(AER), P.O, Box 21734, Shreveport, Louisiana 71151, filed in Docket No. CP94–54–000, a request pursuant to §§ 157.205, 157.211 and 157.212 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205) for authorization to construct and operate certain facilities in Arkansas under the blanket certificate issued in Docket Nos. CP82–384–000 and CP82–384–001 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

AER states that it proposes to convert an existing domestic tap to a town border delivery point to be used to deliver gas to Arkansas Louisiana Gas Company's (ALG) Hot Springs Distribution rural extension to serve customers in Garland County, Arkansas. The volume of gas that will be delivered through this tap is approximately 1,000 Mcf annually and 11 Mcf on a peak day. The facilities will be constructed at an estimated cost of $5,709,00, and ALG will reimburse AER for all construction costs.

Comment date: December 20, 1993, in accordance with Standard Paragraph G at the end of this notice.

Standard Paragraphs

F. Any person desiring to be heard or to make any protest with reference to said application should on or before the comment date, file with the Federal Energy Regulatory Commission, Washington, DC 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). 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 proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

G. Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the Natural Gas Act.

Lois D. Cashell,

Secretary.

[FR Doc. 93–27751 Filed 11–10–93; 8:45 am]

BILLING CODE 6717–01–P

[Docket No. RP94–45–000]

National Fuel Gas Supply Corp.; Proposed Changes in FERC Gas Tariff

November 5, 1993.

Take notice that on October 29, 1993, National Fuel Gas Supply Corporation (National) tendered for filing in accordance with the Commission's Letter Order issued October 19, 1993, Original Sheet Nos. 237A and 237B which provide for refunds and direct bills associated with its Account Nos. 191 and 186 Balances, prior to August 1, 1993.

National further states that copies of this filing were served upon the National's jurisdictional customers and the Regulatory Commission's of the States of New York, Ohio, Pennsylvania, Delaware, Massachusetts, and New Jersey.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with 18 CFR 385.214 and 385.211 of the Commission's Rules and Regulations. All such motions or protests should be filed on or before November 15, 1993. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection in the public reference room.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 93–27750 Filed 11–10–93; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. RP94–27–001]

Transcontinental Gas Pipe Line Corp.; Tariff Filing

November 5, 1993.

Take notice that on November 1, 1993, Transcontinental Gas Pipe Line Corporation (TGPL), tendered for filing as part of its FERC Gas Tariff, Substitute Second Revised Sheet No. 40A to Third Revised Volume No. 1, with a proposed effective date of November 1, 1993.

TGPL states that the purpose of the instant filing is to supplement TGPL's Account No. 858 Transportation By Others (TBO) filing of October 20, 1993, in Docket No. RP94–27–000 in order to delete footnote #1 set forth on Second Revised Sheet No. 40A. TGPL states that although the rates set forth on Sheet No. 40A are correct, footnote #1 incorrectly states that referenced reservation rate surcharge includes the TBO unit. Therefore, it is appropriate to delete footnote #1.

TGPL states that copies of the instant filing are being mailed to customers, state commissions and other interested parties.

Any person desiring to protest said filing should file a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rule 211 of the Commission's Rules of Practice and Procedure (18 CFR 385.211). All such protest should be filed on or before November 15, 1993. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Copies of this filing are on file with the Commission and are available for public inspection.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 93-27749 Filed 11-10-93; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. RP94-1-000, RP94-1-001, and RP93-161-000]

Columbia Gas Transmission Corp.; Technical Conference

November 5, 1993.

In the Commission's order issued on October 29, 1993, the Commission ordered that a technical conference be convened to resolve issues raised by the filings. The conference to address the issues has been scheduled for December 14, 1993, at 10 a.m. in a room to be designated at the offices of the Federal Energy Regulatory Commission, 810 First Street, NE., Washington, DC 20426.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 93-27747 Filed 11-10-93; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP93-187-004]

Equitrans, Inc.; Compliance Filing

November 5, 1993.

