

## DEPARTMENT OF ENERGY

Federal Energy Regulatory  
Commission

[Docket Nos. CP99-61-000; CP99-62-000;  
CP99-63-000; CP99-64-000]

**TriState Pipeline L.L.C.; Notice of  
Intent To Prepare an Environmental  
Impact Statement for the Proposed  
TriState Pipeline Project, Request for  
Comments on Environmental Issues,  
and Notice of Public Scoping Meetings  
and Site Visit**

January 8, 1999.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental impact statement (EIS) that will discuss the environmental impacts of the construction and operation of the facilities proposed in the TriState Pipeline Project.<sup>1</sup> This EIS will be used by the Commission in its decision-making process to determine whether the project is in the public convenience and necessity. The application and other supplemental filings in this docket are available for viewing on the FERC Internet website ([www.ferc.fed.us](http://www.ferc.fed.us)). Click on the "RIMS" link, select "Docket #" from the RIMS Menu, and follow the instructions.

Similarly, the "CIPS" link on the FERC Internet website provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings. From the FERC Internet website, click on the "CIPS" link, select "Docket #" from the CIPS menu, and follow the instructions.

If you are a landowner receiving this notice, you may be contacted by a pipeline company representative about the acquisition of an easement to construct, operate, and maintain the proposed facilities. The pipeline company would seek to negotiate a mutually acceptable agreement. However, if the project is approved by the Commission, that approval conveys with it the right of eminent domain. Therefore, if easement negotiations fail to produce an agreement, the pipeline company could initiate condemnation proceedings in accordance with state law. A fact sheet addressing a number of typically asked questions, including

<sup>1</sup> TriState Pipeline L.L.C.'s applications in Docket Nos. CP99-61-000, CP99-62-000, and CP99-63-000, were filed with the Commission under Section 7 of the Natural Gas Act (NGA) and Parts 157 and 284 of the Commission's regulations. The application in Docket No. CP99-64-000 was filed with the Commission under Section 3 of the NGA and Part 153 of the Commission's regulations.

the use of eminent domain, is attached to this notice as appendix 1.<sup>2</sup>

Additionally, with this notice we are asking a number of Federal agencies (see appendix 2) with jurisdiction and/or special expertise with respect to environmental issues to cooperate with us in the preparation of the EIS. These agencies may choose to participate once they have evaluated the proposal relative to their agencies' responsibilities.

**Summary of the Proposed Project**

TriState Pipeline L.L.C. (TriState) proposes to build new natural gas pipeline and compression facilities to transport 650 thousand decatherms per day (MDth/day) of natural gas from the Chicago Hub near Joliet, Illinois. Of the 650 MDth/day, 200 MDth/day would be delivered to the White Pigeon delivery point in Michigan. The remaining 450 MDth/day would be transported to the Dawn Hub in Ontario, Canada.

TriState requests Commission authorization, in Docket No. CP99-61-000, to construct, lease, and operate the following facilities:

- construct 2.8 miles of new 30-inch-diameter interconnect pipeline for the Alliance Interconnect (1.5 miles) and Northern Border Interconnect (1.3 miles) in Will County, Illinois;
- construct 147.4 miles of new 30-inch-diameter pipeline in Illinois, Indiana, and Michigan extending from Joliet, Illinois in Will County to White Pigeon, Michigan in St. Joseph County. About 32.6 miles would be in Illinois, 108.5 miles would be in Indiana, and 6.3 miles would be in Michigan;
- construct 66.1 miles of 36-inch-diameter pipeline looping the existing Consumers Energy Company (Consumers) and Michigan Gas Storage (MSG) systems in Michigan in three segments: the Branch County Loop (24.1 miles), the Oakland County Loop (23.4 miles), and the Macomb County Loop (18.6 miles);
- construct 11.8 miles of 24-inch-diameter pipeline from Consumers' existing St. Clair Compressor Station in St. Clair, Michigan, to the United States (U.S.)-Canadian International Boundary in the St. Clair River;
- construct one new compressor station (Joliet Compressor Station) with 30,000 horsepower (hp) in Joliet, Illinois and upgrade Consumers' existing St.

