receive a refund based on Petroleum Funds' estimation of its middle distillate purchases from 1973-1981 and naphtha purchases from 1973-1978. The refund granted to Superba Print Works in this Decision is \$1,088.

Texaco Inc./Miller Oil Co., Miller Oil Co., Inc., 1/23/91, RF321-2344, RF321-4549

The DOE issued a Decision and Order concerning two Applications for Refund filed in the Texaco Inc. special refund proceeding. The Applications for Refund were filed on behalf of Miller Oil Co., Inc. by unrelated parties who both requested a refund based on that firm's purchases of Texaco products during the

consent order period. Mr. Benny Magness contended that he is entitled to a refund for the firm's purchases of Texaco product since Miller Oil Co., Inc.'s marketing contract with Texaco was transferred to him in a 1987 sale. However, Miller Oil Co., Inc. still exists as a corporation and retained all of its capital stock in the sale of assets to Mr. Magness. Since the actual Texaco refund was not specifically transferred to Mr. Magness as an asset, the DOE determined that Mr. Magness was not entitled to the Texaco refund and denied his Application for Refund (Case No. RF321-2344). The DOE determined that Miller Oil Co., Inc. was the proper recipient of the refund in this proceeding. Accordingly, Miller Oil Co., Inc. (Case No. RF321-4549) was granted a refund of \$14,932 (\$12,307 principal plus \$2,625 interest).

Vrontados Naftiki Etairia P.E., Home Lines, Inc., Seagroup, Inc., The Shipping Corporation of India, 1/25/91, RF272-25262, RD272-25262, RF272-27325, RD272-27325, RF272-44156, RD272-44156, RF272-45925, RD272-45925

The DOE granted four Applications for Refund filed by foreign flagship carriers operating ocean-going vessels in the foreign commerce of the United States in the Subpart V crude oil refund proceeding. Rejecting arguments raised by a group of State governments, the DOE concluded that (i) the applicants were eligible to receive crude oil refunds even though they were under foreign ownership and (ii) foreign ocean carriers were not automatically able to pass through increased bunker fuel costs to their customers. The DOE concurred with the States' position that the DOE price regulations did not apply to sales in the Panama Canal Zone (PCZ), and subtracted those gallons of purchases which the applicants certified had been made in the PCZ. As end-user of the petroleum products involved, the applicants were presumed injured by the crude oil overcharges. The total of the refunds granted in this Decision is \$366,526. The DOE also denied the four Motions of Discovery filed by the States for reasons discussed in previous Decisions.

Refund Applications

The Office of Hearings and Appeals issued the following Decisions and Orders concerning refund applications, which are not summarized. Copies of the full texts of the Decisions and Orders are available in the Public Reference Room of the Office of Hearings and Appeals.

Name	Case No.	Date
Alice Independent School District	RC272-110	01/25/91
Atlantic Richfield Co./Boston's, Inc.	RF304-2368	01/22/91
Atlantic Richfield Co./Louis P. Naoum et al.	RF304-2175	01/22/91
Atlantic Richfield Co./Wo Wo Wash et al.	RF304-9692	01/22/91
Exxon Corporation/MacArthur Petroleum & Solvent Co., Inc.	RF307-5976	01/24/91
Bedford Farm Bureaucooperative.	RF307-5984	
Exxon Corporation/Seaside Petroleum Co., Inc. et al.	RF307-6146	01/23/91
Florida Keys Electric Cooperative Association, Inc.	RF272-47804	01/25/91
Gulf Oil Corp./Jackson Hilltop U-Haul.	RF300-11304	01/25/91
Gulf Oil Corp./Roy's Gulf Service et al.	RF300-6639	01/25/91
Hackney Farmers Union Cooperative Association.	RF272-47871	01/22/91
Houston Coca-Cola Bottling Co.	RC272-112	01/25/91
Jefferson Davis County Schools.	RC272-109	01/25/91
Kenneth Brosius.....	RC272-111	01/25/91
Lewis Cooperative Company et al.	RF272-70056	01/23/91
Massman Construction Co. et al.	RF272-26264	01/25/91
Murphy Oil Corp./Eastern Oil Company of SC, Inc. et al.	RF309-1085	01/22/91
Oregon Health Sciences University et al.	RF272-60752	01/23/91
Placid Oil Co./Kirk's Services, Inc.	RF314-38	01/24/91
Shell Oil Company/Boise Cascade Corp. et al.	RF315-1394	01/23/91
Shell Oil Company/Carmel Littlejohn Shell et al.	RF315-91	01/23/91
Shell Oil Company/Kerr-McGee Corporation.	RF315-8241	01/25/91
Shell Oil Company/William E. Tribou Oil Company et al.	RF315-6255	01/24/91
Texaco Inc./Cheshire Oil Company, Inc.	RF321-3759	01/23/91
Cheshire Oil Co., Inc.	RF321-7108	
Scenic State Oil Company.	RF321-11476	
Texaco Inc./Gordon's Texaco Service et al.	RF321-303	01/22/91
Texaco Inc./I.B. Lemoine et al.	RF321-4635	01/23/91
Texaco Inc./Keenan's Oil Service, Inc.	RF321-2837	01/23/91
Texaco Inc./Poor Boys Texaco et al.	RF321-3697	01/24/91
Texaco Inc./Ward Oil Co.	RF321-42	01/22/91
Mauritz & Carroll	RF321-2289	
Butler Petroleum Corporation.	RF321-2347	