Take notice that on November 1, 1993, Equitrans, Inc. (Equitrans) tendered for filing the following proposed tariff sheets in compliance with the Commission's September 30, 1993, "Order Accepting and Suspending Tariff Sheets Subject to Refund and Conditions, Rejecting Other Tariff Sheets, Consolidating Proceedings and Establishing Hearing":

Substitute Second Revised Sheet No. 5
Substitute Second Revised Sheet No. 6
Substitute First Revised Sheet No. 7
Substitute Second Revised Sheet No. 8
Substitute First Revised Sheet No. 40
Substitute First Revised Sheet No. 45
Substitute First Revised Sheet No. 51

Equitrans proposes an effective date for these tariff sheets of March 1, 1993.

Equitrans states that the purpose of this filing is to (1) revise rates to reflect the elimination of certain proposed stranded costs relating to gathering, products extraction, and the plugging of unproductive wells, as required by the Commission's September 30, 1993 order, and (2) to eliminate tariff language providing for the ratcheting of storage withdrawals on Equitrans' peaking storage service. Equitrans states that it is including workpapers with this filing fully supporting its proposed rate adjustments.

Equitrans states that copies of this filing were served on all of Equitrans' customers, interested state commissions and parties to this proceeding.

Any person desiring to protest said filing should file a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with § 385.211 of the Commission's Rules and Regulations. All such protests should be filed on or before November 15, 1993. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Copies of this filing are on file with the Commission and are available for public inspection in the public reference room.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 93-27748 Filed 11-10-93; 8:45 am]

BILLING CODE 6717-01-M

U.S. Department of Energy

Office of Hearings and Appeals

Determination of Excess Petroleum Violation Escrow Funds for Fiscal Year 1994

AGENCY: Office of Hearings and Appeals, DOE.

ACTION: Notice of determination of excess monies pursuant to the Petroleum Overcharge Distribution and Restitution Act of 1986.

SUMMARY: The Petroleum Overcharge Distribution and Restitution Act of 1986 requires the Secretary of Energy to determine annually the amount of oil overcharge funds held in escrow that is in excess of the amount needed to make restitution to injured parties. Notice is hereby given that $17,531,775 of the amounts currently in escrow is determined to be excess funds for fiscal year 1994. Pursuant to the statutory directive, these funds will be made available to state governments for use in specified energy conservation programs.

FOR FURTHER INFORMATION CONTACT: Thomas O. Mann, Deputy Director; Roger Klurfeld, Assistant Director, Office of Hearings and Appeals, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586-2094 (Mann); (202) 586-2383 (Klurfeld).

SUPPLEMENTARY INFORMATION: The Petroleum Overcharge Distribution and Restitution Act of 1986 (hereinafter PODRA), contained in title III of the Omnibus Budget Reconciliation Act of 1986, Public Law 99-509, establishes certain procedures for the disbursement of funds collected by the Department of Energy (hereinafter DOE) pursuant to the Emergency Petroleum Allocation Act of 1973 (hereinafter EPAA) or the Economic Stabilization Act of 1970 (hereinafter ESA). These funds, commonly referred to as oil overcharge funds, are monies obtained through enforcement actions instituted to remedy actual or alleged violations of those Acts.

PODRA requires the DOE, through the Office of Hearings and Appeals (hereinafter OHA), to conduct proceedings under 10 CFR part 205, subpart V, to accept claims for restitution from the public and to refund oil overcharge monies to persons injured by violations of the EPAA or the ESA. In addition, PODRA requires the Secretary of Energy to determine annually the amount of oil overcharge funds that will not be required for restitution to injured parties in these refund proceedings and to make this excess available to state governments for use in four energy conservation programs. This determination must be published in the **Federal Register** within 45 days after the beginning of each fiscal year. The Secretary has delegated this responsibility to the OHA Director.

Notice is hereby given that based on the best currently available information, $17,531,775 is in excess of the amount that is needed to make restitution to injured parties.

