

DEPARTMENT OF ENERGY

Federal Energy Regulatory
Commission

[Docket No. CP99-46-000]

Algonquin Gas Transmission
Company; Notice of Intent to Prepare
an Environmental Assessment for the
Proposed EMI-Tiverton Transportation
Project and Request for Comments on
Environmental Issues

January 19, 1999.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the proposed EMI-Tiverton Transportation Project to deliver natural gas to a gas fired electric generating facility to be constructed near Tiverton, Rhode Island.¹ This project would involve uprating the pipeline pressure of Algonquin's mainline pipeline from 750 to 900 Pounds per Square Inch Gauge (PSIG) Maximum Allowable Operating Pressure (MAOP) between Burrillville, Rhode Island and Mendon, Massachusetts. It would include the replacement of approximately 2.3 miles of various diameter pipeline, the construction of a new meter station at Tiverton, Rhode Island, and the uprating of turbine compressors at the Chaplin Compressor Station in Chaplin, Connecticut. This EA 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). 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.

¹ Algonquin Gas Transmission Company's application was filed with the Commission under Section 7 of the Natural Gas Act and Part 157 of the Commission's regulations.

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 the use of eminent domain, is attached to this notice as appendix 1.²

Summary of the Proposed Project

Algonquin Gas Transmission Company (Algonquin) wants to expand the capacity of its facilities in Rhode Island and Massachusetts to provide up to 46,000 Dekatherms per day (Dth/d) of service to Tiverton Power Associates Limited Partnership's (Tiverton) natural gas-fired electric generation facility being constructed in Tiverton, Rhode Island. Algonquin seeks authorization to:

- Uprate pressure of approximately 20 miles of Algonquin's mainline pipeline from 750 to 900 PSIG MAOP.
- Replace 7,710 feet of 30-inch-diameter pipeline beginning east of Albee Road in Uxbridge, Massachusetts, to west of Hill Street in Millville, Massachusetts (between MP 9.85 and MP 11.31);
- Replacement of 1,520 feet of 30-inch-diameter pipeline between Sherman Road in Burrillville, Rhode Island, and Douglas Pike in Uxbridge, Massachusetts (between milepost [MP] 5.19 and MP 5.48);
- Replace 2,211 feet of the 10-inch-diameter G-13 Pipeline west of Thayer Road in Mendon, Massachusetts (between MP 14.86 and MP 15.28);
- Construct a 8-inch tap, new regulator, approximately 545 feet of 10-inch-diameter tie-in, and meter station on the Tiverton power plant site in Tiverton, Rhode Island.

Uprate the horsepower of two Solar Turbines Incorporated Taurus 70S turbines at the Chaplin Compressor Station in Chaplin, Connecticut, from 6,500 horsepower (hp) to 6,950 hp each;

- Replace numerous short lengths of 30-inch diameter pipeline at: Cemetery Road in Uxbridge, Massachusetts (near MP 5.93); at two crossings of King Street in Uxbridge, Massachusetts (near 5.93 and MP 6.35); at Chester Street in Uxbridge, Massachusetts (near MP 7.94); at Albee Road in Uxbridge, Massachusetts (near MP 9.75); at

²The 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, N.E., Washington, D.C. 20426, or call (202) 208-1371. Copies of the appendices were sent to all those receiving this notice in the mail.

Mendon Street in Blackstone, Massachusetts (near MP 12.25); at Thayer Road in Mendon, Massachusetts (near MP 15.37).

- Install a regulator at Valve 38A-2 (Ocean State Tap) located west of Douglas Pike in Burrillville, Rhode Island (near MP 5.41);
 - Remove and replace Mainline Valve 39-2 located east of Kempton Road in Millville, Massachusetts (near MP 10.41);
 - Install a new mainline regulator valve upstream of the G-1 Tap along the 30-inch-diameter loop west of Thayer Street in Mendon, Massachusetts (near MP 15.28); and
2. The location of the project facilities is shown in appendix.