Name	Case No.	Date
Maine Potato Growers, Inc.	RF321-2363	
Walter Delanoit	RC272-113	01/25/91

Dismissals

The following submissions were dismissed:

Name	Case No.
Al's Texaco	RF321-11820
Bob's Texaco	RF321-4483
Briarwood Gulf	RF300-11669
City of Buffalo	RF321-12211
Cliff's Texaco	RF321-11969
Cottage Hill Texaco & Auto	RF321-7190
Dick Hodge Texaco	RF321-6483
George's Texaco	RF321-9635
Glades Road Gulf	RF300-11511
Kar-Park Service Co.	RF321-4142
Lakewood Texaco	RF321-11859
Lewis Dukes Gulf	RF300-11645
Miyakawa Service Inc.	RF321-8221
Myrtleowne Texaco	RF321-397
Parkers Texaco Service	RF321-12302
Paul Yates Co.	RF272-71699
Pawlak's Texaco Service	RF321-1176
Perrino's Gulf Service	RF300-9183
Plaza Texaco Service	RF321-1201
Rogers Texaco	RF321-1367
Ron's Texaco Inc.	RF321-5657
Sam's Gulf	RF300-9153
Stuart's Interstate	RF321-10766
Virgil's Texaco	RF321-1459
W.E. Beck Oil Co.	RF321-3531
Westchester County	RF272-2983
Whitaker's Texaco	RF321-1270

Copies of the full text of these decisions and orders are available in the Public Reference Room of the Office of Hearings and Appeals, Room 1E-234, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585, Monday through Friday, between the hours of 1 p.m. and 5 p.m., except federal holidays. They are also available in *Energy Management: Federal Energy Guidelines*, a commercially published loose leaf reporter system.

Dated: February 25, 1991.

George B. Breznay,
Director, Office of Hearings and Appeals.
[FR Doc. 91-4938 Filed 2-28-91; 8:45 am]
BILLING CODE 6450-01-M

ENVIRONMENTAL PROTECTION AGENCY

[FRL-3910]

Agency Information Collection Activities Under OMB Review

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C.

3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected cost and burden.

DATES: Comments must be submitted on or before April 1, 1991.

FOR FURTHER INFORMATION CONTACT: Sandy Farmer at EPA (202) 382-2740.

SUPPLEMENTARY INFORMATION:**Office of Pesticides and Toxic Substances**

Title: Polychlorinated Biphenyls (PCBs): Use in Electric Equipment and Transformers. (EPA ICR No. 1000.04; OMB #2070-0003). This is a revision of a currently approved collection.

Abstract: In compliance with TSCA section 6(e), owners of PCB transformers must keep records on unit use, inspection and corrective action for leaks. These records must be maintained for at least 3 years after disposing of the transformer. Owners of PCB transformers must also report any fire-related incidents immediately to the National Response Center. EPA conducts periodic inspections of facilities operating PCB transformers. The inspections are used to generate reports, and to ensure compliance.