To arrive at that figure, the OHA has reviewed all accounts in which monies covered by PODRA are deposited. PODRA generally covers all funds now in DOE escrow which are derived from alleged violations of the EPAA or the ESA, with certain exclusions. Excluded are funds which (1) Have been identified for indirect restitution in orders issued prior to enactment of PODRA; (2) have been identified for direct restitution in a judicial or administrative order; or (3) are attributable to alleged violations of regulations governing the pricing of crude oil and subject to the settlement agreement in *In re The Department of Energy Stripper Well Exemption Litigation*, M.D.L. No. 378 (D. Kan., July 7, 1986). As of September 30, 1993, the total in escrow subject to the PODRA procedures was $185,727,448.

The OHA has employed the following methodology to determine the amount of excess funds. We took special account of the provision of PODRA which directs that "primary consideration [be given] to assuring that at all times sufficient funds (including a reasonable reserve) are set aside for making [direct] restitution." Thus, in proceedings in which refund claims are pending, we have on a claim-by-claim basis examined pending claims and established reserves sufficient to pay the entire amount of these claims. The reserves also include all refunds ordered by the OHA since the end of the last fiscal year on September 30, 1993, but not yet paid. For proceedings in which all claims have been considered or in which no claims have been filed, and the deadline for filing claims has passed, all funds remaining are excess. Small amounts of interest accrued, until transfer, on funds in accounts that were closed (with a zero balance) in the fiscal year 1993 PODRA determination (57 FR 53499 (1992)) are included as part of the "excess" for fiscal year 1994. Finally, a relatively small amount of oil overcharge funds is currently subject to the control of the Department's Economic Regulatory Administration, which finds in its accompanying determination, as it has found in the past, that none of those funds are currently excess. No "other commitments" are reflected in the reserves.

As indicated above, the total escrow account equity subject to PODRA is $185,727,448. The total amount needed as reserves for direct restitution in those cases is $168,195,673. When this figure is subtracted from the former, the remainder—$17,531,775—is the amount in fiscal year 1994 that is "in excess" of the amount that will be needed to make restitution to injured persons. Appendix A sets forth for each refund case within the OHA's jurisdiction the total amount eligible for distribution under PODRA and the "excess" amount. Appendix B reflects information supplied by the Economic Regulatory Administration regarding cases subject to PODRA under its jurisdiction.

Accordingly, $17,531,775 will be transferred to a separate account within the United States Treasury and made available to the States for use in the four designated energy conservation programs in the manner prescribed by PODRA.

Dated: November 8, 1993.

George B. Breznay,

Director, Office of Hearings and Appeals.

