

US EPA ARCHIVE DOCUMENT

schedule for his approval on or before January 30, 1991.

Any party, as defined 18 CFR 385.102(c), or any participant, as defined by 18 CFR 385.102(c), is invited to attend. Persons to become a party must move to intervene and receive intervenor status pursuant to the Commission's regulation. See 18 CFR 385.214 (1990).

For additional information, please contact Warrent C. Wood at (202) 208-2091 or Sandra J. Delude at (202) 208-2161.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 90-30550 Filed 12-31-90; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. FA88-33-001]

#### Wisconsin Public Service Corp.; Filing

December 24, 1990.

Take notice that on October 29, 1990, Wisconsin Public Service Corporation (Wisconsin) tendered for filing its refund report in the above-referenced docket.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, in accordance with rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before January 7, 1991. 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 proceeding. 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.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 90-30552 Filed 12-31-90; 8:45 am]

BILLING CODE 6717-01-M

#### ENVIRONMENTAL PROTECTION AGENCY

[FRL-3895-3]

#### Water Pollution Control; Final Determination of the Assistant Administrator for Water Pursuant to Section 404(c) of the Clean Water Act Concerning the Two Forks Water Supply Impoundments in Jefferson and Douglas Counties, CO

AGENCY: Environmental Protection Agency (EPA).

**ACTION:** Notice of decision to prohibit the designation of waters of the United States on the South Platte River in Jefferson and Douglas Counties, Colorado, as a discharge site for the placement of dredged or fill material.

**SUMMARY:** This is notice of EPA's Final Determination pursuant to section 404(c) of the Clean Water Act to prohibit the designation of waters of the United States, the South Platte River in Jefferson and Douglas Counties, Colorado, as a discharge site for the placement of dredged or fill material. EPA's determination is based upon a finding that the placement of dredged or fill material associated with implementation of the 1.1 million acre-foot Two Forks proposal, the 400,000 acre-foot Two Forks project and the 450,000 acre-foot corrective action proposal would result in unacceptable adverse impacts to fishery and recreational areas.

**EFFECTIVE DATE:** The effective date of the final determination is November 23, 1990.

**FOR FURTHER INFORMATION CONTACT:** William S. Garvey, Office of Wetlands Protection (A-104F) U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460 (202) 475-7799.

Copies of EPA's Final Determination are available for inspection in the EPA Headquarters Public Information Reference Unit, EPA Library, room M2904, 401 M Street SW., Washington DC 20460 and the EPA Region VIII Library, U.S. EPA Region 8, 999 18th Street, Denver Place, Denver, Colorado 80202-2405.

**SUPPLEMENTARY INFORMATION:** Section 404(c) of the Clean Water Act (33 U.S.C. 1251 *et seq.*) provides that, if the Administrator of the U.S. Environmental Protection Agency (EPA) determines, after notice and opportunity for public comment, that an unacceptable adverse effect on municipal water supplies, shellfish beds, and fishery areas (including spawning and breeding areas), wildlife, or recreational areas would result from the discharge of dredged or fill material, he may exercise his authority to withdraw or prohibit the specification, or deny, restrict or withdraw the use for specification, of any defined area as a disposal site for dredged or fill material. Before making such a determination, the Administrator must consult with the Chief of the Army Corps of Engineers (Corps), the property owner(s), and the applicant where there has been an application for a section 404 permit. The procedures for implementation of section 404(c) are set

forth in the Code of Federal Regulations, 40 CFR 231.

EPA's regulations for implementing section 404(c) establish procedures to be followed in exercising the Administrator's authority pursuant to that section. Three major milestones in the process are: (1) The Regional Administrator's proposed decision to withdraw, deny, restrict or prohibit the use of a site (Proposed Determination); (2) the Regional Administrator's recommendation to the Administrator to withdraw, deny, restrict or prohibit the use of a site (Recommended Determination); and (3) the Administrator's final decision to affirm, modify, or rescind the Regional recommendation (Final Determination). The Administrator has delegated the authority to make final decisions under section 404(c) to the Assistant Administrator for Water, who is EPA's national Clean Water Act section 404 program manager.

EPA's Final Determination concerns the proposed placement of dredged or fill material for the purpose of creating a dam and reservoir on the South Platte River approximately one mile downstream from the confluence of the mainstem of the South Platte with the North Fork of the South Platte.

On March 26, 1990 the EPA Region VIII Regional Decision Officer recommended prohibition of specification of the disposal site necessary for construction of any dam, lake or reservoir in the subject waters. The recommendation was based upon the Regional Decision Officer's finding that the discharge of materials in connection with the 1.1 million acre-foot Two Forks proposal and the 400,000 acre-foot project would have an unacceptable adverse effect on wildlife, fishery, and recreational areas.

EPA's Final Determination is based on consideration of the record developed in this case, including public comment submitted in response to the Regional Proposed Determination, comment received at the public hearing and comments from other Federal and State agencies. This final Determination also reflects comment and information received during EPA Headquarters' consultation pursuant to § 231.6 of the Clean Water Act section 404(c) regulations.

