

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Docket No. RP00-549-001]

**U-T Offshore System, L.L.C. Notice of Compliance Filing**

October 18, 2000.

Take notice that on October 13, 2000, U-T Offshore System, L.L.C. (UTOS), tendered for filing as part of its FERC Gas Tariff, Fourth Revised Volume No. 1, Substitute Second Revised Sheet No. 78. UTOS requests that this sheet be made effective October 1, 2000.

UTOS states that the tendered sheet is being filed in compliance with the Commission's October 4 Letter Order issued in Docket No. RP00-549-000.

Any person desiring to protest said filing should file a protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Section 385.211 of the Commission's Rules and Regulations. All such protests must be filed in accordance with Section 154.210 of the Commission's Regulations. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants 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. This filing may be viewed on the web at <http://www.ferc.fed.us/online/rims.htm> (call 202-208-2222 for assistance).

David P. Boergers,

Secretary.

[FR Doc. 00-27264 Filed 10-23-00; 8:45 am]

BILLING CODE 6717-01-M

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Docket No. RP01-47-000]

**Viking Gas Transmission Company; Notice of Filing of Request for Exemption**

October 18, 2000.

Take notice that on October 13, 2000, Viking Gas Transmission Company (Viking), tendered for filing a request for exemption from Order No. 587-L, Standards for Business Practices of Interstate Natural Gas Pipelines, FERC Regulations, Preambles 31,100 (2000) in compliance with the Commission's September 28, 2000 "Order Granting

Clarification" issued in Docket No. RM96-1-016.

Viking states that copies of this filing have been served on all Viking's jurisdictional customers and to affect state regulatory commissions.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Section 385.214 or 385.211 of the Commission's Rules and Regulations. All such motions or protests must be filed on or before October 25, 2000 considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room. This filing may be viewed on the web at <http://www.ferc.fed.us/online/rims.htm> (call 202-208-2222 for assistance).

David P. Boergers,

Secretary.

[FR Doc. 00-27272 Filed 10-23-00; 8:45 am]

BILLING CODE 6717-01-M

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-6890-7]

**Clean Water Act Class II: Proposed Administrative Settlement, Penalty Assessment and Opportunity To Comment Regarding AT&T Broadband, LLC**

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

**SUMMARY:** EPA has entered into a consent agreement with AT&T Broadband, LLC to resolve violations of the Clean Water Act ("CWA"), and its implementing regulations. AT&T Broadband, LLC failed to prepare Spill Prevention Control and Countermeasure ("SPCC") plans for eight facilities where they stored diesel oil in above ground tanks. EPA, as authorized by CWA section 311(b)(6), 33 U.S.C. 1321(b)(6), has assessed a civil penalty for these violations. The Administrator, as required by CWA section 311(b)(6)(C), 33 U.S.C. 1321(b)(6)(C), is hereby providing public notice of, and an opportunity for interested persons to comment on, this consent agreement and proposed final order.

**DATES:** Comments are due on or before November 24, 2000.

**ADDRESSES:** Mail written comments to the Enforcement & Compliance Docket and Information Center (2201A), Docket Number EC-2000-012, Office of Enforcement and Compliance Assurance, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Mail Code 2201A, Washington, DC 20460. (Comments may be submitted on disk in WordPerfect 8.0 or earlier versions.) Written comments may be delivered in person to: Enforcement and Compliance Docket Information Center, U.S. Environmental Protection Agency, Rm. 4033, Ariel Rios Bldg., 1200 Pennsylvania Avenue, NW., Washington, DC. Submit comments electronically to [docket.oeca@epa.gov](mailto:docket.oeca@epa.gov). Electronic comments may be filed online at many Federal Depository Libraries.

The consent agreement, the proposed final order, and public comments, if any, may be reviewed at the Enforcement and Compliance Docket Information Center, U.S. Environmental Protection Agency, Rm. 4033, Ariel Rios Bldg., 1200 Pennsylvania Avenue, NW., Washington, DC. Persons interested in reviewing these materials must make arrangements in advance by calling the docket clerk at 202-564-2614. A reasonable fee may be charged by EPA for copying docket materials.

