

OTHER#S RP96-347, 008, NORTHERN NATURAL GAS COMPANY  
 RP96-347, 010, NORTHERN NATURAL GAS COMPANY  
 CAG-14.  
 DOCKET# RP97-258, 005, WILLIAMS NATURAL GAS COMPANY  
 OTHER#S RP97-454, 001, WILLIAMS NATURAL GAS COMPANY  
 CAG-15.  
 OMITTED  
 CAG-16.  
 OMITTED  
 CAG-17.  
 DOCKET# RP96-190, 008, COLORADO INTERSTATE GAS COMPANY  
 CAG-18.  
 DOCKET# RP95-167, 007, INDICATED SHIPPERS V. SEA ROBIN PIPELINE COMPANY  
 CAG-19.  
 DOCKET# RP97-346, 014, EQUITRANS, INC.  
 OTHER#S RP93-187, 015, EQUITRANS, INC.  
 RP98-123, 000, EQUITRANS, L.P.  
 RP98-123, 001, EQUITRANS, L.P.  
 RP98-123, 002, EQUITRANS, L.P.  
 TM97-3-24, 004, EQUITRANS, INC.  
 CAG-20.  
 OMITTED  
 CAG-21.  
 OMITTED  
 CAG-22.  
 DOCKET# RP98-55, 001,  
 TRANSWESTERN PIPELINE COMPANY  
 OTHER#S RP98-55, 002,  
 TRANSWESTERN PIPELINE COMPANY  
 CAG-23.  
 DOCKET# RP97-126, 004, IROQUOIS GAS TRANSMISSION SYSTEM, L.P.  
 CAG-24.  
 DOCKET# RP97-291, 003, PANHANDLE EASTERN PIPE LINE COMPANY  
 OTHER#S RP97-291, 005, PANHANDLE EASTERN PIPE LINE COMPANY  
 CAG-25.  
 DOCKET# RP96-345, 002, TENNESSEE GAS PIPELINE COMPANY  
 CAG-26.  
 DOCKET# IN97-1, 000, QUESTAR PIPELINE COMPANY  
 CAG-27.  
 DOCKET# RP97-320, 000, JOINT PARTIES V. NORTHWEST PIPELINE CORPORATION  
 CAG-28.  
 DOCKET# RP98-39, 002, NORTHERN NATURAL GAS COMPANY  
 OTHER#S RP98-38, 001, NATURAL GAS PIPELINE COMPANY OF AMERICA  
 RP98-40, 002, PANHANDLE EASTERN PIPE LINE COMPANY  
 RP98-42, 001, ANR PIPELINE COMPANY  
 RP98-43, 001, ANADARKO GATHERING COMPANY  
 RP98-44, 001, EL PASO NATURAL GAS COMPANY  
 RP98-52, 002, WILLIAMS NATURAL GAS COMPANY  
 RP98-53, 002, KN INTERSTATE GAS TRANSMISSION COMPANY  
 RP98-54, 002, COLORADO INTERSTATE GAS COMPANY  
 CAG-29.