EPA's Final Determination concludes that the discharge of dredged or fill material associated with the proposed 1.1 million acre-foot Two Forks dam and water supply reservoir in the South Platte River in Jefferson and Douglas Counties, Colorado, as well as the 400,000 acre-foot project and 450,000

acre-foot corrective action proposal, would result in unacceptable adverse effects on fishery areas and recreational areas. This conclusion that the subject projects would have unacceptable adverse effects on fishery and recreational areas is based upon two independent grounds. First, EPA finds that the effects are unacceptable in light of the significant loss of or damage to these resources that would occur as a result of the subject projects, which loss and damage is avoidable because practicable, less environmentally damaging alternatives are available. Second, EPA has concluded that even if no less damaging practicable alternatives were available, the significance of the damage to fishery and recreation areas caused by the projects, even after consideration of the proposed mitigation, would be so great that they would constitute an unacceptable adverse effect under section 404(c). Based on these findings, the Final Determination prohibits, pursuant to section 404(c) of the Clean Water Act, the specification of the subject waters of the United States within the South Platte River as a discharge site for dredged or fill material for the purpose of creating any reservoir or impoundment as described in the two Forks 1.1 million AF proposal, 100,000 acre-foot project and the proposed 450,000 acre-foot corrective action.

This Final Determination does not pertain to other types of filling activities. Other proposals involving the discharge of dredged or fill material in the waters of the United States at issue will be evaluated on their merits within the Corps of Engineers' section 404 regulatory program.

Dated: December 20, 1990.

Marjua S. Wilcher,

Assistant Administrator for Water.

[FR Doc. 90-30601 Filed 12-31-90; 8:45 am]

BILLING CODE 6560-50-M

## FEDERAL MARITIME COMMISSION

### Agreement(s) Filed

The Federal Maritime Commission hereby gives notice of the filing of the following agreement(s) pursuant to section 5 of the Shipping Act of 1984.

Interested parties may inspect and obtain a copy of each agreement at the Washington, DC Office of the Federal Maritime Commission, 1100 L Street, N.W., room 10325. Interested parties may submit comments on each agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573,

within 10 days after the date of the **Federal Register** in which this notice appears. The requirements for comments are found in § 572.603 of title 46 of the Code of Federal Regulations. Interested persons should consult this section before communicating with the Commission regarding a pending agreement.

*Agreement no.:* 212-011213-018

*Title:* Spain-Italy/Puerto Rico Island Pool Agreement

*Parties:*

Compania Trasatlantica Espanola, S.A.

d'Amico Societa de Navigazione, S.p.A.

Nordana Line A/S

Sea-Land Services, Inc.

*Synopsis:* The proposed amendment would provide that the members may suspend a Pool Section during the first 60 days of any pool period. In the event such suspension continues for 60 days or more, all rights and obligations accrued by any party to that Pool Section up to the date of suspension shall be null and void. Article 7.B.3(c), it would be renumbered to become Article 7.B.3(d), it would provide that all overcarriage penalties from previous pool periods shall be paid. A new Article 7.B.3(c) would provide that a member may withdraw from the Spanish Pool Section, effective June 30, 1991, upon 30 days' notice.

*Agreement no.:* 203-011223-003

*Title:* Transpacific Stabilization Agreement

*Parties:*

American President Lines, Ltd.

Evergreen Marine Corp. (Taiwan) Ltd.

Hanjin Shipping Co., Ltd.

Hyundai Merchant Marine Co., Ltd.

Kawasaki Kisen Kaisha, Ltd.

A.P. Moller-Maersk Line

Mitsui O.S.K. Lines, Ltd.

Neptune Orient Lines, Ltd.

Nippon Liner System, Ltd.

Nippon Yusen Kaisha

Orient Overseas Container Line, Inc.

Sea-Land Service, Inc.

Yangming Marine Transport Corp.

*Synopsis:* The proposed amendment would decrease the maximum allowed capacity from 85 percent to 82 percent.

By Order of the Federal Maritime Commission.

Dated: December 26, 1990.

Joseph C. Polking,

Secretary.

[FR Doc. 90-30546 Filed 12-31-90; 8:45 am]

BILLING CODE 6730-01-M

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Alcohol, Drug Abuse, and Mental Health Administration

#### Current List of Laboratories Which Meet Minimum Standards to Engage in Urine Drug Testing for Federal Agencies

**AGENCY:** National Institute on Drug Abuse, HHS.

**ACTION:** Notice.

**SUMMARY:** The Department of Health and Human Services notifies Federal agencies of the laboratories currently certified to meet standards of subpart C of Mandatory Guidelines for Federal Workplace Drug Testing Programs (53 FR 11979, 11986). A similar notice listing all currently certified laboratories will be published during the first week of each month, and updated to include laboratories which subsequently apply for and complete the certification process. If any listed laboratory's certification is totally suspended or revoked, the laboratory will be omitted from updated lists until such time as it is restored to full certification under the Guidelines.

**FOR FURTHER INFORMATION CONTACT:** Denise L. Goss, Program Assistant, Drug Testing Section, Division of Applied Research, National Institute on Drug Abuse, room 9-A-53, 5600 Fishers Lane, Rockville, Maryland 20857; tel.: (301)443-6014.

**SUPPLEMENTARY INFORMATION:** Mandatory Guidelines for Federal Workplace Drug Testing were developed in accordance with Executive Order 12564 and section 503 of Public Law 100-71. Subpart C of the Guidelines, "Certification of Laboratories Engaged in Urine Drug Testing for Federal Agencies," sets strict standards which laboratories must meet in order to conduct urine drug testing for Federal agencies. To become certified an applicant laboratory must undergo three rounds of performance testing plus an onsite inspection. To maintain that certification a laboratory must participate in an every-other-month performance testing program plus periodic, on site inspections.

Laboratories which claim to be in the applicant stage of NIDA certification are not to be considered as meeting the minimum requirements expressed in the NIDA Guidelines. A laboratory must have its letter of certification from HHS/NIDA which attests that it has met minimum standards.