

jurisdictional customers and interested State Commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 21, 1981. Protests will be considered by the Commission in determining the appropriate actions to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,  
Secretary.

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[Docket No. TA81-1-52-001 (PGA81-1a)]

### Western Gas Interstate Co.; Proposed PGA Rate Adjustment (Revised)

January 13, 1981.

Take notice that on December 31, 1980, Western Gas Interstate Company ("Western") filed Second Substitute Fifteenth Revised Sheet No. 3A to its FERC Gas Tariff, Original Volume No. 1. Said tariff sheet is proposed to become effective on November 1, 1980.

Western states that the rates shown on Second Substitute Fifteenth Revised Sheet No. 3A have been determined in accordance with the Commission's letter order dated December 16, 1980, which reflects the elimination of take or pay payments. The effect of this revision results in a .13¢ per Mcf decrease in Rate Schedule G-N.

Western states that copies of this filing were served upon Western's transmission system customers and the interested stated regulatory commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C., 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 21, 1981. Protests will be considered by the Commission 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 must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,  
Secretary.

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### ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL 1743-7]

#### Final Determination of the Administrator Concerning the North Miami Landfill Site Pursuant to Section 404(c) of the Clean Water Act

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

**ACTION:** Notice of Decision to Restrict Use of Disposal Site at North Miami, Florida.

**SUMMARY:** This is notice of the Administrator's final determination pursuant to Section 404(c) of the Clean Water Act to restrict the use of the site of the North Miami Landfill (including the withdrawal of specification) as a disposal site, based on his finding that the discharge of certain dredged and fill materials into the North Miami Landfill would have unacceptable adverse effects on shellfish and fishery areas, wildlife, and recreational areas of Biscayne Bay, adjacent wetlands and lakes within the site.

**EFFECTIVE DATE:** The effective date of the final determination is January 19, 1981.

**FOR FURTHER INFORMATION CONTACT:** William S. Sipple 404 Program Branch, Office of Environmental Review (A-104), U.S. Environmental Protection Agency, 401 M St., SW., Washington, D.C. 20460, (202)-472-3400.

Copies of the Administrator's final determination are available for inspection in the Public Information Reference Unit, EPA Library, Room M 2404, 401 M St., SW., Washington, D.C. 20460.

**SUPPLEMENTARY INFORMATION:** Under Section 404(c) of the Clean Water Act, the Administrator of EPA has the authority to prohibit or restrict the use of a site as a disposal site for dredged or fill material, after notice and opportunity for public hearing, whenever he determines that such disposal will have an unacceptable adverse effect on municipal water supplies, shellfish beds and fishery areas (including spawning and breeding areas), wildlife, and recreational areas.

In accordance with the Section 404(c) regulations (40 CFR § 231), EPA's Regional Administrator for Region IV, Ms. Rebecca Hanmer, initiated Section 404(c) proceedings with respect to the North Miami Landfill site. The background of this action is summarized in her notices of proposed determination and public hearing (published at 45 FR 51275, August 1, 1980; 45 FR 57169, August 27, 1980; and 45 FR 59630, September 10, 1980).

On November 28, 1980, Ms. Hanmer forwarded her recommended determination and the administrative record for the Administrator's review and final determination on the North Miami Landfill site. Her recommendations (for restriction for use for specification of the area covered by Department of the Army permit 75B-0869 and for denial of the use for specification of the area covered by permit application 77B-0376) were based upon existing and anticipated water quality impacts that pose a risk of unacceptable adverse effects to fishery areas, wildlife and recreation areas of Biscayne Bay, adjacent wetlands and lakes within the site.

After consideration of the record in this case, including public comments, the hearing record, comments from the Office of the Chief of Engineers, and consultation with Mr. Howard Neu, the Mayor of the City of North Miami, the Administrator determined that the discharge of certain dredged and fill materials at the North Miami Landfill site would have unacceptable adverse effects on shellfish and fishery areas, wildlife, and recreational areas of Biscayne Bay, adjacent wetlands and lakes within the site. Therefore, he concluded that use of the site as a disposal site should be restricted as follows:

1. That no additional solid waste (including garbage) shall be deposited in the areas covered by permit 75B-0869 and permit application 75B-0376 that are waters of the United States.

2. That clean fill may be deposited over the entire area *already filled* with solid waste. This material may be obtained from offsite upland sources of clean fill or by excavating up to 19 acres of shallow lakes (i.e., less than minus 6 feet MSL) on-site in wetland areas free of solid waste or other contamination immediately north of the Mangrove Preserve adjacent to the site.

3. That no fill of any kind shall be deposited in the previously unfilled waters of the United States at the site except as provided in Paragraphs 4-7 below.

4. That if necessary for temporary access roadways to the lake sites

mentioned in Paragraph 2 above, clean fill may be deposited in the wetland area immediately north of the mangrove preserve in order to excavate and transport clean fill for covering the existing solid wastes.

5. That clean fill for a dike may be deposited around the periphery of the eastern edge of the existing disposal site to contain any surface leachate flows that could occur in the future.

6. That clean fill from the existing dike may be deposited, to the extent necessary to restore the original elevation, in the ditch from which such material was excavated.

7. That clean fill may be deposited as necessary for the placement of an additional culvert, as described in permit 75B-0869, or for the substitution of a bridge for the culvert.

However, specification of the site for deposition of clean fill as indicated above is subject to a number of conditions. These conditions, as well as specific findings and reasons for the restrictions and conditions, are set out in the Administration's final determination.

