

estimated average annual generation of 97.0 GWh; and (3) a 0.5-mile-long transmission line.

1. *Locations of the application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference and Files Maintenance Branch, located at 888 First Street, NE, Room 2A, Washington, DC 20426, or by calling (202) 219-1371. This filing may be viewed on the web at <http://www.ferc.fed.us/online/rims.htm> (Call (202) 208-2222 for assistance). A copy is also available for inspection and reproduction at the address in item h above.

Preliminary Permit—Anyone desiring to file a competing application for preliminary permit for a proposed project must submit the competing application itself, or a notice of intent to file such an application, to the Commission on or before the specified comment date for the particular application (see 18 CFR 4.36).

Submission of a timely notice of intent allows an interested person to file the competing preliminary permit application no later than 30 days after the specified comment date for the particular application. A competing preliminary permit application must conform with 18 CFR 4.30(b) and 4.36.

Preliminary Permit—Any qualified development applicant desiring to file a competing development application must submit to the Commission, on or before a specified comment date for the particular application, either a competing development application or a notice of intent to file such an application. Submission of a timely notice of intent to file a development application allows an interested person to file the competing application no later than 120 days after the specified comment date for the particular application. A competing license application must conform with 18 CFR 4.30(b) and 4.36.

Notice of intent—A notice of intent must specify the exact name, business address, and telephone number of the prospective applicant, and must include an unequivocal statement of intent to submit, if such an application may be filed, either a preliminary permit application or a development application (specify which type of application). A notice of intent must be served on the applicant(s) named in this public notice.

Proposed Scope of Studies under Permit—A preliminary permit, if issued, does not authorize construction. The term of the proposed preliminary permit would be 36 months. The work proposed under the preliminary permit

would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on the results of these studies, the Applicant would decide whether to proceed with the preparation of a development application to construct and operate the project.

Comments, Protests, or Motions to Intervene—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

Filing any Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. An additional copy must be sent to Director, Division of Project Review, Federal Energy Regulatory Commission, at the above-mentioned address. A copy of any notice of intent, competing application or motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

Agency Comments—Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

David P. Boergers,

Secretary.

[FR Doc. 99-18579 Filed 7-20-99; 8:45 am]

BILLING CODE 6717-01-M

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6401-1]

Calculation of the Economic Benefit of Noncompliance in EPA's Civil Penalty Enforcement Cases

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice; extension of time for request for comment.

SUMMARY: On June 18, 1999, the Environmental Protection Agency ("EPA") published a document in the **Federal Register** (64 FR 32948-32972) responding to comments on how it calculates the economic benefit obtained by regulated entities as a result of violating environmental requirements. The document also proposed certain changes to the Agency's benefit recapture approach, and requested further comment on those proposed changes. By this document, EPA is extending the deadline for comment from July 30, 1999, to September 30, 1999.

DATES: Comments must be received by EPA at the address below by September 30, 1999.

ADDRESSES: Written comments should be submitted in triplicate to: U.S. Environmental Protection Agency, Office of Enforcement and Compliance Assurance, Economic Benefit Docket Clerk, Mail Code 2248-A, 401 M Street, SW, Washington, D.C. 20460.

EPA will maintain a record of all written comments submitted pursuant to this notice. Copies of the comments may be reviewed at the Ariel Rios Federal Building, 1200 Pennsylvania Avenue, Washington, DC 20004. Persons interested in reviewing the comments must make advance arrangements to do so by calling (202) 564-2235.

FOR FURTHER INFORMATION CONTACT: Copies of the BEN computer model and the BEN Users Manual may be obtained from the National Technological Information Service by calling (800) 553-6847. Callers should request order number PB99-501587. Electronic copies of these items are also downloadable through the Office of Enforcement and Compliance Assurance's World Wide Web page on the Internet at: <http://www.epa.gov/oeca/datasys/dsm2.html>. For further information, contact Jonathan Libber, Office of Regulatory Enforcement, Multimedia Enforcement Division, at (202) 564-6102.

Dated: July 15, 1999.

Melissa P. Marshall,

*Director, Multimedia Enforcement Division,
Office of Enforcement and Compliance
Assurance.*

[FR Doc. 99-18605 Filed 7-20-99; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6400-8]

Draft Modification of the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges From Construction Activities

AGENCY: Environmental Protection
Agency (EPA).

ACTION: Notice of draft modification of
the NPDES general permit reissuance for
storm water discharges from
construction activities.

SUMMARY: The EPA, Region 4, general
permit for the discharge of storm water
from construction activities, issued on
March 31, 1998, is being modified. This
modification will include monitoring
and reporting requirements for facilities
discharging storm water from
construction activities to waters of the
U.S. that are on the 303(d) list for
impairment due to sediment and/or silt.
In addition, several typographical errors
will be corrected, and, the eligibility
requirements of part I.B.3. will be
renumbered to be consistent with the
National general permit for the
discharge of storm water from
construction activities, which was
issued on February 17, 1998, and the
Notice of Intent (NOI, form 3510-9).