Appendix A.—Funds Available Under PODRA in Fiscal Year 1994

Name of case	Case No.	Consent order No.	Equity as of September 30, 1993	Excess funds available under PODRA
Murphy Oil Corporation	KEF–0095	RMUH01983Z	$3,774,959.06	$3,750,847
Enron Corporation	HEF–0116	730V00221Z	34,889,426.87	3,000,000
Beacon Oil Co	HEF–0203	910S00008Z	3,121,076.20	2,000,000
Indian Wells Oil Company	KEF–0103	710V02002Z	1,640,940.60	1,640,941
Good Hope Refineries Inc	HEF–0211	150S00154Z	6,956,468.49	1,573,357
AOC Acquisition Corporation	LEF–0003	RCKH016A1Z	9,877,981.14	1,419,167
Atlantic Richfield Co. (ARCO)	HEF–0591	RARH00001Z	19,878,754.55	1,000,000
Empire Gas Corporation	KEF–0048	720T00521Z	1,471,872.95	1,000,000
Metropolitan Petroleum Co, Inc	LEF–0032	412H00171Z	496,482.18	361,263
Mobil Oil Corporation	HEF–0508	RMOA00001Z	353,382.12	353,382
Exxon Corporation	KEF–0087	REXL00201Z	286,333.56	280,000
Edgington Oil Company	KEF–0003	930S00173Z	256,652.23	256,652
Agway, Inc	KEF–0102	RTYA00001Z	494,360.64	200,000
Quintana Energy Corp. et al	KEF–0131	650X00356Z	1,178,914.31	200,000
Aminoil U.S.A., Inc	HEF–0007	740V01259Y	188,446.82	188,447
Crescent Oil Company	LEF–0044	930H00094Z	188,517.77	150,000
Sauvage Gas Service Co, Inc	KEF–0024	710H06008Z	54,430.18	32,118
Quantum Chemical Corporation	LEF–0011	720V01245Z	105,675.71	30,000
Starks Shell Service	LEF–0034	999K90065Z	26,898.81	26,899
Fuel Oil Supply & Terminaling	LEF–0037	650X00284Z	23,388.35	23,388
United Refining Company	KEF–0132	340S00445Z	14,297.50	14,298
Thomas P. Reidy, Inc	KEF–0137	720H06015Z	6,751.74	6,752
John R. Adams	LEF–0020	660H00060Z	6,026.88	6,027
South Hampton Refining	HEF–0222	6E0S00002Z	5,796.65	5,797
Meadows Realty Company	KEF–0133	910S00001Z	4,221.61	4,222
Product Tracking—PODRA	N/A	999DOE005W	1,690.41	1,690
Diamond Industries, Inc	KEF–0130	320H00097Z	1,649.68	1,650
Gulf Oil Corporation	DFF–0001	NOOR00007Y	1,478.46	1,478
True Oil Company	HEF–0557	733V02019Z	1,228.65	1,229
Fletcher Oil & Refining Comp	LEF–0010	960S00100Z	798.91	799
Pester Marketing Company	KEF–0134	730S01236Z	407.37	407
Paul Invests & A.B. Holding Co	LEF–0006	400H00231Z	315.30	315
Northeast Petrol Industry Corp	HEF–0580	6C0X00241Z	217.06	217
Crown Central Petroleum Corp	KEF–0044	RCWA00000Z	182.12	182
Elias Oil Company	KEF–0022	412H00105Z	166.69	167
West Coast Oil Company	KEF–0142	961S00028Z	73.49	73
Wallace & Wallace	HEF–0190	240H00399Z	11.71	11
A–1 Exxon	HEF–0509	999K90080T	3,006.84	0
Alameda Chevron	LEF–0093	999K90081T	1,469.97	0
Alameda Chevron	LEF–0093	900Z06251T	805.95	0
Anchor Gasoline Corporation	KEF–0120	740S01247Z	4,535,686.46	0
Aptos Shell	LEF–0092	999K90083T	4,599.01	0
Automatic Comfort Corp	LEF–0005	110H00519A	11,423.62	0
Beacon Bay Enterprises, Inc	LEF–0074	999K90120T	100,931.31	0
Bell Fuels Inc	LEF–0061	570H00195T	34,051.83	0
Ben's Exxon Service	HEF–0512	999K90085T	3,063.43	0
Berryesse Chevron	LEF–0095	999K90086T	2,940.06	0
Bill Wren's Shell	LEF–0096	999K90087T	4,376.45	0