DOCKET# GP97-7, 000, PLAINS PETROLEUM COMPANY AND PLAINS PETROLEUM OPERATING COMPANY  
 CAG-30.  
 DOCKET# GP91-8, 008, JACK J. GRYNBERG, ET AL. V. ROCKY MOUNTAIN NATURAL GAS COMPANY, A DIVISION OF K N ENERGY, INC.  
 OTHER#S GP91-10, 008, ROCKY MOUNTAIN NATURAL GAS COMPANY V. JACK J. GRYNBERG, ET AL.  
 CAG-31.  
 DOCKET# GP97-1, 002, ROCKY MOUNTAIN NATURAL GAS COMPANY  
 CAG-32.  
 DOCKET# CP96-342, 001, NORAM GAS TRANSMISSION COMPANY  
 CAG-33.  
 DOCKET# CP97-26, 001, TRUNKLINE LNG COMPANY  
 CAG-34.  
 DOCKET# CP97-156, 001, HOPKINTON LNG CORP.  
 CAG-35.  
 DOCKET# CP98-74, 000, ANR PIPELINE COMPANY V. TRANSCONTINENTAL GAS PIPE LINE CORPORATION  
 CAG-36.  
 DOCKET# CP97-350, 000, COPANO FIELD SERVICES/COPANO BAY, L.P.  
 OTHER#S CP97-362, 000, FLORIDA GAS TRANSMISSION COMPANY  
 CP97-362, 001, FLORIDA GAS TRANSMISSION COMPANY  
 CAG-37.  
 DOCKET# CP97-279, 002, WARREN TRANSPORTATION, INC.  
 OTHER#S CP97-280, 001, WARREN TRANSPORTATION, INC.  
 CP97-281, 001, WARREN TRANSPORTATION, INC.  
 CAG-38.  
 DOCKET# CP98-150, 000, MILLENNIUM PIPELINE COMPANY, L.P.  
 OTHER#S CP98-154, 000, MILLENNIUM PIPELINE COMPANY, L.P.  
 CP98-155, 000, MILLENNIUM PIPELINE COMPANY, L.P.  
 CP98-156, 000, MILLENNIUM PIPELINE COMPANY, L.P.

#### HYDRO AGENDA

H-1.  
 RESERVED

#### ELECTRIC AGENDA

E-1.  
 RESERVED

#### OIL AND GAS AGENDA

I.  
 PIPELINE RATE MATTERS  
 PR-1.  
 RESERVED

II.  
 PIPELINE CERTIFICATE MATTERS  
 PC-1.  
 RESERVED

**David P. Boergers,**

*Acting Secretary.*

[FR Doc. 98-4686 Filed 2-19-98; 2:38 pm]

BILLING CODE 6717-01-P

#### ENVIRONMENTAL PROTECTION AGENCY

[FRL-5970-3]

#### California State Motor Vehicles Pollution Control Standards; Opportunity for Public Hearing

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

**ACTION:** Notice of opportunity for public hearing and public comment period.

**SUMMARY:** The California Air Resources Board (CARB) has notified EPA that it has promulgated regulations related to onboard refueling vapor recovery (ORVR) standards and testing procedures, and amendments to the California evaporative emission test procedures. By letter dated, July 22, 1997, California requested EPA to grant a waiver of Federal preemption for the ORVR regulations and to confirm that the evaporative emission test procedure amendments fall within the scope of a currently pending section 209(b) waiver request, pursuant to section 209(b) of the Clean Air Act (Act), 42 U.S.C. 7543(b). This notice announces that EPA has tentatively scheduled a public hearing for March 18, 1998, to consider CARB's request and to hear comments from the general public concerning CARB's request.

**DATES:** EPA has tentatively scheduled a public hearing for March 18, 1998 beginning at 1:00 p.m. Any person who wishes to testify on the record at the hearing must notify EPA by March 9, 1998 that it wishes to present oral testimony regarding CARB's requests. If EPA receives one or more requests to testify on the pending request, a hearing will be held. If no one notifies EPA that they wish to testify, no hearing will be held. By March 11, 1998 any person who plans to attend the hearing should call Mr. David Dickinson of EPA's Vehicle Programs and Compliance Division at (202) 564-9256 to determine if a hearing will be held. Regardless of whether or not a hearing is held, any party may submit written comments regarding CARB's request and will be accepted through April 16, 1998.

**ADDRESSES:** If EPA receives a request for a public hearing, EPA will hold the public hearing announced in this notice in the first floor conference room at 501 3rd Street, NW., Washington, D.C. Parties wishing to present oral testimony at the public hearing should provide written notice to Mr. Dickinson, Group Manager, Vehicles Programs and Compliance Division, 401 M St., S.W. (6405J), Washington, DC 20460. In addition, written comments regarding

the waiver request should be sent, in duplicate, to Mr. Dickinson at the address noted above. Copies of material relevant to the waiver request (Docket No. A-97-38) will be available for public inspection during the working hours of 8:00 a.m. to 5:30 p.m. Monday through Friday, at the U.S.