Burden Statement: The public burden for this collection of information is estimated to average 1 hour per response for reporting, less than 0.2 hour per recordkeeper annually. This estimate includes the time needed to review instructions, search data sources, gather the data needed, and review the collection of information.

Respondents: Owners of PCB transformers.

Estimated No. of Respondents: 11 respondents for reporting, and 95,000 recordkeepers.

Estimated No. of Responses per respondent: 1.

Estimated Total Annual Burden on Respondents: 15,781.

Frequency of Collection: On occasion. Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestions for reducing the burden, to: Sandy Farmer, U.S. Environmental Protection Agency, Information Policy Branch, 401 M Street, SW., Washington, DC 20460.

and
Matthew Mitchell, Office of Management and Budget, Office of Information and Regulatory Affairs, 725 17th Street, NW., Washington, DC 20530.

Dated: February 19, 1991.

Paul Lapsley,
Director, Regulatory Management Division.
[FR Doc. 91-4887 Filed 2-28-91; 8:45 am]
BILLING CODE 6560-50-M

[ER-FRL-3910-5]

Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared February 11, 1991 through February 15, 1991 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) 382-5076.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated April 13, 1990 (55 FR 13969).

Draft EISs

ERP No. D-AFS-J65165-MT Rating LO1, Flathead National Forest Land and Resource Management Plan, Amendment No. 10 Open Road Density Standard for Non-Wilderness Portion of the Forest, Implementation, Flathead, Lake, Lincoln and Missoula Counties, MT.

Summary

EPA has reviewed the draft EIS for the Open Road Density Standards and has no comments. The Forest Service's preferred Alternative 6 will improve protection of wildlife habitat and water quality.

ERP No. D-AFS-J65165-MT Rating EC2, Harvey-Eightymile Project Area, Timber Sale and Road Construction, Implementation, Deerlodge National Forest, Silver King Roadless Area, Philipsburg Ranger District, Granite County, MT.

Summary

EPA believes that Alternative B provides the greatest degree of environmental protection for area resources. The preferred Forest Service alternative, Alternative D, has high potential for impacts on fisheries and water quality. All stage monitoring of water quality, habitat quality and biological conditions should be incorporated into a preferred alternative management plan.

ERP No. D-AFS-L65142-AK Rating EC2, Shelter Cove and George Inlet Areas Timber Sale, Implementation,

Tongass National Forest, Ketchikan Ranger District, AK.

Summary

EPA has environmental concerns about the effect of the action alternatives on water quality and fisheries. Additional information is needed on standards and guidelines, monitoring, mitigation, log transfers facilities, and air quality.

ERP No. D-FHW-J40121-UT Rating EO2, US-89/Logan Canyon Highway, Improvements, Right Fork 9 miles East of Logan to Garden City, Funding 404 Permit and Special Use Permit, Wasatch-Cache National Forest, Cache and Rich Counties, UT.

Summary

EPA does not object to the overall proposed action of necessary route rehabilitation, but recommends that a supplement to the draft EIS be prepared because of the absence of a preferred alternative and insufficient information to fully assess the environmental impacts.

ERP No. DA-COE-L34006-OR Rating EO2, Elk Creek Lake Project, Construction and Operation, Rogue River, Implementation, Jackson County, OR.

Summary

EPA feels additional information is needed to identify existing need for the dam and the incremental contribution of this dam to meeting the need associated with the primary authorized purposes. Additional analyses are warranted on fishery effects. A detailed feasible mitigation plan needs to be developed for loss of elk and deer habitat.

Final EISs

ERP No. F-AFS-L61182-ID Valbois Destination Resort Village, Special Use Permit and Land/Resource Management Plan Amendments, Cascade Lake, Boise National Forest, Valley County, ID.

Summary

EPA has environmental objections with the proposed action based on several issues. Implementation of mitigation measures needed to insure no net increase in phosphorous input to Cascade Reservoir is uncertain. Water quality and public health concerns resulting from septic systems around the reservoir have been understated. Air quality effects, including the exceedence of air quality standards due to

woodstoves, have not been disclosed. The extent of wetland effects and needed mitigation have not been determined.

