

proceeding. Article V of the uncontested settlement provided that U-TOS would file its next general rate case under Section 4(e) "by the end of three (3) years of the date of a final, non-appealable Commission order approving the Agreement without conditions unacceptable to U-TOS".

U-TOS requests that the deadline in the captioned proceeding by which it must file its next general rate case under Section 4(e) of the Act be extended to no later than January 1, 2003, and that the time period for filing answers to the uncontested motion be shortened to the maximum extent possible.

Any person desiring to file an answer to this filing should file an answer with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, in accordance with Section 385.213 of the Commission's Rules and Regulations. All such answers must be filed within 15 days after U-TOS' motion was filed. Answers will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make persons who file answers parties to the proceedings. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room.

**David P. Boergers,**  
*Secretary.*

[FR Doc. 98-26673 Filed 10-5-98; 8:45 am]  
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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2232-334]

#### Duke Power Company; Notice of Availability of Environmental Assessment

September 30, 1998.

An environmental assessment (EA) is available for public review. The EA analyzes the environmental impacts of allowing Duke Power Company, licensee for the Catawba-Wateree Project, P-2232-334, to authorize the Charlotte-Mecklenburg Utility District to construct additional facilities at the Catawba River Pumping Station to increase the water withdrawal from Mountain Island Lake for municipal water supply. The EA concludes the proposed action would not constitute a major federal action significantly affecting the quality of the human environment. The Catawba-Wateree Project is on the Catawba and Wateree rivers in North and South Carolina.

A draft EA was noticed on June 25, 1998, and interested entities were provided the opportunity to comment. No comments were received in response to the draft EA. The EA has not been modified from the draft.

The EA was written by staff in the Office of Hydropower Licensing, Federal Energy Regulatory Commission. Copies of the EA can be obtained by calling the Commission's Public Reference Room at (202) 208-1371.

**David P. Boergers,**  
*Secretary.*

[FR Doc. 98-26672 Filed 10-5-98; 8:45 am]

BILLING CODE 6717-01-M

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6172-5]

### Proposed Settlement Agreement; Carbon Monoxide Nonattainment Areas; Carbon Monoxide SIP for Denver, Colorado

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

**ACTION:** Notice of proposed settlement agreement.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act (Act), as amended, 42 U.S.C. 7413(g), notice is hereby given of a proposed settlement agreement concerning litigation instituted against the Environmental Protection Agency (EPA) by Citizens for Balanced Transportation (CBT). The lawsuit concerns EPA's approval under the Clean Air Act of the State of Colorado's nonattainment area state implementation plan (SIP) for the Denver carbon monoxide (CO) nonattainment area.

EPA approved the Denver CO nonattainment area SIP on March 10, 1997 (62 FR 10690) and, on May 9, 1997, CBT sought review of that approval in the United States Court of Appeals for the 10th Circuit. Among other things, CBT challenged the air quality monitoring and modeling that supported the Denver CO SIP's attainment demonstration.

Under the proposed settlement agreement, CBT has agreed to dismiss its lawsuit if EPA operates a continuous CO monitor from November 1998 through February 1999 near the intersection of Broadway and Colfax in Denver, and, before March 31, 1999, the State of Colorado (1) establishes a comprehensive meteorological site on the Auraria College campus in Denver, (2) establishes a routine meteorological site near the intersection of Speer and

Auraria in Denver, and (3) obtains enhanced traffic data for the Speer and Auraria intersection. Although the State is not a party to the litigation or the settlement agreement, the State participated in negotiations and intends to perform these actions.

If the State and/or EPA fail to complete one or more of these actions by March 31, 1999, CBT's sole remedy is to proceed to the merits of the case. It is anticipated that the litigation will be stayed until May 30, 1999 to allow the parties to confirm that the State and EPA actions have been completed.

For a period of thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the settlement agreement. EPA or the Department of Justice may withhold or withdraw consent to the proposed settlement agreement if the comments disclose facts or circumstances that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act.

Copies of the settlement agreement are available from Samantha Hooks, Air and Radiation Division (2344), Office of General Counsel, U.S. Environmental Protection Agency, 401 M Street SW, Washington, DC 20460, (202) 260-7606. Written comments should be sent to Howard J. Hoffman at the above address and must be submitted on or before November 5, 1998.

Dated: September 28, 1998.

**Scott C. Fulton,**

*Acting General Counsel.*

[FR Doc. 98-26787 Filed 10-5-98; 8:45 am]

BILLING CODE 6560-50-M

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6173-1]

### Draft Toxicological Review of Benzene (Noncancer Effects): In Support of Summary Information on the Integrated Risk Information System

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of Peer-Review Panel Meeting and public comment period.

**SUMMARY:** The U.S. Environmental Protection Agency (EPA) is announcing an external peer-review panel meeting and a 45-day public comment period to review the external review draft document entitled, Toxicological Review of Benzene (Noncancer Effects): (NCEA-S-0455). The peer-review panel meeting will be organized, convened, and conducted by the American

Institute of Biological Sciences, contractor to the EPA for this external scientific peer consultation. The document was prepared by the EPA's National Center for Environmental Assessment-Washington Office (NCEA-W) of the Office of Research and Development. EPA will use comments and recommendations from the meeting to assist in revising the document.