APPENDIX A.—FUNDS AVAILABLE UNDER PODRA IN FISCAL YEAR 1994—Continued

Name of case	Case No.	Consent order No.	Equity as of September 30, 1993	Excess funds available under PODRA
Bob Hutchinson, Inc	LEF–0080	900Z02252T	275.59	0
Bob's Broadway	LEF–0075	900Z40056T	2,104.85	0
Buchanan Shell Inc	LEF–0081	900Z10250T	565.86	0
CJ King Chevron	LEF–0109	999K90089T	4,797.42	0
Capitol 66 Oil Company	LEF–0067	422H00238T	15,802.92	0
Clearview Gulf	LEF–0076	640Z00670T	596.19	0
Crude Oil Purchasing Inc	LEF–0058	6A0X00269T	93,967.40	0
Cumberland Farms Dairy Inc	LEF–0068	120K00497T	183,618.57	0
Cutting Shell Service	LEF–0097	999K90091T	4,826.96	0
Doma Corp/Don Martin	LEF–0049	6A0X00111Z	7,676.08	0
E-Z Service Inc	LEF–0077	400H0022OT	369,405.25	0
Eason Oil Company	LEF–0040	740S01314Z	7,636,900.37	0
Ed Gularte Chevron	LEF–0098	999K90095T	6,250.10	0
Ed's Exxon	LEF–0078	999K90097T	2,505.71	0
Elwood Chevron Service	LEF–0085	999K90098T	2,755.26	0
Este Oil Company	LEF–0062	533H00163T	63,180.03	0
G&G Oil Company	LEF–0063	550H00332T	49,210.91	0
General Petroleum	LEF–0064	550H00075T	23,113.94	0
Getty Oil Company	HEF–0209	RGEA00001Z	5,352,711.87	0
Gulf Oil Corporation	HEF–0590	RGFA00001Z	15,567,357.95	0
Gulf States Oil & Refining	LEF–0073	6E0S00057T	501,159.57	0
Half Moon Bay Exxon	LEF–0087	999k90099T	2,505.71	0
Hughes Burlingame Shell	LEF–0110	999K90100T	7,300.84	0
Intercoastal Oil Co	LEF–0057	940X00076T	29,008.71	0
Jaguar Petroleum Inc	LEF–0059	640X00444T	64,649.51	0
Jim Campbell Shell	LEF–0082	900Z03255T	196.98	0
Joe Berube Services	LEF–0099	999K90101T	8,313.17	0
Kickapoo Oil	LEF–0069	570H00214T	40,907.12	0
Lampton-Love Inc	LEF–0070	422T00013T	13,013.94	0
MacMillan Oil Company, Inc	LEF–0046	730T00031Z	708,013.48	0
Marathon Petroleum Co	KEF–0021	RMNA00001Z	8,266,712.30	0
Maxwell Oil Co	HEF–0125	000H00425W	15,495.42	0
McDowell Exxon	LEF–0100	999K90104T	7,014.56	0
Milbrae Shell	LEF–0079	900Z06293T	1,766.11	0
Miles Union Service	LEF–0083	900Z03258T	1,213.07	0
NC Ginther Company	LEF–0060	710V03022T	145,200.75	0
Oasis Petroleum Corp	LEF–0007	940X00217Z	1,723,837.23	0
Permian Corporation	LEF–0035	650X00246T	1,321,044.91	0
Petaluma Standard Service	LEF–0101	999K90106T	3,996.44	0
Pete Alijian Chevron	LEF–0089	999K90062T	8,209.44	0
Reco Petroleum Inc	LEF–0065	320H00304T	26,533.72	0
Redhill Mobil and Towing	LEF–0088	999K90109T	4,599.75	0
Regalia's Chevron Service	LEF–0102	999K90110T	8,908.42	0
Reinauer Petroleum Company, Inc	KEF–0110	240H00492Z	330,589.87	0
Ron's Shell	LEF–0084	900Z10251T	1,160.37	0
Sandusky's Union Service	LEF–0111	999K90068T	2,862.23	0
Shaw & 99 Chevron	LEF–0090	999K90061T	6,737.55	0
Shell Oil Company	KEF–0093	RSHA00001Z	4,825,834.02	0
Skinney's Inc	LEF–0071	400H00227T	16,037.03	0
Skycrest Shell	LEF–0112	999K90112T	2,255.14	0
SOS Monarch Oil Corp	LEF–0066	240H00498T	5,914.61	0
Starr Union Service	LEF–0103	999K90067T	6,789.16	0
Strasburger Enterprises, Inc	LEF–0014	400H00219Z	531,626.03	0
Sunset Blvd Car Wash	LEF–0091	999K90113T	52,213.45	0
Telum, Inc	LEF–0114	820H00020W	64,144.94	0
Tenth Street Chevron	LEF–0104	999K90115T	7,114.35	0
Tesoro Petroleum Corp	KEF–0128	BUBBBBBBBB	5,790,809.01	0
Texaco Inc	KEF–0119	RTXE006A1Z	40,076,947.88	0
Tom's Coffee Tree Chevron	LEF–0105	999K90116T	4,510.32	0
Vermont Morgan Corp	LEF–0072	110H00514T	20,321.96	0
Wallace Arco Service	LEF–0106	999K90117T	2,071.76	0
Walt's Shell	LEF–0107	999K90118T	3,570.95	0
Weber's Chevron Service	LEF–0108	999K90119T	8,018.44	0
Western Asphalt Service Corp	LEF–0047	940X00182Z	577,926.59	0
Whitaker Oil Company	LEF–0052	410H00109Z	330,578.18	0
Witco Chemical Corp	HEF–0227	240S00054Z	749,558.10	0
Totals			185,727,448.02	17,531,775