ERP No. F-CGD-E40723-FL Miracle Parkway Everest Parkway Improvement and Midpoint Bridge Construction, Over the Caloosahatchee River, US Coast Guard Approval and Permit, Cape Coral to Fort Myers, Lee County, FL.

Summary

EPA concludes that with the mitigation proposed to reduce noise, water quality and wetland impacts, environmental impacts from the roadway/bridge project would be minimal.

Dated: February 28, 1991.

William D. Dickerson,

Deputy Director, Office of Federal Activities.

[FR Doc. 91-4943 Filed 2-28-91; 8:45 am]

BILLING CODE 6560-50-M

[ER-FRL-3910-4]

Environmental Impact Statements: Availability

Responsible Agency: Office of Federal Activities, General Information, (202) 382-5073 or (202) 382-5075. Availability of Environmental Impact Statements Filed February 18, 1991 Through February 22, 1991 Pursuant to 40 CFR 1506.9.

EIS No. 910052, Draft EIS, FRC, WA, Elwha (FERC No. 2683) and Glines Canyon (FERC No. 588) Hydroelectric Projects, Operation and Maintenance, License, Elwha River, Clallam County, WA, Due: April 29, 1991, Contact: S. Ronald McKittrick (202) 219-2783.

EIS No. 910053, Draft EIS, AFS, MT, Moose Creek Timber Sales and Road Construction/Reconstruction, Implementation, Lewis and Clark National Forest, Kings Hill Ranger District, Meagher County, MT, Due: April 22, 1991, Contact: Craig Cowie (406) 547-3361.

EIS No. 910054, Draft EIS, NOA, SC, Ashepoo-Combahee-Edisto (ACE) Basin National Estuarine Research Reserve Management Plan, Site Designation, Beaufort, Colleton, and Charleston Counties, SC, Due: April 15, 1991, Contact: Susan Durden (202) 673-5122.

EIS No. 910055, Final EIS, BLM, AZ, Arizona Strip District, Land and Resource Management Plan, Implementation, Mohave and Coconino,

Counties, AZ, Due: April 01, 1991, Contact: Dennis Curtis (801) 673-3545.

EIS No. 910056, Final EIS, BIA, CA, AZ, NV, Spirit Mountain Planned Community Development, Lease Approval, Section 404 Permit, Fort Mojave Indian Reservation, Clark County, NV and San Bernardino County, CA, Due: April 01, 1991, Contact: Wilson Barber (602) 379-6600.

EIS No. 910057, Final EIS, FHW, MI, I-94BL/Michigan Avenue Improvement, Dickman Road to Columbia Avenue, Funding, Calhoun County, MI, Due: April 01, 1991, Contact: James Kirschensteiner (517) 377-1851

EIS No. 910058, Final EIS, USN, AK, Second Relocatable-Over-The-Horizon-Radar (ROTHR) System/Surveillance Installations in the Northwest Pacific Base Camp Facilities, Improvement and Construction, Section 404 and 10 Permits, NPDES Permit, Amchitka Island, AK, Due: April 01, 1991, Contact: Joseph DiVittorio (206) 476-1091.

EIS No. 910059, Final EIS, MMS, AK, Navarin Basin Outer Continental Shelf (OCS) Oil and Gas Sale No. 107, Leasing, Bering Sea, AK, Due: April 01, 1991, Contact: Richard Miller (907) 261-4655.

Dated: February 26, 1991.

William D. Dickerson,

Deputy Director, Office of Federal Activities.

[FR Doc. 91-4942 Filed 2-28-91; 8:45 am]

BILLING CODE 6560-50-M

[OPP-50717; FRL-3880-9]

Receipt of Notification of Intent to Conduct Small-Scale Field Testing; Nonindigenous Microbial Pesticide

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces EPA's receipt of three notifications of intent to conduct small-scale field testing of nonindigenous strains of *Bacillus thuringiensis* from the E.I. duPont de Nemours and Company, Inc.

DATES: Written comments must be received on or before March 15, 1991.

ADDRESSES: Comments in triplicate, should bear the docket control number OPP-50717 and be submitted to: Public Docket and Freedom of Information Section, Field Operations Division (H7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person bring comments to: Rm. 246, CM