**DATES:** The peer-review panel meeting will begin on Wednesday, October 28, 1998, at 9:00 a.m. and end at 5:30 p.m. Members of the public may attend as observers, and there will be a limited time for comments from the public in the afternoon. The 45-day public comment period begins October 9, and ends November 24, 1998.

**ADDRESSES:** The external peer-review panel meeting will be held at the American Society of Association Executives, 1575 I Street, NW, Washington, DC. The American Institute of Biological Sciences, an EPA contractor, is organizing, convening, and conducting the peer-review panel meeting. To attend the meeting, register by October 23, 1998, by calling the American Institute of Biological Sciences, 107 Carpenter Drive, Suite 100, Sterling, Virginia 20164, at 703-834-0812, ext. 100, or fax to 703-834-1160. Space is limited, and reservations will be accepted on a first-come, first-served basis. There will be a limited time for comments from the public in the afternoon of the meeting. Please let the American Institute of Biological Sciences know if you wish to make a brief statement.

The document is available on the Internet at <http://www.epa.gov/ncea> under the What's New and Publications menus. A limited number of paper copies are available from the Technical Information Staff (8623D), NCEA-W, telephone: 202-564-3261; facsimile: 202-565-0050. If you are requesting a paper copy, please provide your name, mailing address, and the document title and number, Draft Toxicological Review of Benzene (Noncancer Effects): (NCEA-S-0455). Copies are not available from the American Institute of Biological Sciences.

Comments may be mailed to the Technical Information Staff (8623D), NCEA-W, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, or delivered to the Technical Information Staff at 808 17th Street, NW, 5th Floor, Washington, DC 20074; telephone number: 202-564-3261; facsimile: 202-565-0050. Comments should be in writing and must be postmarked by November 15, 1998. Please submit one unbound

original with pages numbered consecutively, and three copies. For attachments, provide an index, number pages consecutively with the comments, and submit an unbound original and three copies. Electronic comments may be sent to [benzene.new@epa.gov](mailto:benzene.new@epa.gov).

Please note that all technical comments received in response to this notice will be placed in a public record. For that reason, commentors should not submit personal information (such as medical data or home address), Confidential Business Information, or information protected by copyright. Due to limited resources, acknowledgments will not be sent.

**FOR FURTHER INFORMATION CONTACT:** For workshop information, registration, and logistics, contact Kevin Rowan, American Institute for Biological Sciences, 107 Carpenter Drive, Suite 100, Sterling, Virginia 20164; telephone: 703-834-0812, ext. 100; facsimile: 703-834-1160.

For information on the public comment period, contact Bob Sonawane (202-564-3292) or David Bayliss, (202-564-3294); mailing address: NCEA-W (8623D), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460; facsimile: 202-565-0078; e-mail: [benzene.new@epa.gov](mailto:benzene.new@epa.gov).

**SUPPLEMENTARY INFORMATION:** This draft report provides the scientific basis for deriving an oral reference dose (RfD) and inhalation reference concentration (RfC) for the noncancer health risk from exposure to benzene.

Dated: September 29, 1998.

**William H. Farland,**

*Director, National Center for Environmental Assessment.*

[FR Doc. 98-26791 Filed 10-5-98; 8:45 am]

**BILLING CODE 6560-50-P**

## **ENVIRONMENTAL PROTECTION AGENCY**

[FRL-6172-6]

### **National Advisory Council for Environmental Policy and Technology, Title VI Implementation Advisory Committee**

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

**ACTION:** Notice of public meeting.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463), the U.S. Environmental Protection Agency (EPA) gives notification of a three-day meeting of the Title VI Implementation Advisory Committee of the National Advisory Council for Environmental Policy and Technology

(NACEPT). The Title VI of the Civil Rights Act of 1964 prohibits recipients of federal financial assistance from discriminating on the basis of race, color, or national origin in their programs or activities.

The Title VI Implementation Advisory Committee will provide advice to the Administrator and Deputy Administrator of EPA on techniques that may be used by EPA funding recipients to operate environmental permitting programs in compliance with Title VI.

This meeting is being held to provide the EPA with perspectives from representatives of state and local governments, industry, the academic community, tribal and indigenous organizations, and grassroots environmental and other non-governmental organizations.

**DATES:** The three-day public meeting will be held at the Double Tree Hotel at Reid Park, 445 South Alvernon Way, Tucson, Arizona. The meeting will take place on Sunday, October 18, 1998 from 12:30 pm to 6:00 pm, Monday, October 19, 1998 from 1:30 pm to 5:30 pm, and Tuesday, October 20, 1998 from 8:30 am to 5:00 pm. The public comment session will be held on October 19 from 6:00 p.m. to 8:00 p.m. Seating will be limited and available on a first-come, first-served basis.

Members of the public who wish to make brief oral presentations should contact Jannell Young at 202-260-1888 by October 14, 1998 to reserve time during the public comment session. The Committee is particularly interested in receiving public comments on the elements of an ideal or optimal Title VI program, especially as it concerns how the program should function in response to Title VI complaints. Individuals or groups making presentations will be limited to a total time of five minutes. Those who have not reserved time in advance may make comments during the public comment session as time allows.

**ADDRESSES:** Materials or written comments may be sent to Melanie Medina-Ortiz, Designated Federal Officer, U.S. EPA (1601-F), Office of Cooperative Environmental Management, 401 M Street, SW, Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** Melanie Medina-Ortiz, Designated Federal Officer, U.S. EPA, Office of Cooperative Environmental Management, telephone 202-260-2695.