<sup>2</sup> The appendices referenced in this notice are not being printed in the **Federal Register**. Copies are available from the Commission's Public Reference and Files Maintenance Branch, 888 First Street, NE, Room 2A, Washington DC 20426, or call (202) 208-1371. Copies of the appendices were sent to all those receiving this notice in the mail.

Clair Compressor Station with 18,570 hp of additional compression;

- construct four new meter/regulating stations including two in Will County, Illinois, one in St. Joseph County, Michigan, and one in the St. Clair County, Michigan;
- construct 22 new mainline and crossover valves; and
- lease 450 MDth/day of firm pipeline capacity on the Consumers and MSG systems between White Pigeon, Michigan and Consumers' existing St. Clair Compressor Station.

The general location of TriState's proposed project facilities is shown in appendix 3.

In addition, TriState requests in Docket No. CP99-64-000 a Presidential Permit to construct, operate, and maintain facilities at the International Border between the U.S.-Canadian International Boundary in the St. Clair River near Marine City, Michigan. TriState's border facilities would connect TriState's proposed U.S. facilities with Canadian facilities owned by TriState's Canadian affiliate, TriState-Canada.

**Land Requirement for Construction**

TriState would construct a total of about 229.0 miles of new pipeline of which about 111.5 miles (49 percent) would be constructed parallel to various existing utility rights-of-way. The remaining 116.6 miles (51 percent) would be constructed on newly created right-of-way that does not parallel existing rights-of-way. Where possible, TriState's right-of-way would overlap the existing rights-of-way as much as possible during construction to minimize impacts. TriState's pipeline would deviate from the existing rights-of-way in selected locations to avoid impact on homes and existing utility structures (meter stations, etc.). The pipeline would also deviate from the existing rights-of-way in selected locations to improve waterbody crossings and for other environmental or engineering reasons.

Construction of the TriState Pipeline Project would affect a total of about 3,000 acres of land including extra workspace and aboveground facilities. Of this total, about 2,764 acres would be disturbed by the construction right-of-way, 210 acres would be disturbed by extra workspace, and 26 acres would be distributed by the aboveground facilities and access roads. All these acreage figures are subject to change.

TriState would generally use a 75- to 100-foot-wide construction right-of-way depending on land use and the need to segregate topsoil. The TriState Pipeline Project would also require extra

temporary work areas for waterbody, highway, and railroad crossings; for additional topsoil storage; and for pipe storage and equipment yards. Following construction and restoration of the right-of-way and temporary work spaces, TriState would retain a 50-foot-wide permanent pipeline right-of-way in Illinois and Indiana and a 60-foot-wide permanent right-of-way in Michigan. Total land requirements for the permanent right-of-way would be about 1,484 acres. The project would also require an additional 19 acres for the operation of the new or modified aboveground facilities. TriState would restore the remaining 1,497 acres of land affected by construction of the project and allow these areas to revert to their former use.

### The EIS Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers that issuance of a Certificate of Public Convenience and Necessity. NEPA also requires us to discover and address concerns the public may have about proposals. We call this "scoping." The main goal of the scoping process is to focus the analysis in the EIS on the important environmental issues. By this Notice of Intent, the Commission requests public comments on the scope of the issues in will address in the EIS. All comments received are considered during the preparation of the EIS. State and local government representatives are encouraged to notify their constituents of this proposed action and encourage them to comment on their areas of concern.

### Currently Identified Environmental Issues

The EIS will discuss impacts that could occur as a result of the construction and operation of the proposed project. We have already identified a number of issues that we think deserve attention based on a preliminary review of the proposed facilities and the environmental information provided by TriState. These issues are listed below. This is a preliminary list of issues and may be changed based on your comments and our analysis.

- Soils
- Temporary and permanent impacts on prime farmland soils.
- Mixing of topsoil and subsoil during construction.
- Compaction of soil by heavy equipment.