Appendix B

October 26, 1993.

Memorandum for: George B. Breznay, Director, Office of Hearings and Appeals.

From: Jay F. Thompson, Acting Administrator, Economic Regulatory Administration.

Subject: ERA Input for the PODRA Section 3003(c) Report.

ERA has reviewed the funds held in escrow as of September 30, 1993, which have not been petitioned under subpart V. The purpose of the review was to identify funds held in escrow in excess of the amounts required to effect restitution to persons or classes of persons in accordance with section 3003(b)(1) of the Petroleum Overcharge Distribution and Restitution Act of 1986 (PODRA). Since the amount of funds which will be available and the extent of claims which will be filed are not known, the funds currently on deposit in the escrow accounts we reviewed are not excess funds for the purposes of PODRA.

[FR Doc. 9327854 Filed 111093; 8:45 am]

BILLING CODE 645001P

ENVIRONMENTAL PROTECTION AGENCY

[AD-FRL-4800-3]

Listing of Marine Vessel Loading Operations Under Section 112(c) of the Clean Air Act

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of marine vessel loading category listing.

SUMMARY: This notice adds marine vessel loading and unloading operations to the list of categories of major sources of hazardous air pollutants (HAP's), as required under section 112(c)(5) of the Clean Air Act (CAA).

The Agency considers the listing of categories of sources under section 112(c) to be an ongoing process. Under section 112(c), the Agency is obligated to revise the list if appropriate, in response to public comment or new information, from "time to time, but no less often than every 8 years" and section 112(c)(5) provides that additional categories shall be listed according to the same criteria as those initially listed. In the case of source categories and subcategories listed after publication of the initial list, emission standards are to be promulgated with 10 years of enactment of the 1990 Clean Air Act Amendments or 2 years after listing, whichever is later.

EFFECTIVE DATE: November 12, 1993.

FOR FURTHER INFORMATION CONTACT: Contact Mr. David Markwordt, Chemicals and Petroleum Branch, Emission Standards Division (MD-13), Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, Research Triangle Park, NC 27711, telephone number (919) 541-0837.

SUPPLEMENTARY INFORMATION:

I. Legislative Background Relating to the Marine Vessel Loading and Unloading Source Category

In the Agency's initial list of categories of sources under section 112(c)(1) of the Clean Air Act Amendments of 1990, the marine vessel loading and unloading source category was not listed because the Agency intended to regulate the emissions of hazardous air pollutants (HAP's) as well as volatile organic compounds (VOC's) under the authority of section 183(f) of the CAA (57 FR 31566).

Since publication of the initial list of source categories the Agency has decided to regulate HAP emissions from major sources of marine vessel loading and unloading facilities under authority of section 112 of the CAA.

Consistent with that decision, on July 22, 1993, the parties to *Sierra Club* v. *Browner,* Case No. 93-0124 (and consolidated cases) lodged a proposed consent decree with the United States District Court for the District of Columbia which provided a schedule for the regulation of marine vessel loading and unloading facilities under section 112.

In accordance with section 113(g) of the CAA, that consent decree has undergone public comment, and the EPA is now evaluating those comments preparatory to filing a final consent decree with the court.

Section 112(e)(4) states that, notwithstanding section 307 of the Act, no action of the Administrator listing a source category or subcategory under subsection (c) shall be a final Agency action subject to judicial review, except that any such action may be reviewed under section 307 when the Administrator issues emission standards for such pollutant or category. Therefore, today's list is not a final Agency action and is not subject to judicial review.

