First Street, N.E., Washington, D.C. 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 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 on reviewed of the matter finds that permission and approval for the proposed abandonment is 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 Williston Basin to appear or be represented at the hearing.

David P. Boergers,

Secretary.

[FR Doc. 99-1672 Filed 1-25-99; 8:45 am]

BILLING CODE 6717-01-M

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6224-1]

Delegation of Authority of National Emission Standards for Hazardous Air Pollutants (NESHAPS) for Source Categories; Virginia

AGENCY: Environmental Protection Agency (EPA).

ACTION: Informational notice.

SUMMARY: The purpose of this notice is to announce that on April 20, 1998, EPA granted the Commonwealth of Virginia's request for partial delegation of the National Emission Standards for Hazardous Air Pollutants (NESHAPs), and associated infrastructure programs. Virginia's request for partial delegation of authority only pertains to affected sources of hazardous air pollutants (HAPs) for all source categories which are located at major sources. EPA granted the delegation with certain restrictions. The restrictions involve EPA's retainment of certain authorities including: implementation and enforcement of standards that control radionuclides or that apply to an area source which is not located at a major source, implementation and enforcement of an accidental release program, approvals of alternative means of limiting emissions, alternative control technologies, alternative test methods, alternative monitoring methods, and the authority to make certain applicability determinations. In addition, certain provisions will be delegated only on a case-by-case basis and require notification by the Virginia Department of Environmental Quality (VADEQ) to EPA. These provisions include: approvals of compliance extensions, site-specific test plans, performance evaluation plans; approvals of minor alternatives to test methods, monitoring, and shorter sampling times/volumes; and waivers of performance testing. On July 10, 1998, final guidance was issued in a Memorandum from the Office of Air Quality Planning and Standards (OAQPS) to the Regions regarding delegation of authorities to state and local air pollution control agencies. This memorandum identified authorities which may not be delegated to states, and included the waiver of recordkeeping. This authority, which was delegated to Virginia as part of the April 20, 1998 delegation of authority, was subsequently revoked in the EPA letter of November 19, 1998 to VADEQ.

EFFECTIVE DATES: The effective date of the delegation authority is April 20, 1998.

ADDRESSES: Copies of EPA's letter of delegation are available for public inspection at EPA's Region III Office, 1650 Arch Street, Philadelphia, PA 19103 and the VADEQ regional offices and satellite offices during normal business hours. The addresses of these offices are provided below. Effective immediately, all notifications, requests, applications, reports and other correspondence required pursuant to 40 CFR part 63 for major sources, as defined in 40 CFR Part 70, to be sent to the Administrator should be submitted to the EPA Region III office and, with respect to sources located in listed counties and cities, to the VADEQ Air Permit Manager at the following addresses:

Southwest Regional Office—Department of Environmental Quality, 355 Deadmore St., P.O. Box 1688, Abingdon, Virginia 24212-1688, Tel. (540) 676-4800. Includes counties of Bland, Buchanan, Carroll, Dickenson, Grayson, Lee, Russell, Scott, Smyth, Tazewell, Washington, Wise, Wythe and the cities of Bristol, Galax, and Norton.

West Central Regional Office—Department of Environmental Quality, 3019 Peters Creek Road, Roanoke, Virginia 24019, Tel. (540) 562-6700. Includes the counties of Allegheny, Botetourt, Craig, Floyd, Franklin, Giles, Montgomery, Patrick, Pulaski, Roanoke and the cities of Clifton Forge, Covington, Radford, Roanoke, and Salem.

Lynchburg Satellite Office—Department of Environmental Quality, 7705 Timberlake Road, Lynchburg, Virginia 24502, Tel. (804) 582-5120. Includes the counties of Amelia, Amherst, Appomatox, Bedford, Brunswick, Buckingham, Campbell, Charlotte, Cumberland, Halifax, Henry, Lunenburg, Mecklenburg, Nottoway, Pittsylvania, and Prince Edward and the cities of Bedford, Danville, Lynchburg, Martinsville, and South Boston.

Valley Regional Office—Department of Environmental Quality, 4411 Early Road, P.O. Box 1129, Harrisonburg, Virginia 22801, Tel. (540) 574-7800. Includes the counties of Augusta, Bath, Clarke, Frederick, Highland, Page, Rockbridge, Rockingham, Shenandoah, and Warren, and the cities of Buena Vista, Harrisonburg, Lexington, Staunton, Waynesboro, and Winchester.

