

service. Specifically, the Commission wishes to examine how it should go about ensuring non-discriminatory open access service under Order No. 888 as the power industry adopts new methods of protecting system reliability. This conference, described below, is for the limited purpose of discussing the procedures necessary for the Commission to meet this goal.

## II

The Commission requires all public utilities that own, control or operate facilities used for transmitting electric energy in interstate commerce to provide non-discriminatory transmission service to eligible customers and to take transmission service for their own uses under the same rates, terms and conditions applied to others.

Increased competition in wholesale electricity markets has resulted in many new market participants who do not own, control or operate transmission facilities, and has fostered a great increase in the number and variety of wholesale transmission and power sale arrangements, including ancillary services needed to accomplish transmission service. In addition, control over transmission facilities is shifting in some instances from traditional utility owners and operators to a regime of control that includes independent transmission system operators whose primary purpose is to ensure nondiscriminatory operation of transmission facilities.

In light of the changes taking place in the electric industry, the North American Electric Reliability Council (NERC) and its regional reliability councils are implementing changes in their rules to maintain transmission system security. These rules apply both to transmission-owning utilities and to the transmission customers of those utilities. Historically, the Commission has followed a "rule of reason" approach and not required each contract or practice that affects a jurisdictional service to be on file, even though section 205 of the Federal Power Act may lead to that result. If the new reliability rules become terms and conditions with which customers of Commission-jurisdictional utilities must comply as a predicate to obtaining transmission service, the Commission may need to reassess how it is applying the "rule of reason." If jurisdictional services can be denied or compromised under the new reliability rules, then section 205 appears to require that such rules be included in the transmission tariffs on file with the Commission.

The Commission is not proposing in this notice to judge the technical adequacy or appropriateness of any reliability standard. Nor is it proposing in this notice to approve the structure of NERC or the appropriateness of any organization that establishes reliability standards under existing laws and circumstances. Indeed, the Commission's authority to act on such matters is at best unclear. As described in a recent position paper of the task force that is charged with advising the Secretary of Energy on electric system reliability:

It is not clear whether the FERC has sufficient statutory authority to enforce NERC rules. The FERC has issued several orders requiring parties to abide by the NERC standards and parties have assented to the requirements. However, the use of FERC's conditioning authority to enforce NERC standards has not yet been challenged. Others question whether the FERC *should* enforce these rules in light of concerns over NERC's governance and decision-making procedures.<sup>1</sup>

## III

The Commission is committed to ensuring that competitive developments in the industry take place in a manner that safeguards the reliability of the nation's electric transmission system. The Commission is equally committed to ensuring that the rules and practices for reliable operation of the grid are compatible with open, non-discriminatory use of transmission systems.

The Commission believes that it would be beneficial at this juncture to further explore this matter with interested parties in an informal setting. To that end, we are announcing today our intention to convene a round-table discussion on developing an appropriate procedure or procedures for the Commission to address potentially service-affecting reliability practices in the context of non-discriminatory transmission access. We emphasize that the purpose of the round-table is to discuss procedures and not to discuss the merits of any particular reliability rule, practice or organization. The round-table will take place on February 20, 1998, in Washington, DC.

The Commission has identified certain possible procedures and expects that participants will be prepared to discuss these procedures as well as to identify others. One approach might be to prohibit any public utility from

<sup>1</sup> "Maintaining Bulk-Power Reliability Through Use of a Self-Regulating Organization: Position Paper." Secretary of Energy Advisory Board, Task Force on Electric-System Reliability (November 6, 1997).

imposing new terms or conditions related to reliability on any customer unless and until that utility had first incorporated those terms and conditions into its transmission tariff under an appropriately noticed section 205 filing. An alternative might be to have the appropriate reliability organization (NERC or one of the regional reliability councils) file a request for a declaratory order setting forth proposed changes to its existing reliability rules, so that appropriate notice and opportunity for comment could be given. Once the Commission issued a declaratory order, utilities could then incorporate the results of the declaratory order proceeding in their tariffs through what would amount to a compliance filing. This process could apply to those changes in reliability rules that determine whether a transmission customer obtains or loses transmission service, or it could apply to a larger group of reliability rule changes.

Staff will contact industry representatives to develop a broadly representative panel. We expect the panel to have no more than fifteen participants. Persons wishing to be considered for inclusion on the panel should contact: David N. Cook, Office of General Counsel, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, 202-208-0955.

Persons wishing to file written comments on possible procedural approaches to these issues should do so by January 30, 1998. The Commission will issue a notice identifying the panel members and giving further details on the round-table discussion in the near future.

By direction of the Commission.

**David P. Boergers,**

*Acting Secretary.*

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## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-5487-8]

### Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564-7167 OR (202) 564-7153.

Weekly receipt of Environmental Impact Statements Filed December 29, 1997 Through January 2, 1998 Pursuant to 40 CFR 1506.9.  
*EIS No. 970498*, Draft Supplement, COE, OR, WA, Columbia and Lower Willamette River Federal Navigation

Channel, Integrated Dredged Material Management Study, OR and WA, *Due:* February 23, 1998, *Contact:* Steven J. Stevens (503) 808-4768.