Environmental Protection Agency, Air and Radiation Docket and Information Center, Room M1500, First Floor Waterside Mall, 401 M St., S.W., Washington, DC 20460, Telephone: (202) 260-7548.

**FOR FURTHER INFORMATION CONTACT:** Mr. David Dickinson, Group Manager, Vehicles Programs and Compliance Division, U.S. Environmental Protection Agency, 401 M St., S.W. (6405J), Washington, DC 20460. Telephone: (202) 564-9256. E-Mail address: Dickinson.David@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:**

**I. Background and Discussion**

Section 209(a) of the Act as amended, 42 U.S.C. 7543(a), provides in part: "No State or any political subdivision thereof shall adopt or attempt to enforce any standard relating to the control of emissions from new motor vehicles or new motor vehicle engines subject to this part \* \* \* [or] require certification, inspection, or any other approval relating to the control of emissions \* \* \* as condition precedent to the initial retail sale, titling (if any), or registration of such motor vehicle, motor vehicle engine, or equipment."

The State of California may be exempted from the prohibitions of section 209(a) of the Act. Section 209(b) of the Act provides in part that the Administrator shall, after notice and opportunity for public hearing, waive application of the prohibitions of section 209(a) for California "if the State determines that the State standards will be, in the aggregate, at least as protective of public health and welfare as applicable Federal standards. No such waiver shall be granted if the Administrator finds that—(A) the determination of the State is arbitrary and capricious, (B) [California] does not need such \* \* \* standards to meet compelling and extraordinary conditions, or (C) [its] standards and accompanying enforcement procedures are not consistent with section 202(a) of (the Act)."

As previous decisions granting waivers of federal preemption have explained, State standards are inconsistent with section 202(a) if there is inadequate lead time to permit the development of the necessary technology given the cost of compliance

within that time period or if the Federal and State test procedures impose inconsistent certification requirements.

With regard to enforcement procedures accompanying standards, I must grant the requested waiver unless I find that these procedures may cause the California standards, in the aggregate, to be less protective of public health and welfare than the applicable Federal standards promulgated pursuant to section 202(a), or unless the California and Federal certification test procedures are inconsistent.

Once California has been granted a waiver of the application of the prohibitions of section 209(a) for its standards and accompanying enforcement procedures for a class of vehicles, it may adopt other conditions precedent to initial retail sale, titling or registration of the subject class of vehicles without the necessity of receiving further waiver of Federal preemption.

By letter dated July 22, 1997, CARB submitted to EPA a request for waiver of Federal preemption for its regulations that set forth onboard refueling vapor recovery (ORVR) standards and test procedures. In addition, CARB requested EPA to confirm that amendments to CARB's evaporative emission test procedures fall within the scope of a pending waiver request before EPA.

The ORVR requirements adopted by CARB are nearly identical to the Federal ORVR standards and test procedures. EPA published its final ORVR rule on April 6, 1994 (59 FR 16296), and both the CARB and EPA emission standard is the same—0.20 grams hydrocarbon (Organic Material Hydrocarbon Equivalent, or OMHCE, for alcohol fuels) per gallon of fuel dispensed. Both CARB and EPA ORVR regulations apply to all gasoline-, diesel-, and alcohol-fueled vehicles in the California vehicle classes of passenger cars, light-duty trucks, and medium-duty vehicles with a gross vehicle weight rating (GVWR) of 8,500 lbs. or less. CARB's regulation incorporates the federal preconditioning and sequencing provisions for integrated and non-integrated ORVR systems. The state regulation also incorporates the federal refueling steps that are common to both integrated and non-integrated systems: (a) Disconnect the vapor line from the fuel tank to the canister, (b) drain the fuel tank, (c) refuel with test fuel to 10 percent of the nominal tank capacity, (d) soak the vehicle for six to 24 hours at 80°F (±3°F), (e) reconnect the vapor line, and (f) refuel the vehicle with test fuel at a rate of 9.8 (±0.3) gallons per minute at 67°F (±1.5°F) in a sealed enclosure

