

revised rate schedule FERC No. 227, an Electric Power Supply agreement between Westar and the City of Axtell, Kansas.

*Comment Date:* 5 p.m. eastern time on May 10, 2005.

#### Standard Paragraph

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). 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 notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant and all parties to this proceeding.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible online at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

**Linda Mitry,**

*Deputy Secretary.*

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## DEPARTMENT OF ENERGY

### National Nuclear Security Administration

#### Final Site-Wide Environmental Impact Statement for Continued Operation of Lawrence Livermore National Laboratory and Supplemental Stockpile Stewardship and Management Programmatic Environmental Impact Statement

**AGENCY:** National Nuclear Security Administration, Department of Energy.

**ACTION:** Notice of availability.

**SUMMARY:** The Livermore Site Office of the Department of Energy's (DOE) National Nuclear Security Administration (NNSA) announces the availability of the Final Site-wide Environmental Impact Statement for Continued Operation of Lawrence Livermore National Laboratory (DOE/EIS-0348) and Supplemental Stockpile Stewardship and Management Programmatic Environmental Impact Statement (DOE/EIS-0236-S3) (LLNL SW/SPEIS). The Final LLNL SW/SPEIS was prepared in accordance with the Council on Environmental Quality's National Environmental Policy Act (NEPA) Implementing Regulations (40 CFR Parts 1500-1508) and the DOE's NEPA Implementing Procedures (10 CFR Part 1021). The Final LLNL SW/SPEIS analyzes the potential environmental impacts associated with continuing current Lawrence Livermore National Laboratory (LLNL) operations and foreseeable new or modified operations and facilities. The LLNL SW/SPEIS also evaluates the potential environmental impacts of experiments at the National Ignition Facility (NIF) using plutonium, other fissile materials, fissionable materials, and lithium hydride. The Final LLNL SW/SPEIS analyzes a Proposed Action and two alternatives, the No Action Alternative and a Reduced Operation Alternative. The No Action Alternative would continue operation of current LLNL programs in support of assigned missions. The Proposed Action includes operations discussed under the No Action Alternative and new or expanded operations in support of reasonably foreseeable mission requirements. The Reduced Operation Alternative consists of a reduction of activities compared to the No Action Alternative. The NNSA has identified the Proposed Action as the preferred alternative in the Final LLNL SW/SPEIS.

**DATES:** The NNSA intends to issue a Record of Decision on the Final LLNL

SW/SPEIS no sooner than 30 days after the Environmental Protection Agency (EPA) publishes a notice of filing of the Final LLNL SW/SPEIS in the **Federal Register**.

**ADDRESSES:** The Final LLNL SW/SPEIS is available on the LLNL Environmental Community Relations Web site <http://www-envirinfo.llnl.gov/>. For additional information or a copy of the Final LLNL SW/SPEIS or its Summary contact: Mr. Thomas Grim, Document Manager, National Nuclear Security Administration, Livermore Site Office, L-293, 7000 East Avenue, Livermore, CA 94550-9234; phone (925) 422-0704 or toll free 1-877-388-4930; or by e-mail ([tom.grim@doeal.gov](mailto:tom.grim@doeal.gov)). The Final LLNL SW/SPEIS is also available at the following locations: the DOE Public Reading Room in Room 1E-190, 1000 Independence Ave, SW., Washington, DC 20585, (202) 586-3142; the LLNL Public Reading Room in the LLNL Visitors Center in Building 6525 located at the East Gate Entrance off of Greenville Road, Livermore, California, (925) 424-4026; the Livermore Public Library at 1000 South Livermore Avenue, Livermore California, (925) 373-5500; and the Tracy Public Library at 20 East Eaton Avenue, Tracy, CA, (209) 831-4250.

For general information on the DOE NEPA process, please contact: Ms. Carol M. Borgstrom, Director, Office of NEPA Policy and Compliance, EH-42, U.S. DOE, 1000 Independence Avenue, SW., Washington, DC 20585, telephone 202-586-4600, or leave a message at 1-800-472-2756.

**SUPPLEMENTARY INFORMATION:** The continued operation of LLNL is critical to NNSA's Stockpile Stewardship Program and to preventing the spread and use of nuclear weapons worldwide. LLNL maintains core competencies in activities associated with research and development, design, and surveillance of nuclear weapons, as well as the assessment and certification of their safety and reliability. LLNL also supports other DOE programs and Federal agencies such as the Department of Defense, the Nuclear Regulatory Commission, EPA, and the Department of Homeland Security. The Final LLNL SW/SPEIS analyzes the environmental impacts of these operations.

LLNL was founded in 1952 as the second nuclear weapons design laboratory in order to promote innovation in the design of our nation's nuclear stockpile. LLNL consists of two sites: the Livermore Site located in Livermore, California (Alameda County); and Site 300, an experimental test site located near Tracy, California,

(San Joaquin and Alameda counties). The Livermore Site is the primary site and is located approximately 40 miles east of San Francisco in the Livermore Valley on the east side of the city of Livermore. Site 300 is located 15 miles southeast of the city of Livermore between Livermore and Tracy.