- Impacts on drain tiles and irrigation systems.
- Erosion control and right-of-way restoration.
  - Water Resources
- Effect of construction on areas with shallow groundwater.
- Effect of construction on crossings of 95 perennial waterbodies, including 20 coldwater fisheries and one anadromous fishery.
- Crossing of three rivers 100 feet wide or greater.
- Crossing of six waterbodies designated as sensitive/unique of which three are classified as salmonid waters and two are listed as Indiana Outstanding Rivers.
- Effect of construction in waterbodies with contaminated sediments.
- Potential for erosion and sediment transport to the waterbodies.
- Effect of construction on groundwater and surface water supplies.
- Impact on wetland hydrology.
  - Biological Resources
- Short- and long-term effects of right-of-way clearing and maintenance on wetlands, forests, riparian areas, and vegetation communities of special concern.
- Effect on wildlife and fisheries habitats.
- Impact on federally endangered species such as the Indiana bat and on federally threatened species such as the northern copperbelly watersnake.
  - Cultural Resources
- Effect on historic and prehistoric sites.
- Native American concerns.
  - Socioeconomics
- Effect of the construction workforce on demands for services in surrounding areas.
- Impact on property values.
  - Land Use
- Impact on crop production.
- Impact on residential areas.
- Effect on public lands and special use areas including waterbodies on the Indiana Outstanding River List, state scenic trails, a state recreation areas, county parks, city/township private parks and campgrounds, and golf courses.
- Impact on future land uses and consistency with local land use plans and zoning.
- Visual effect of the aboveground facilities on surrounding areas.
  - Air Quality and Noise
- Effect on local air quality and noise environment as a result of construction.
- Effect on local air quality and noise environment as a result of operation of the compressor stations.
  - Pipeline Reliability and Safety

- Cumulative Impact
- Impact of construction combined with that of other projects that have been or may be proposed in the same region and similar time frames.
- Impact of proposed project's influence on the potential for future upstream and downstream facilities.

We will also evaluate possible alternatives to the proposed project or portions of the project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

Our independent analysis of the issues will be in the Draft EIS which will be mailed to Federal, state, and local agencies, public interest groups, affected landowners and other interested individuals, newspapers, libraries, and the Commission's official service list for this proceeding. A 45-day comment period will be allotted for review of the Draft EIS. We will consider all comments on the Draft EIS and revise the document, as necessary, before issuing a Final EIS. The Final EIS will include our response to each comment received on the Draft EIS and will be used by the Commission in its decision-making process to determine whether to approve the project.

### Public Participation and Scoping Meetings

You can make a difference by sending a letter addressing your specific comments or concerns about the project. You should focus on the potential environmental effects of the proposal, alternatives to the proposal (including alternative routes), and measures to avoid or lessen environmental impact. The more specific your comments, the more useful they will be. Please follow the instructions below to ensure that your comments are received and properly recorded:

- send two copies to: David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Room 1A, Washington, D.C. 20426.

- label one copy of the comments for the attention of the Environmental Review and Compliance Branch, PR-11.1;
- reference Docket Nos. CP99-61-000, CP99-62-000, CP99-63-000, and CP99-64-000;
- Mail your comments so that they will be received in Washington, D.C. on or before February 12, 1999.

In addition to or in lieu of sending written comments, we invite you to attend the public scoping meetings the FERC will conduct in the project area. The locations and times for these meetings are listed below.

**Schedule of Public Scoping Meetings for the TriState Pipeline Project Environmental Impact Statement**

- February 8, 1999 7:00 PM—University Park, Illinois, Engbretson Hall, Governors State University, Governors Highway and Stuenkel Rd., (708) 534-4515
- February 9, 1999 7:00 PM—Walkerton, Indiana, Urey Middle School Cafeteria, 407 Washington Street, (219) 586-3184
- February 10, 1999 7:00 PM—Sturgis, Michigan, Sturgis Youth Civic Center, 201 N. Nottawa, (800) 778-7437
- February 11, 1999 7:00 PM—Pontiac, Michigan, Pontiac Northern High School, Little Theater (S. Parking Lot), 1051 Arlene Ave., (248) 857-8460

The public meetings are designed to provide you with more detailed information and another opportunity to offer your comments on the proposed project. TriState representatives will be present at the scoping meetings to describe their proposal. Interested groups and individuals are encouraged to attend the meetings and to present comments on the environmental issues they believe should be addressed in the Draft EIS. A transcript of each meeting will be made so that your comments will be accurately recorded.

On the dates of the meetings, we will also be conducting limited site visits to the project area. Anyone interested in participating in the site visit may contact the Commission's Office of External Affairs identified at the end of this notice for more details and must provide their own transportation.