Fredericksburg Satellite Office—Department of Environmental Quality, 300 Central Road, Suite B, Fredericksburg, Virginia 22401, Tel. (540) 899-4600. Includes the counties of Albemarle, Caroline, Culpeper, Essex, Fauquier, Fluvanna, Gloucester, Greene, King and Queen, King George, King William, Lancaster, Louisa, Madison, Mathews, Middlesex, Nelson, Northumberland, Orange, Rappahannock, Richmond, Spotsylvania, Stafford, and Westmoreland, and the cities of Charlottesville, and Fredericksburg.

Northern Regional Office—Department of Environmental Quality, 13901 Crown Court, Woodbridge, Virginia 22193, Tel. (703) 583-3800. Includes the counties of Arlington, Fairfax, Loudoun and Prince William, and the cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park.

Piedmont Regional Office—Department of Environmental Quality, 4949-A Cox Road, Glen Allen, Virginia 23060-6295, Tel. (804) 527-5020.

Includes the counties of Charles City, Chesterfield, Dinwiddie, Goochland, Greensville, Hanover, Henrico, New Kent, Powhatan, Prince George, Surry, and Sussex and the cities of Colonial Heights, Emporia, Hopewell, Petersburg, and Richmond.

Tidewater Regional Office—Department of Environmental Quality, 5636 Southern Boulevard, Virginia Beach, Virginia 23462, Tel. (757) 518-2000. Includes the counties of Accomac, Isle of Wight, James City, Northampton, Southampton, and York and the cities of Chesapeake, Franklin, Hampton, Newport News, Norfolk, Poquoson, Portsmouth, Suffolk, Virginia Beach, and Williamsburg.

FOR FURTHER INFORMATION CONTACT: Marilyn Powers, Permits and Technical Assessment Section (3AP11), Air Protection Division, EPA Region III, 1650 Arch Street, Philadelphia, PA 19103, Telephone: 215-814-2308.

SUPPLEMENTARY INFORMATION: Section 112(l) of the Clean Air Act, as amended November 15, 1990, and 40 CFR part 63, subpart E, authorizes EPA to delegate authority to any state agency which submits adequate regulatory procedures for implementation and enforcement of emission standards of hazardous air pollutants.

Virginia initiated the request for delegation of 40 CFR Part 63 in its initial letter, dated November 12, 1993, from the Virginia Department of Environmental Quality (VADEQ) Director seeking approval of its Title V program. In this letter, Virginia requested that EPA grant Virginia "delegation of authority upon approval of the operating permit program, except Section 112(r), prevention of accidental releases." Virginia's request for partial delegation of authority only includes affected sources of hazardous air pollutants (HAPs), as defined in 40 CFR part 63, for all source categories which are located at major sources, as defined in 40 CFR part 70. On February 6, 1998, the Virginia Department of Environmental Quality (VADEQ) forwarded to the EPA regulatory revisions adopted by the State Air Pollution Control Board to confer to VADEQ the authority to implement and enforce existing National Emission Standards for Hazardous Air Pollutants (NESHAPs) and associated infrastructure programs, pursuant to Section 112 of the Clean Air Act (CAA), as set forth in 40 CFR part 63. This letter also requested that automatic delegation be granted to Virginia for all future NESHAPs.

On July 10, 1997, EPA approved VADEQ's Title V Operating Permits Program (see 62 FR 31516 dated June 10, 1997). Requirements for approval, specified in 40 CFR 70.4(b), encompass CAA section 112(l)(5) requirements for approval of a program for delegation of CAA section 112 standards as promulgated by EPA as they apply to 40 CFR part 70 sources. Section 112(l)(5) requires that the State's program contain adequate authorities, adequate resources for implementation and an expeditious compliance schedule for enforcing standards, which are also requirements under 40 CFR part 70. Therefore, as part of the Title V Operating Permits Program approval, EPA also promulgated full approval under CAA section 112(l)(5) and 40 CFR 63.91 of the State's program for receiving delegation of the CAA section 112 standards that are unchanged from Federal standards as promulgated in 40 CFR part 63. This program for delegation only applies to sources covered by the 40 CFR part 70 program. The specific authority and commitments for Section 112 implementation is contained in detail in EPA's proposed interim approval of Virginia's Title V program (62 FR 12778 dated March 18, 1997). Today's notice serves to inform of the specific authorities which have been delegated to Virginia.