while measuring emissions (fueling is terminated at automatic shut-off after at least 85 percent of the nominal tank capacity has been dispensed). In addition CARB's ORVR regulations incorporate by reference the federal test procedures for ORVR, with some variances associated with fuel specifications for methanol, ethanol, liquefied petroleum, gas (LPG) and natural gas, and that a provision on preconditioning hybrid electric vehicles has been added. CARB's ORVR regulations also require manufacturers to meet the same ORVR phase-in schedule as that adopted by EPA. As noted above EPA published its final ORVR rule on April 6, 1994, which includes standards and test procedures for determining compliance with the standards. (59 FR 16296.) The federal and CARB ORVR compliance schedule requires that 40 percent of a manufacturer's 1998 model-year passenger cars be certified to the ORVR standard, followed by 80 percent in the 1999 model year and 100 percent in the 2000 model year. The same three-year implementation schedule applies to light-duty trucks starting with the 2001 model year, and applies to medium-duty vehicles of 6,001–8,500 lbs. GVWR starting with the 2004 model year. Passenger cars produced by small volume manufacturers are not subject to the ORVR requirements until the 2000 model year, when 100 percent compliance is required.

CARB's adopted amendments to the enhanced evaporative emission test procedures fall into two categories. First, in order to facilitate the testing of vehicles with ORVR systems, CARB's amendments allow for the preconditioning of integrated and non-integrated evaporative/refueling canisters. Second, the amendments further align California test procedures with the federal test procedures.

California states in its July 22, 1997 letter, that it has determined that its ORVR standards and test procedures are, in the aggregate, at least as protective of the public health and welfare as the applicable federal standards. Further, California states that it continues to need separate standards to meet compelling and extraordinary conditions. Finally, California states that its amendments are consistent with section 202(a) of the Act. With regard to amendments to its evaporative emission test procedures to which CARB seeks a within the scope determination, California states nothing within its amendments undermines prior protectiveness determinations and that its requirements continues to be consistent with section 202(a) of the

Act. Finally, CARB states that it is not aware of any new issues raised by the amendments which would affect the pending evaporative emission waiver request pending before EPA.

California's request, with regard to the ORVR standards and test procedures, will be considered according to the procedures for a waiver determination, thus an opportunity for a public hearing is being provided. Any party wishing to present testimony at the hearing and/or to submit written comments should address the following issues:

(1) Whether California's determination that its standards are at least as protective of public health and welfare as applicable Federal standards is arbitrary and capricious;

(2) Whether California needs separate standards to meet compelling and extraordinary conditions; and,

(3) Whether California's standards and accompanying enforcement procedures are consistent with section 202(a) of the Act.

California's request, with regard to the amendments to the evaporative emission test procedures, will be considered by EPA as a within the scope request. Thus, EPA plans to review whether CARB's amendments have undermined its protectiveness determination or whether CARB's amendments have caused its evaporative emission standards and test procedures to be inconsistent with section 202(a) or has raised any new issues with regard the previous waiver granted by EPA for such standards or test procedures. EPA is currently reviewing a request for waiver of federal preemption for California's evaporative emission standards and test procedures for the 1996-1998 model years. EPA plans to issue its waiver decision with regard to CARB's pending waiver request (see EPA Air Docket A-95-39, 60 FR 9185 (February 28, 1997)) and shall either include its review of CARB's recently adopted amendments within such decision or EPA shall include such review with the waiver decision associated with the present ORVR waiver request. Any party wishing to present testimony at the hearing and/or to submit written comments on CARB's amendments to evaporative emission test procedures should address the same criteria as that for the ORVR waiver request noted above and may also comment on the appropriate location (within the waiver decision that EPA will issue for the ORVR waiver request or the waiver decision associated with CARB's pending evaporative emission standards and test procedure waiver request) for EPA's review of CARB's amendments.