Land Requirements for Construction

The proposed pipeline replacement sections would require the use of Algonquin's existing rights-of-way and at some locations require an additional 20-foot-wide temporary work space to facilitate construction. The total lands necessary for the project will be approximately 36 acres.

The EA 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 the 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 EA on the important environmental issues. By this Notice of Intent, the Commission requests public comments on the scope of the issues it will address in the EA. All comments received are considered during the preparation of the EA. State and local government representatives are encouraged to notify their constituents of the proposed action and encourage them to comment on their areas of concern.

The EA will discuss impacts that could occur as a result of the construction and operation of the proposed project under these general headings:

- Geology and Soils.
- Water Resources, Fisheries, and Wetlands.
- Vegetation and Wildlife.
- Endangered and Threatened Species.
- Public Safety.
- Land Use.
- Cultural Resources.
- Air Quality and Noise.

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 EA. Depending on the comments received during the scoping process, the EA may be published and mailed to Federal, state, and local agencies, public interest groups, interested individuals, affected landowners, newspapers, libraries, and the Commission's official service list for this proceeding. A comment period will be allotted for review if the EA is published. We will consider all comments on the EA before we make our recommendations to the Commission.

To ensure your comments are considered, please carefully follow the instructions in the public participation section below.

Currently Identified Environmental Issues

We have already identified several issues that we think deserve attention based on a preliminary review of the proposed facilities and the environmental information provided by Algonquin. This preliminary list of issues may be changed based on your comments and our analysis.

- Seven waterbodies and thirteen wetlands would be crossed by the project.
- Approximately 4.0 acres of upland forest would be cleared.
- The new meter station would be constructed within the watershed for Stafford Pond, a Special Resource Protection Water for Rhode Island.

Public Participation

You can make a difference by providing us with your specific comments or concerns about the project. By becoming a commentor, your concerns will be addressed in the EA and considered by the Commission. You should focus on the potential environmental effects of the proposal, alternatives to the proposal (including alternative locations), and measures to avoid or lessen environmental impact. The more specific your comments, the more useful they will be. Please carefully follow these instructions to ensure that your comments are received in time and properly recorded:

- Send two copies of your letter to: David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First St., N.E., Room 1A, Washington, DC 20426;

- Label one copy of the comments for the attention of the Environmental Review and Compliance Branch, PR-11.2.

- Reference Docket No. CP99-46-000; and

- Mail your comments so that they will be received in Washington, DC on or before February 18, 1999.

Becoming an Intervenor

In addition to involvement in the EA scoping process, you may want to become an official party to the proceeding known as an "intervenor". Intervenor play a more formal role in the process. 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 14 copies of its filings to the Secretary of the Commission and must send a copy 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 3). Only intervenors have the right to seek rehearing of the Commission's decision.

The date for filing 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.

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) 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.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP99-151-000]

ANR Pipeline Company; Notice of Application

January 19, 1999.

Take notice that on January 12, 1999, ANR Pipeline Company (ANR), 500 Renaissance Center, Detroit, Michigan 48243, filed in Docket No. CP99-151-000 an application pursuant to Section 7(c) of the Commission's Regulations under the Natural Gas Act for authorization associated with a pipeline replacement project in Porter County, Indiana, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

ANR proposes to use temporary work space and limited additional right-of-way to perform the replacement of 1.63 mile segments of both its 22-inch main line and 30-inch loop line with heavier wall pipe to continue to meet the DOT safety requirements in the affected area of Porter County, Indiana. ANR states that the replacement will not alter the associated pipeline's capacity, and that there will be no interruptions of service as a result of the replacement project because ANR will be able to flow volumes through parallel facilities. It is also stated that the cost of the project including the replacement performed under Section 2.55(b) of the regulations is about \$4,494,000.

Any person desiring to be heard or to make any protest with reference to said application should on or before February 9, 1999, file with the Federal Energy Regulatory Commission, Washington, DC 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 Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of