On April 20, 1998, the Environmental Protection Agency granted Virginia's request for partial delegation with certain restrictions. The following authorities will be retained by EPA Region III:

(1) implementation and enforcement of standards that control radionuclides (40 CFR part 63.12(b)(1)):

(2) implementation and enforcement of standards that apply to an area source, as defined in 40 CFR part 63.2, which is not located at a major source, as defined in 40 CFR part 70;

(3) implementation and enforcement of an accidental release program, as defined in CAA section 112(r) and 40 CFR part 68;

(4) approval of alternative means of emission limitations and alternative control technologies;

(5) approval of alternative test methods;

(6) approval of alternative monitoring methods; and

(7) the authority to make certain applicability determinations, as required by formal requests from owners or operators of facilities or the public.

In addition, certain provisions of 40 CFR part 63 are delegated on a case-by-case basis to VADEQ and require VADEQ to notify US EPA Region III, in writing. These provisions include:

(1) compliance extensions;

(2) approval of site-specific test and performance evaluation plans;

(3) approval of minor alternatives to test methods and monitoring;

(4) approval of shorter sampling times/ volumes; and

(5) waiver of performance testing.

On July 10, 1998, final guidance was issued in a Memorandum from the OAQPS to the Regions regarding delegation of authorities to state and local air pollution control agencies. In this Memorandum, specific authorities were identified which could result in a "change to the stringency of the underlying standard, which are likely to be nationally significant, or which may require a rulemaking". Included as an authority which may not be delegated is the waiver of recordkeeping. This authority, which had been delegated to Virginia in EPA's letter of delegation of April 20, 1998, was subsequently revoked in the EPA letter of November 19, 1998. As of April 20, 1998, VADEQ has primary authority to enforce the standards in 40 CFR part 63 for CAA part 70 sources, however, EPA will retain independent enforcement authority.

Virginia has adopted by reference all existing NESHAPs and the corresponding amendments and revisions into 9 VAC 5-60-90 with only the wording changes provided by present state regulations. All future 40 CFR part 63 NESHAPs are automatically delegated, however, this delegation is conditioned upon each standard being legally adopted by the VADEQ and must be adopted by reference to the Federal regulations with only those wording changes provided by the present state regulations, and VADEQ must notify EPA Region III that it has adopted additional standards and that it intends to enforce the standards in conformance with the terms of this delegation.

If the Administrator determines that Virginia cannot adequately implement or enforce the requirements of 40 CFR part 63, this delegation may be revoked in whole or in part.

EPA hereby notifies the public that it has partially delegated the authority for implementation and enforcement of the NESHAPs for Source Categories, pursuant to CFR part 63, as outlined above, to the Virginia Department of Environmental Quality.

The Office of Management and Budget has exempted this notice informing the public of partial delegation of NESHAPS to VADEQ , as outlined above, from Executive Order 12866 review. This action is exempt from CRA review.

This notice is issued under the authority of sections 101, 110, 112 and

301 of the Clean Air Act, as amended (42 U.S.C. 7401, 7410, 7412, 7601).

Dated: December 15, 1998.

W. Michael McCabe,

Regional Administrator, EPA Region III.

[FR Doc. 99-1759 Filed 1-25-99; 8:45 am]

BILLING CODE 6560-50-U

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6223-7]

EPA Identification of Additional Waters To Be Added to Virginia's 1998 Clean Water Act Section 303(d) List of Impaired Waters, Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of hearings and availability for public comment, rescheduled hearings.

SUMMARY: The Environmental Protection Agency (EPA) is providing public notice of the availability of its December 16, 1998 identification of additional waters to be added to Virginia's 1998 Clean Water Act section 303(d) list and is inviting public comment on that identification. EPA is also providing notice of two public hearings. EPA intends to make a final determination 45 days after the close of this public comment period regarding the waters to be added to Virginia's 1998 303(d) list. EPA will transmit the listing of any additional waters to Virginia to incorporate into the current approved list of waters.

Section 303(d) of the Clean Water Act and the implementing regulations at 40 CFR 130.7 require states to identify their waters that do not, or will not, meet water quality standards even after required technology-based or other controls are in place. This list, known as the Section 303(d) list, must be submitted to EPA for approval.

Federal regulations require states to consider all existing and readily available water quality-related data and information in developing the 303(d) list. EPA determined that the Commonwealth of Virginia did not fully meet this requirement. The Agency partially approved and partially disapproved Virginia's 303(d) list on November 16, 1998. On December 16, 1998, EPA identified a number of waters to be added to Virginia's 303(d) list based on existing and readily available water quality-related data and information.