The following provides notice for a
draft modification of the NPDES general
permit and fact sheets for storm water
discharges from construction activities
in the following areas of, EPA, Region
4:

Indian Country Lands within the State
of Alabama
The State of Florida
Indian Country Lands within the State
of Florida
Indian Country Lands within the State
of Mississippi
Indian Country Lands within the State
of North Carolina

DATES: This general permit became
effective on April 3, 1998. Deadlines for
submittal of NOIs which are provided in
Part II.A. of the permit are not changed.
Comments on the proposed
modifications must be received or
postmarked by midnight no later than
February 28, 1999. This modification

will be effective 60 days from its final
publication in the **Federal Register**.

ADDRESSES: Notices of Intent (NOIs)
submitted in accordance with this
permit to receive coverage under this
permit must be sent to Storm Water
Notice of Intent (4203), 401 M Street,
SW, Washington, DC 20460. The
complete administrative record is
available from the U.S. Environmental
Protection Agency, Region 4, Freedom
of Information Officer, 61 Forsyth St.
S.W., Atlanta, GA 30303. A reasonable
fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: Mr.
Floyd Wellborn, telephone number
(404) 562-9296, or Mr. Mike Mitchell,
telephone number (404) 562-9303, or at
the following address: United States
Environmental Protection Agency,
Region 4, Water Management Division,
Surface Water Permits Section, Atlanta
Federal Center, 61 Forsyth Street S.W.,
Atlanta, GA 30303.

PUBLIC COMMENT PERIOD: Public
comments are being invited only for
those specific modifications discussed
within the proposal for the general
permit for storm water discharges from
construction activities issued by EPA,
Region 4, on March 31, 1998. The public
should send their comments to the
Surface Water Permits Section, Water
Management Division, U.S. EPA, 61
Forsyth Street, SW, Atlanta, GA 30303.
To ensure that EPA can read,
understand, and therefore properly
respond to comments, the Agency
requests commenters to type or print in
ink any comments. Each comment
should cite the page number and, where
possible, the section(s) and/or
paragraph(s) in the proposed permitting
actions to which the comment relates.
Commenters should use a separate
paragraph for each issue discussed.

State Certification

EPA is providing copies of the
proposed permit modification to the
State of Florida and Indian Tribes where
the proposed actions would be effective.
The State of Florida and Tribes will
review the proposed actions to ensure
that they will not result in violations of
water quality criteria. EPA will work
with The State and Tribes to obtain their
certification in accordance with section
401 of the Clean Water Act. EPA will
prepare certifications for Indian lands
where there is no approved Tribe or any
Tribes which have not established water
quality standards.

The Coastal Zone Management Act
(CZMA) requires that all Federal
licensing and permitting actions be
reviewed for consistency with each
approved State coastal zone

management plan. The Federal
Consistency Act requires that all NPDES
permit be reviewed for consistency with
the Endangered Species Act and the
National Historic Preservation Act. EPA
has also initiated these reviews.

SUPPLEMENTARY INFORMATION:

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organization of the proposed
modification actions:

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Justification
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I. Introduction

In 1972, the Federal Water Pollution
Control Act (also referred to as the Clean
Water Act (CWA)) was amended to
provide that the discharge of any
pollutants to waters of the United States
from any point source is unlawful,
except if the discharge is in compliance
with a National Pollutant Discharge
Elimination System (NPDES) permit. In
1987, section 402(p) was added to the
CWA to establish a comprehensive
framework for addressing storm water
discharges under the NPDES program.
Section 402(p)(4) of the CWA clarifies
the requirements for EPA to issue
NPDES permits for storm water
discharges associated with industrial
activity. On November 16, 1990 (55 FR
47990), EPA published final regulations
which define the term "storm water
discharge associated with industrial
activity."

In 1992, EPA issued a general permit
for discharges of storm water from
construction activities "associated with
industrial activity" to reduce the
administrative burden of issuing an
individual NPDES permit to each
construction activity. On March 31,
1998 EPA, Region 4, issued a renewal of
the 1992 permit.

Section 303(d) of the CWA requires
States to identify waters for which
technology based effluent limitations
are not stringent enough to implement
any applicable water quality standard.
The statute also requires the States to
establish a priority ranking for such
waters, taking into account the severity
of pollution and the uses to be made of
the waters. Title 40 of the Code of
Federal Regulation (CFR) section 130.7
defines the section 303(d) waters to be
those waters in each State which are
water quality limited segments which
still require total maximum daily loads.