**FOR FURTHER INFORMATION CONTACT:**

Philip Milton, Multimedia Enforcement Division (2248-A), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; telephone (202) 564-5029; fax: (202) 564-0010; e-mail: [milton.philip@epa.gov](mailto:milton.philip@epa.gov).

**SUPPLEMENTARY INFORMATION:** *Electronic Copies:* Electronic copies of this document are available from the EPA Home Page under the link "Laws and Regulations" at the Federal Register—Environmental Documents entry (<http://www.epa.gov/fedrgrstr>).

**I. Background**

AT&T Broadband, LLC, a telecommunications company incorporated in the State of Delaware and located at 188 Inverness Drive West, Englewood, Colorado 80112-5211 failed to prepare SPCC plans for eight facilities. AT&T Broadband, LLC disclosed, pursuant to the EPA "Incentives for Self-Policing: Discovery, Disclosures, Correction and Prevention of Violations" ("Audit Policy"), 60 FR 66706 (December 22, 1995), that they failed to prepare SPCC plans for eight facilities where they stored diesel oil in above ground storage tanks, in violation

of the CWA section 311(b)(3) and 40 CFR part 112. EPA determined that AT&T Broadband, LLC met the criteria set out in the Audit Policy for a 100% waiver of the gravity component of the penalty. As a result, EPA waived the gravity based penalty (\$80,437) and proposed a settlement penalty amount of sixteen thousand, four hundred and ninety-five dollars (\$16,495). This is the amount of the economic benefit gained by AT&T Broadband, LLC, attributable to their delayed compliance with the SPCC regulations. AT&T Broadband, LLC has agreed to pay this amount in civil penalties. EPA and AT&T Broadband, LLC negotiated and signed an administrative consent agreement, following the Consolidated Rules of Procedure, 40 CFR 22.13, on October 18, 2000 (*In Re: AT&T Broadband, LLC*, Docket No. MM-HQ-2001-0001). This consent agreement is subject to public notice and comment under CWA section 311(b)(6), 33 U.S.C. 1321(b)(6).

Under CWA section 311(b)(6)(A), 33 U.S.C. 1321 (b)(6)(A), any owner, operator, or person in charge of a vessel, onshore facility, or offshore facility from which oil is discharged in violation of the CWA section 311 (b)(3), 33 U.S.C. 1321 (b)(3), or who fails or refuses to comply with any regulations that have been issued under CWA section 311(j), 33 U.S.C. 1321(j), may be assessed an administrative civil penalty of up to \$137,500 by EPA. Class II proceedings under CWA section 311(b)(6) are conducted in accordance with 40 CFR part 22.

The procedures by which the public may comment on a proposed Class II penalty order, or participate in a Clean Water Act Class II penalty proceeding, are set forth in 40 CFR 22.45. The deadline for submitting public comment on this proposed final order is November 24, 2000. All comments will be transferred to the Environmental Appeals Board ("EAB") of EPA for consideration. The powers and duties of the EAB are outlined in 40 CFR 22.04(a).

Pursuant to CWA section 311(b)(6)(C), EPA will not issue an order in this proceeding prior to the close of the public comment period.

Dated: October 18, 2000.

**David A. Nielsen,**

Director, Multimedia Enforcement Division,  
Office of Enforcement and Compliance Assurance.

[FR Doc. 00-27256 Filed 10-23-00; 8:45 am]

BILLING CODE 6560-50-U

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6890-6]

### Clean Water Act Class II: Proposed Administrative Settlement, Penalty Assessment and Opportunity To Comment Regarding Qwest Communications International, Inc., et al.