**Becoming an Intervenor**

In addition to involvement in the EIS scoping process, you may want to become an official party to the proceeding or become an "intervenor." Among other things, intervenors have the right to receive copies of case-related Commission documents and filings by other intervenors. Likewise, each intervenor must provide copies of its filings to all other parties on the Commission's service list for this proceeding. If you want to become an intervenor you must file a motion to intervene according to Rule 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.214) (see appendix 4). Only intervenors have the right to seek rehearing of the Commission's decision.

The date for filing of timely motions to intervene in this proceeding has passed. Therefore, parties now seeking to file late interventions must show

good cause, as required by section 385.214(b)(3), why this time limitation should be waived. Environmental issues have been viewed as good cause for late intervention. You do not need intervenor status to have your environmental comments considered.

**Environmental Mailing List**

This notice is being sent to individuals, organizations, and government entities interested in and/or potentially affected by the proposed project. It is also being sent to all identified potential right-of-way grantors. As details of the project become established, representatives of TriState may also separately contact landowners, communities, and public agencies concerning project matters, including acquisition of permits and rights-of-way

All commenters will be retained on our mailing list. If you do not want to send comments at this time but still want to keep informed and receive copies of the Draft and Final EIS, you must return the Information Request (appendix 5). If you do not send comments or return the Information Request, you will be taken off the mailing list.

Additional information about the proposed project is available from Mr. Paul McKee of the Commission's Office of External Affairs at (202) 208-1088 or on the FERC website ([www.ferc.fed.us](http://www.ferc.fed.us)) using the "RIMS" link to information in this docket number. For assistance with access to RIMS, the RIMS helpline can be reached at (202) 208-2222. Access to the texts of formal documents issued by the Commission with regard to this docket, such as orders and notices, is also available on the FERC website using the "CIPS" link. For assistance with access to CIPS, the CIPS helpline can be reached at (202) 208-2474.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

[FR Doc. 99-787 Filed 1-13-99; 8:45 am]

BILLING CODE 6717-01-M

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

**Notice of Intent To File an Application for a New License**

January 8, 1999.

a. *Type of Filing:* Notice of Intent to File An Application for a New License.

b. *Project No.:* 5334.

c. *Date Filed:* December 21, 1998.

d. *Submitted By:* Charter Township of Ypsilanti—current licensee.

e. *Name of Project:* Ford Lake Hydroelectric Project.

f. *Location:* On the Huron River in the Charter Township of Ypsilanti, in Washtenaw County, Michigan.

g. *Filed Pursuant to:* Section 15 of the Federal Power Act.

h. *Licensee Contact:* Charter Township of Ypsilanti, 7200 S. Huron River Drive, Ypsilanti, MI 48197, Joann Brinker, (734) 484-0065.

i. *FERC Contact:* Any questions on this notice should be addressed to Tom Dean, E-mail address, [thomas.dean@ferc.fed.us](mailto:thomas.dean@ferc.fed.us), or telephone (202) 219-2778.

j. *Effective date of current license:* April 1, 1962.

k. *Expiration date of current license:* September 30, 2003.

l. *Description of the Project:* The project consists of the following existing facilities: (1) a 45-foot-high earth embankment with a 172-foot-long concrete spillway; (2) a 987-acre reservoir at normal pool elevation of 684.6 feet msl; (3) a powerhouse containing two generating units with a total installed capacity of 2,400 kW; (4) an electrical substation; and (5) other appurtenances.

m. Each application for a new license and any competing license applications must be filed with the Commission at least 24 months prior to the expiration of the existing license. All applications for license for this project must be filed by September 30, 2001.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

[FR Doc. 99-786 Filed 1-13-99; 8:45 am]

BILLING CODE 6717-01-M

**ENVIRONMENTAL PROTECTION AGENCY**

[OPPTS-00261; FRL-6050-8]

**Export of Toxic Chemicals; Agency Information Collection Activities**

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that EPA is planning to submit the following Information Collection Request (ICR) to the Office of Management and Budget (OMB) for review and approval. Before submitting the ICR to OMB, EPA is soliciting comments on specific aspects of the information collection described in Unit I. and Unit II. of this document. The ICR is a continuing ICR entitled "TSCA Section 12(b) Notification of