Prior to issuance of the initial source category list under section 112(c)(1), the EPA published a draft initial list for public comment, see 56 FR 28548 (June 21, 1991). Although EPA was not required to take public comment on the initial source category list, it believed it was useful to solicit input on a number of issues related to the list. Indeed, in most instances, even where there is no statutory requirement to take comment, EPA solicits public comment on actions it is contemplating. The EPA has, however, decided that it is unnecessary to solicit additional public comment on its decision to list marine vessel loading and unloading operations. First, the primary purpose of soliciting comment on the draft list was to obtain information about particular source categories, whether they emitted HAPs, and whether they were major sources of HAP emissions. For marine vessel loading and unloading operations, EPA already has that information. Second, the issues related to the decision on whether to list marine loading vessel operations under section 112 were addressed when EPA issued the initial section 112(c) list. See 57 FR 31576, 31586 (July 16, 1992). Therefore, interested parties have already had the opportunity to address that issue. Third, as this action is not a final agency action (see section 112(e)(4)), parties who have additional interest in this listing decision will have the opportunity to comment on the appropriateness of the listing decision in the context of the rulemaking to issue section 112(d) standards, and will have the opportunity to seek judicial review when the standards for the source category are promulgated. See section 112(e)(4). Finally, interested parties have also had the opportunity to provide comments on the listing of the marine vessel source category in the context of providing comments pursuant to the section 113(g) notice on a draft partial consent decree in *Sierra Club* v. *Browner,* 93-0124 (D.D.C.) described above. See 58 FR 41474 (August 4, 1993).

II. Description of Source Category

The category of major sources for marine vessel loading and unloading operations includes marine terminals which emit chemicals listed under Section 112 from the direct loading and unloading of bulk liquids from marine vessels at marine terminals.

This category does not include emissions from offshore vessel-to-vessel bulk liquid transfer operations (i.e., lightering operations). Lightering operations do not take place at onshore terminals. The Agency may consider addressing lightering operations in a separate source category.

III. Administrative Requirements

A. Docket

Address: Docket. Docket No. A-90-49, containing supporting information used in developing the notice, is available for public inspection and copying between 8:30 a.m. and 3:30 p.m., Monday through Friday, at the

Agency's Air Docket, room M1500, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460. A reasonable fee may be charged for copying.

B. Executive Order 12866 Review

EPA has determined that this action is not "significant" under the terms of the Executive Order 12866 and is therefore not subject to OMB review.

C. Paperwork Reduction Act

This action does not contain any information collection requirements subject to OMB review under the Paperwork Reduction Act, 55 U.S.C. 3501 *et seq.*

D. Regulatory Flexibility Act Compliance

Pursuant to 5 U.S.C. 605(6), I hereby certify that this action will not have a significant economic impact on a substantial number of small entities because it imposes no new requirements.

Dated: November 4, 1993.

Carol M. Browner,

Administrator.

[FR Doc. 93-27710 Filed 11-10-93; 8:45 am]

BILLING CODE 6560-50-M

[ER-FRL-4705-5]

Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared October 25, 1993 through October 29, 1993 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) 260-5076.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated April 10, 1993 (58 FR 18392).

Draft EISs

ERP No. D-AFS-E61068-FL Rating LO, Sopchoppy River Corridor, Wild and Scenic River Study, National Wild and Scenic Rivers System, Suitability or Nonsuitability, Walkulla Ranger District, Apalachicola National Forest, Wakulla County, FL.

Summary: EPA expressed no objections to the preferred alternative.

ERP No. D-AFS-K60025-CA Rating EO2, Mount Baldy Land Exchange Project, Implementation and Special-Use-Permit, Angeles National Forest, San Antonio Canyon, Los Angeles and San Bernardino Counties, CA.

Summary: EPA expressed environmental objections because of potential impacts to water quality and biological resources. The potential affect of management activities to resources in San Antonio Canyon and on the California Spotted Owl should be discussed in the final EIS.