The alternatives evaluated in the Final LLNL SW/SPEIS represent a range of operation from the minimum level that maintains core capabilities (Reduced Operation Alternative) to the highest reasonable activity levels that could be supported by current facilities, and the potential expansion and construction of new facilities for identified future actions (Proposed Action). The No Action Alternative would continue operation of current LLNL programs in support of assigned missions and includes approved interim actions; facility construction, expansion, or modification; and decontamination and decommissioning projects for which NEPA analysis and documentation already exist. The Proposed Action includes operations discussed under the No Action Alternative and the construction of new facilities and expanded operations in support of future mission requirements. Specifically, the Proposed Action includes increasing the administrative and material-at-risk limits for plutonium and tritium, and the use of nuclear materials (plutonium, other fissile materials, fissionable materials, and lithium hydride) at the National Ignition Facility. The Reduced Operation Alternative represents a thirty percent reduction of the Stockpile Stewardship Program compared to the No Action Alternative. The Reduced Operation Alternative maintains full operational readiness for NNSA facilities and operations, but does not represent the level of operation required to fulfill the missions of the Stockpile Stewardship Program assigned to LLNL. The NNSA has identified the Proposed Action as its preferred alternative in the Final LLNL SW/SPEIS.

The Final LLNL SW/SPEIS contains responses to comments received during the public comment period, as well as changes that were made to the Draft LLNL SW/SPEIS in response to these comments. The NNSA will consider the analyses in the Final LLNL SW/SPEIS, along with other information, in making its decision regarding future operations at LLNL.

Issued in Washington, DC, this 10th day of March 2005.

**Linton F. Brooks,**

*Administrator, National Nuclear Security Administration.*

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## **ENVIRONMENTAL PROTECTION AGENCY**

**[ER-FRL-6662-9]**

### **Environmental Impact Statements and Regulations; Availability of EPA Comments**

Availability of EPA comments prepared pursuant to the Environmental Review Process (ERP), under section 309 of the Clean Air Act and Section 102(2)(c) of the National Environmental Policy Act, as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at 202-564-7167. An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in the **Federal Register** dated April 1, 2005 (70 FR 16815).

#### **Draft EISs**

*EIS No. 20050006, ERP No. D1-FHW-H40397-MO, Interstate 70 Corridor Improvements, Section of Independent Utility #4, from Missouri Route BB Interchange to Eastern Columbia, Funding, Boone County, MO.*

*Summary:* EPA has no objections to the proposed project.

#### **Rating LO**

*EIS No. 20040520, ERP No. D-DOE-J39033-UT, Moab Uranium Mill Trailings Remediation, Proposal To Clean Up Surface Contamination and Implement a Ground Water Strategy, Grand and San Juan Counties, UT.*

*Summary:* EPA rated the on-site alternative environmentally unsatisfactory because it would result in continuing exceedances of water quality criteria and it may not provide long-term pile stability. EPA has environmental objections to the White Mesa Mill site based on potential inconsistency with Utah's ground water protection standards. EPA has environmental concerns for the two other alternatives regarding transportation of the tailings to the site and cap design.

#### **Rating EU2**

*EIS No. 20040569, ERP No. D-NRC-D03004-VA, Early Site Permit (ESP at the North Anna Power Station ESP*

*Site (TAC No. MC1128), Construction and Operation, NUREG-1811, Louisa County, VA.*

*Summary:* EPA has environmental concerns based on the lack of information on wetland and stream impacts, the impact on the water resource and the affects on the downstream communities.

#### **Rating EC2**

*EIS No. 20050018, ERP No. D-FAA-F51050-IL, O'Hare Modernization Program, Proposes Major Development, Chicago O'Hare International Airport, Airport Layout Plan (ALP), Federal Funding, U.S. Army COE Section 404 Permit, City of Chicago, IL.*

*Summary:* EPA expressed concerns related to air quality (criteria pollutants and hazardous air pollutants), wetlands, stormwater, noise, and environmental justice. EPA recommended additional analysis for air (general conformity and fine particulate matter (PM2.5)), noise mitigation options, and environmental justice. EPA recommended that the final EIS contain mitigation commitments for: increased mitigation ratios for wooded wetlands, noise mitigation, specific air mitigation measures targeting diesel emissions during construction and operation and hazardous air pollutants associated with aircraft idling and taxiing.

#### **Rating EC2**

*EIS No. 20050021, ERP No. D-NRC-F06025-WI, GENERIC—License Renewal for Point Beach Nuclear Plant, Units 1 and 2, Supplement 23 to NUREG-1437 (TAC Nos. MC2049 and MC2050), Lake Michigan, Manitowoc County, WI.*

*Summary:* EPA has environmental concerns regarding the adequacy and presentation of the radiological impacts and risk estimates and entrainment of fish and shellfish. In addition, impacts to ground water, especially with respect to on-site drinking water wells, are not discussed.

#### **Rating EC2**

*EIS No. 20050050, ERP No. D-COE-D39028-00, TIER 1-DEIS Baltimore Harbor and Channel Dredged Material Management Plan (DMMP), To Analyze Dredged Material Placement, Port of Baltimore, Chesapeake Bay, MD, PA, DE, WV, VA, DC, and NY.*

*Summary:* EPA had no objections to the "no action" alternative (*i.e.*, the continued use of Open Water Placement in Virginia and the optimized use of existing dredged material management sites) and the new Alternative proposing