*EIS No. 970499*, Final EIS, USA, CO, United States Army Garrison, Fitzsimons (Formerly Fitzsimons Army Medical Center) Disposal and Reuse for BRAC-95, Implementation, City of Aurora, Denver County, CO, *Due:* February 9, 1998, *Contact:* Gene Sturm (402) 221-4886.

*EIS No. 970500*, Draft Supplement, AFS, MT, Asarco Rock Creek Copper and Silver Mining Construction and Operation Project, Additional Information, Plan of Operations Approval, Special Use Permit(s), Road Use Permit, Mineral Material Permit, Timber Sale Contract and COE Section 404 Permit Issuance, Kootenai National Forest, Sanders County, MT, *Due:* March 11, 1998, *Contact:* Peter Kaiser (406) 293-6211.

*EIS No. 970501*, Final EIS, AFS, CO, Arapaho and Roosevelt National Forests and Pawnee National Grassland, Implementation, Land and Resource Management Plan, Boulder, Clear Creek, Gilpin, Grand, Larimer and Weld Counties, CO, *Due:* February 9, 1998, *Contact:* Peter L. Clark (970) 498-1100.

#### Amended Notices

*EIS No. 970213*, Draft EIS, AFS, ID, North Lochsa Face Landscape and Watershed Assessment Project, Implementation, Clearwater National Forest, Lochsa Ranger District, Idaho County, ID, *Due:* March 2, 1998, *Contact:* George Harbaugh (208) 926-4275. Published FR 06-13-97—Review Period Reopened.

*EIS No. 970416*, Draft EIS, FHW, HI, Saddle Road (HI-200) Improvements between Mamalahoa Highway (HI-190) to Milepost 6 near Hilo, Funding, NPDES and COE Section 404 Permit, Hawaii County, HI, *Due:* January 16, 1998, *Contact:* Bert McCauley (303) 969-5924. Published FR 11-07-97—Review Period extended.

Dated: January 6, 1998.

#### William D. Dickerson,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 98-587 Filed 1-8-98; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[OPP-30446; FRL-5764-8]

### Allersearch Laboratories; Applications to Register Pesticide Products

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** This notice announces receipt of applications to register pesticide products containing a new active ingredient not included in any previously registered products pursuant to the provisions of section 3(c)(4) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended.

**DATES:** Written comments must be submitted by February 9, 1998.

**ADDRESSES:** By mail, submit written comments identified by the document control number [OPP-30446] and the file symbols to: Public Information and Records Integrity Branch (7502C), Information Resources and Services Division, Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, bring comments to: Environmental Protection Agency, Rm. 1132, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA.

Comments and data may also be submitted electronically to: opp-docket@epamail.epa.gov. Follow the instructions under "SUPPLEMENTARY INFORMATION." No Confidential Business Information (CBI) should be submitted through e-mail.

Information submitted as a comment concerning this document may be claimed confidential by marking any part or all of that information as CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential will be included in the public docket by EPA without prior notice. The public docket is available for public inspection in Rm. 1132 at the Virginia address given above, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

**FOR FURTHER INFORMATION CONTACT:** By mail: Marion Johnson, Product Manager (PM-10), Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 250, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202, (703) 305-

6788; e-mail:

johnson.marion@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** EPA received applications as follows to register pesticide products containing an active ingredient not included in any previously registered products pursuant to the provision of section 3(c)(4) of FIFRA. Notice of receipt of these applications does not imply a decision by the Agency on the applications.

### Products Containing a New Active Ingredient Not Previously Registered

1. File Symbol: 67648-E. Applicant: Allersearch Laboratories, Division of Alkaline Corporation, P.O. Box 306, Oakhurst, NJ 07755-0306. Product Name: Benzyl Alcohol NF Technical. Active ingredient: Benzyl alcohol at 99 percent. Proposed classification/Use: General. For formulation into end-use products intended for indoor nonfood uses only.

2. File Symbol: 67648-R. Applicant: Allersearch Laboratories, Div., of Alkaline Corporation. Product Name: Allersearch DMS. Active ingredient: Benzyl alcohol at 10 percent. Proposed classification/Use: General. For use to control house dust mites on carpet and upholstery.

Notice of approval or denial of an application to register a pesticide product will be announced in the **Federal Register**. The procedure for requesting data will be given in the **Federal Register** if an application is approved.

Comments received within the specified time period will be considered before a final decision is made; comments received after the time specified will be considered only to the extent possible without delaying processing of the application.

The official record for this notice, as well as the public version, has been established for this notice under docket number [OPP-30446] (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as CBI, is available for inspection from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The official record is located at the address in "ADDRESSES" at the beginning of this document.

Electronic comments can be sent directly to EPA at:  
opp-docket@epamail.epa.gov

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form