Dated: January 26, 1981.

William N. Hedeman, Jr.,

Director, Office of Environmental Review.

[FR Doc. 81-3826 Filed 1-30-81; 8:45 am]

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[WH-FRL 1701-6]

**Petition To Remove Ethylbenzene Phenol, 2,4-Dichlorophenol, -2,4,5-Trichlorophenol, and Pentachlorophenol From the § 307(a)(1) List of Toxic Pollutants Final Action**

*Correction*

In FR Doc. 81-176, at page 2267, in the issue of Thursday, January 8, 1981, on page 2272, in the first column, the second full paragraph designated as "4.", the sixth line down the word "sufficient" is corrected to read "insufficient".

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[WH-FRL-1701-7]

**Proposed Denial of a Dow Chemical Company Petition To Remove Monochlorophenyl Phenyl Ether From the Clean Water Act Section 307(a)(1) Toxic Pollutant List**

*Correction*

In FR Doc. 81-177, at page 2273, in the issue of Thursday, January 8, 1981, under the preamble material designated

at "DATES", the third line, remove the second "1981,".

BILLING CODE 1505-01-M

[A-4-FRL 1743-2]

**Prevention of Significant Deterioration of Air Quality: Delegation of Authority to the State of Florida for the Technical and Administrative Review**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Informational Notice.

**SUMMARY:** Section 301 in conjunction with Sections 101 and 110 of the Clean Air Act authorizes the Administrator to delegate his authority to implement and enforce the Prevention of Significant Deterioration of Air Quality (PSD) regulations to any State which has submitted adequate implementation and enforcement procedures. The Florida Department of Environmental Regulation submitted to the EPA Region IV office a request that EPA relinquish to them it's responsibility for the technical and administrative review of sources regulated under the PSD program. After a thorough review of the request and information submitted, the Regional Administrator determined that such delegation was appropriate for the source categories and with the conditions set forth in the letter reproduced below.

**EFFECTIVE DATE:** October 27, 1980.

**FOR FURTHER INFORMATION CONTACT:** Archie Lee, Air Programs Branch, environmental Protection Agency, 345 Courtland Street, N.E., Atlanta, Georgia 30365. 404/881-3286 or FTS 257-3286.

**SUPPLEMENTARY INFORMATION:** On September 22, 1980, EPA Region IV office received a letter from the Florida Department of Environmental Regulation requesting delegation of authority for the implementation of the technical and administrative portions of the PSD program. After a thorough review of the request and information submitted, the Regional Administrator determined that for the source categories set forth in the following official letter to the Secretary of the Florida Department of Environmental Regulation, delegation was appropriate subject to the conditions set forth therein. Therefore, pursuant to the authority delegated to her by the Administrator, the Regional Administrator formally notified the Secretary of the Florida Department of Environmental Regulation by the following letter that she relinquishes responsibility for implementation of the

technical and administrative portions of the PSD program to the State of Florida.

October 27, 1980.

Mr. Jacob D. Varn,

Secretary, Department of Environmental Regulation, Twin Towers Office Building, 2600 Blair Stone Road, Tallahassee, Florida 32301.

Dear Mr. Varn: This is in response to your letter of September 22, 1980, requesting responsibility for implementation of the technical and administrative portions of the Prevention of Significant Air Quality Deterioration (PSD) program. We have reviewed the procedures for new source review of the State of Florida and have determined that they provide an adequate and effective procedure for the implementation of the technical and administrative portions of the PSD program by the State of Florida. Therefore, pursuant to 40 CFR 52.01 and 40 CFR 52.21 (52.21(v)), we hereby delegate our authority for the technical and administrative portions of the federal PSD program, as described in 40 CFR 52.21 to the State of Florida as follows:

A. EPA delegates its authority for the technical and administrative review of all sources located or to be located in the State of Florida subject to review under the Federal Regulations for the Prevention of Significant Air Quality Deterioration promulgated in 40 CFR 52.21 for any of the following stationary sources of air pollutants which emit, or have the potential to emit, 100 tons per year or more of any pollutant regulated under the Clean Air Act (the "Act").

Fossil fuel-fired stream electric plants of more than 250 million British thermal units per hour heat input, coal cleaning plants (with thermal dryers), kraft pulp mills, portland cement plants, primary zinc smelters, iron and steel mills, primary aluminum ore reduction plants, primary copper smelters, municipal incinerators capable of charging more than 250 tons of refuse per day, hydrofluoric acid plants, sulfuric acid plants, nitric acid plants, petroleum refineries, lime plants, phosphate rock processing plants, coke oven batteries, sulfur recovery plants, carbon black plants (furnace process), primary lead smelters, fuel conversion plants, sintering plants, secondary metal production facilities, chemical process plants, fossil-fuel boilers (or combinations thereof) totaling more than 250,000,000 British thermal units per hour heat input, petroleum storage and transfer facilities with a capacity exceeding 300,000 barrels, taconite ore processing facilities, glass fiber processing plants, charcoal production facilities, and notwithstanding the source sizes specified above, any sources which emit or have the potential to emit, 250 tons per year or more of any pollutant regulated under the Act.

B. EPA delegates to the State of Florida its authority and procedures for technical review and evaluation of new sources and public participation promulgated in 40 CFR 52.21(q), but not its authority under 40 CFR 52.21(q)(vii) and (viii) to take final action on an application, modify existing PSD construction approvals, or its authority to take enforcement action.

C. For purposes of and in accordance with paragraph B above, the State of Florida shall