## II. Procedures for Public Participation

Any party desiring to make an oral statement on the record should submit ten (10) copies, if feasible, of its proposed testimony and other relevant material to Mr. Dickinson of EPA's Vehicles Programs and Compliance Division at the address listed above not later than March 11, 1998. In addition, the party should submit 25 copies, if feasible, of the planned statement to the presiding officer at the time of the hearing.

In recognition that a public hearing is designed to give interested parties an opportunity to participate in this proceeding, there are no adverse parties as such. Statements by participants will not be subject to cross-examination by other participants without special approval by the presiding officer. The presiding officer is authorized to strike from the record statements which he or she deems irrelevant or repetitious and to impose reasonable limits on the duration of the statement of any participant.

If a hearing is held, the Agency will make a verbatim record of the proceedings. Interested parties may arrange with the reporter at the hearing to obtain a copy of the transcript at their own expense. Regardless of whether a public hearing is held, EPA will keep the record open until April 16, 1998. Upon expiration of the comment period, the Administrator will render a decision on CARB's request based on the record of the public hearing, if any, relevant written submissions and other information which she deems pertinent.

Persons with comments containing proprietary information must distinguish such information from other comments to the greatest possible extent and label it as "Confidential Business Information" (CBI). If a person making comments wants EPA to base its waiver decision in part on a submission labeled as CBI, then a nonconfidential version of the document which summarizes the key data or information should be submitted for the public docket. To ensure that proprietary information is not inadvertently placed in the docket, submissions containing such information should be sent directly to the contact person listed above and not to the public docket. Information covered by a claim of confidentiality will be disclosed by EPA only to the extent allowed and by the procedures set forth in 40 CFR part 2. If no claim of confidentiality accompanies the submission when it is received by EPA, it may be made available to the public without further notice to the person making comments.

Dated: February 18, 1998.

**Richard D. Wilson,**

*Acting Assistant Administrator for Air and Radiation.*

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## ENVIRONMENTAL PROTECTION AGENCY

[OPPTS-140265; FRL-5771-5]

### Access to Confidential Business Information by Chemical Abstract Services

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

**ACTION:** Notice.

**SUMMARY:** EPA has authorized its contractor, Chemical Abstract Services (CAS) and its subcontractor, TMC MICROIMAGE (TMC), both of Columbus, Ohio, access to information which has been submitted to EPA under sections 5 and 8(b) of the Toxic Substances Control Act (TSCA). Some of the information may be claimed or determined to be confidential business information (CBI).

**DATES:** Access to the confidential data submitted to EPA will occur no sooner than March 6, 1998.

**FOR FURTHER INFORMATION CONTACT:** Susan B. Hazen, Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. E-545, 401 M St., SW., Washington, DC 20460, (202) 554-1404, TDD: (202) 554-0551; e-mail: TSCA-Hotline@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** Under contract number 68-W5-0015, contractor CAS, of 2540 Olentangy River Road, and its subcontractor TMC MICROIMAGE, of 2709 Sawbury Boulevard, Columbus, OH, will assist the Office of Pollution Prevention and Toxics (OPPTS) in microfilming and processing of TSCA CBI materials.

In accordance with 40 CFR 2.306(j), EPA has determined that under EPA contract number 68-W5-0015, CAS and TMC will require access to CBI submitted to EPA under sections 5 and 8(b) of TSCA to perform successfully the duties specified under the contract (microfilming and providing a permanent storage medium for the confidential data). CAS and TMC personnel will be given access to information submitted to EPA under sections 5 and 8(b) of TSCA. Some of the information may be claimed or determined to be CBI.