DATES: Comments must be received on or before March 15, 1999. The two public hearings will be held Wednesday, March 10, 1999, 7:00 p.m. to 9:30 p.m., Richmond, VA., and Thursday, March 11, 1999, 7:00 p.m. to 9:30 p.m., Roanoke, VA. These hearings have been rescheduled from the dates originally announced in the **Federal Register** on December 30, 1998. If you would like to testify at one or both of the public hearings, please register with Ms. Lenka Berlin at the phone number below by March 5, 1999.

ADDRESSES: Submit comments to Ms. Lenka Berlin (3WP13), Water Protection Division, USEPA Region III, 1650 Arch Street, Philadelphia, PA 19103. The March 10, 1999 public hearing will be at the Division of Motor Vehicles, 2300 West Broad Street, Richmond, VA 23220. The March 11, 1999 public hearing will be at the Roanoke County Administration Center, 5204 Bernard Drive, Roanoke, VA 24018.

FOR FURTHER INFORMATION CONTACT: For a copy of the document detailing EPA's November 16, 1998 partial disapproval and a list of the waters EPA has identified to be added to Virginia's list, contact Ms. Lenka Berlin by phone (215-814-5259), fax (215-814-2301), mail to the address shown above, or e-mail (berlin.lenka@epamail.epa.gov). For a copy of Virginia's final Section 303(d) list submittal, contact Mr. Charles Martin, Virginia Department of Environmental Quality, at (804) 698-4462.

SUPPLEMENTARY INFORMATION:

What Is Required of the Section 303(d) List?

Federal regulations include two requirements that are most pertinent to EPA's partial disapproval of Virginia's 1998 Section 303(d) list. First, the regulations require that states consider all existing and readily available water quality-related data and information in identifying waters for the 303(d) list. See 40 CFR 130.7(b)(5). Second if EPA disapproves a list, the Agency must identify the waters to which the disapproval applies. See 40 CFR 130.7(d)(2).

What Did Virginia's 303(d) List Include?

EPA received Virginia's final 1998 Section 303(d) report on October 16, 1998. The report included five parts plus appendices. Parts I and II of the report are the impaired waters that the Commonwealth determined require total maximum daily load (TMDL) calculations. EPA considers Parts I and II to be the Commonwealth's Section 303(d) list. Parts III, IV and V are waters of concern that the Commonwealth determined do not require TMDLS. EPA considers these three parts to be for informational purposes only, separate from the Section 303(d) list. Among the appendices to the submission is Appendix D, which lists the waters which the Commonwealth included on its 1996 Section 303(d) list but did not include on its 1998 list. Virginia explained that it did not include these waters because point sources on these waters had reportedly been issued water quality-based effluent limits that would eliminate the impairment within the next two-year reporting cycle.

Why Did EPA Partially Disapprove Virginia's 1998 Section 303(d) List?

In reviewing the list, EPA determined that Virginia had omitted certain waters from the list even through existing and readily available water quality-related data and information show that these waters do not meet water quality standards even after required technology-based and other controls are applied. On November 16, 1998 EPA disapproved on the omission of these waters from the list and on December 16, 1998, EPA identified the waters to be added to the list.

Which Waters Did EPA Identify To B

On December 16, 1998 EPA identified the following five groups of waters to be added to Virginia's 1998 303(d) list:

1. Portions of the main channel of the Chesapeake Bay and three tidal tributaries because existing and readily available water quality-related data and information show that the water quality standards for dissolved oxygen are not being met. EPA identified those portions of the main channel of the Chesapeake Bay and three tidal tributaries as high priority for TMDL development. In addition, EPA identified excessive nutrients as the pollutants of concern causing violations of the applicable water quality standard for dissolved oxygen.

2. 77 waters presented in Appendix D of Virginia's report (waters that were listed in 1996 as needing TMDLs but were not included on the 1998 list). The only data the Commonwealth provided to EPA (i.e., data submitted with the 1996 Section 303(d) list) indicated that these segments are impaired. EPA designated these waters as low priority for TMDL development.

3. 47 waters presented in Part V of Virginia's report (waters reportedly impaired by natural conditions and not identified as requiring TMDL development) because they fail to meet water quality standards. EPA designated these waters as low priority for TMDL development.