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

**ACTION:** Notice.

**SUMMARY:** EPA has entered into a consent agreement with Qwest Communications International, Inc., et al. to resolve violations of the Clean Water Act ("CWA"), and its implementing regulations. Qwest failed to prepare Spill Prevention Control and Countermeasure ("SPCC") plans for thirty-five facilities where they stored diesel oil in above ground tanks. EPA, as authorized by CWA section 311(b)(6), 33 U.S.C. 1321(b)(6), has assessed a civil penalty for these violations. The Administrator, as required by CWA section 311(b)(6)(C), 33 U.S.C. 1321(b)(6)(C), is hereby providing public notice of, and an opportunity for interested persons to comment on, this consent agreement and proposed final order.

**DATES:** Comments are due on or before November 24, 2000.

**ADDRESSES:** Mail written comments to the Enforcement & Compliance Docket and Information Center (2201A), Docket Number EC-2000-010, Office of Enforcement and Compliance Assurance, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Mail Code 2201A, Washington, DC 20460. (Comments may be submitted on disk in WordPerfect 8.0 or earlier versions.) Written comments may be delivered in person to: Enforcement and Compliance Docket Information Center, U.S. Environmental Protection Agency, Rm. 4033, Ariel Rios Bldg., 1200 Pennsylvania Avenue, NW., Washington, DC. Submit comments electronically to [doCKET.oeca@epa.gov](mailto:doCKET.oeca@epa.gov). Electronic comments may be filed online at many Federal Depository Libraries.

The consent agreement, the proposed final order, and public comments, if any, may be reviewed at the Enforcement and Compliance Docket Information Center, U.S. Environmental Protection Agency, Rm. 4033, Ariel Rios Bldg., 1200 Pennsylvania Avenue, NW., Washington, DC. Persons interested in reviewing these materials must make arrangements in advance by calling the

docket clerk at 202-564-2614. A reasonable fee may be charged by EPA for copying docket materials.

**FOR FURTHER INFORMATION CONTACT:** Beth Cavalier, Multimedia Enforcement Division (2248-A), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; telephone (202) 564-3271; fax: (202) 564-9001; e-mail: [cavalier.beth@epa.gov](mailto:cavalier.beth@epa.gov).

#### SUPPLEMENTARY INFORMATION:

*Electronic Copies:* Electronic copies of this document are available from the EPA Home Page under the link "Laws and Regulations" at the **Federal Register**—Environmental Documents entry (<http://www.epa.gov/fedrgrstr>).

#### I. Background

Qwest Communications International, Inc., a telecommunications company incorporated in the State of Delaware and located at 700 Qwest Tower, 555 Seventeenth Street, Denver, Colorado, 80202 failed to prepare SPCC plans for thirty-five facilities. Qwest Communications International, Inc. disclosed, pursuant to the EPA "Incentives for Self-Policing: Discovery, Disclosures, Correction and Prevention of Violations" ("Audit Policy"), 60 FR 66706 (December 22, 1995), that they failed to prepare SPCC plans for thirty-five facilities where they stored diesel oil in above ground storage tanks, in violation of the CWA section 311(b)(3) and 40 CFR part 112. EPA determined that Qwest met the criteria set out in the Audit Policy for a 100% waiver of the gravity component of the penalty. As a result, EPA waived the gravity based penalty (\$146,175.00) and proposed a settlement penalty amount of sixteen thousand, four hundred and eighty-four (\$16,484.00). This is the amount of the economic benefit gained by Qwest, attributable to their delayed compliance with the SPCC regulations. Qwest Communications International, Inc. has agreed to pay this amount in civil penalties. EPA and Qwest negotiated and signed an administrative consent agreement, following the Consolidated Rules of Procedure, 40 CFR 22.13, on October 18, 2000 (*In Re: Qwest Communications International, Inc. et al.*, Docket No. MM-HQ-2001-002). This consent agreement is subject to public notice and comment under CWA section 311(b)(6), 33 U.S.C. 1321(b)(6).

Under CWA section 311(b)(6)(A), 33 U.S.C. 1321(b)(6)(A), any owner, operator, or person in charge of a vessel, onshore facility, or offshore facility from which oil is discharged in violation of the CWA section 311(b)(3), 33 U.S.C. 1321(b)(3), or who fails or refuses to