ERP No. D-COE-K67020-CA Rating EO2, Syar Mining Operation and Reclamation Plan, Six Sites Selected along the Russian River, Construction, Mining-Use-Permit and COE Section 404 Permit, City of Healsburg, Sononma County, CA.

Summary: EPA expressed environmental objections due to potential direct and cumulative adverse impacts to wetlands and waters of the U.S., fisheries, riparian habitat, groundwater and air quality. The DEIS did not provide the necessary information to show that the proposed project is the least environmentally damaging practicable alternative. EPA requested that final EIS include additional information on these issues.

Final EISs

ERP No. F-FHW-L40178-WA. First Avenue South Bridge Improvement, from WA-509 at South Cloverdale Street to WA-99/East Marginal Way South crossing the Duwamish River, Funding, Section 10 and 404 Permits, King County, WA.

Summary: EPA expressed environmental concerns regarding wetland mitigation, storm water runoff collection and containment, spill control structures for hazardous materials, spills and air conformity. EPA recommends that the Record of Decision contain commitments to complete these more detailed information needs.

ERP No. F-SCS-K36109-00. Kagman Watershed Plan, Flood Prevention and Watershed Protection, Funding and COE Section 404 Permit, Saipan, Commonwealth of the Northern Mariana Islands.

Summary: Review of this final EIS was not deemed necessary. No formal comments were sent to the agency.

Dated: November 8, 1993.

Marshall Cain,

Senior Legal Advisor, Office of Federal Activities.

[FR Doc. 93-27882 Filed 11-10-93; 8:45 am]

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[ER-FRL-4705-4]

Environmental Impact Statements; Availability

Responsible Agency: Office of Federal Activities, General Information (202) 260-5076 or (202) 260-5075. Weekly receipt of Environmental Impact Statements Filed November 1, 1993 through November 5, 1993 pursuant to 40 CFR 1506.9.

EIS No. 930387, Draft EIS, HHS, MD, National Institutes of Health Bethesda Main Campus Comprehensive Master Plan, Implementation, Montgomery County, MD, Due: December 31, 1993, Contact: Thomas Flavin (301) 496-5787.

EIS No. 930388, Draft EIS, FHW, AZ, Red Mountain Freeway (Loop 202) Transportation Facility, Construction from Salt River between the Price Freeway on the west and AZ-87 on the east, COE Section 404 and NPDES Permits, Phoenix Metropolitan Area, Maricopa County, AZ, Due: December 27, 1993, Contact: Ken Davis (602) 379-3646.

EIS No. 930389, Draft EIS, FHW, MD, Canal Parkway-Development Study, Improvement from MD-51 to the Wiley Ford Bridge in Cumberland, Funding, Right-of-Way Grant and COE Section 404 Permit, Allegany County, MD, Due: January 14, 1994, Contact: David Lawton (410) 962-4010.

EIS No. 930390, Final EIS, FRC, NH, Upper Androscoggin River Basin Hydroelectric Projects, Issuance of New Licenses/Relicensing for Operation of Seven Hydroelectric Projects, Coos County, NH, Due: December 13, 1993, Contact: R. Feller (202) 219-2796.

EIS No. 930391, Draft EIS, FHW, OR, Port of the Dalles (Chenoweth) Columbia River Highway, Construction of New Interchange North of Hostetler Street near Second and Division Streets, Funding and COE Section 404 Permit, Wasco County, OR, Due: January 6, 1994, Contact: Alan R. Steger (503) 399-5749.

EIS No. 930392, Final EIS, BOP, WA, King County Federal Detention Center, Site Selection, Operation and Construction, City of Seattle or the City of SeaTac, King County, WA, Due: December 13, 1993, Contact: Patricia K. Sledge (202) 514-6470.

EIS No. 930393, Draft EIS, DOE, NY, Tonawanda Site, (Formerly Utilized Sites Remedial Action Program) Remedial Investigation and Feasibility Study for Residual Radioactive Contamination, Funding, City of Tonawanda, NY, Due: January 11,