

construction would be subject to appropriate NEPA review.

#### Basis for Decision on Major Environmental Test Facilities

NNSA's decision to consolidate major ETF capabilities at SNL/NM is the least costly alternative and poses no greater technical risk than other alternatives; cost and technical risk were the most important considerations in making this decision. Because the majority of the ETF capabilities currently exist at SNL/NM, consolidating these capabilities there will require the least construction and will have the lowest cost of the consolidation alternatives. Considering life-cycle costs through the year 2060, this alternative is also the least costly, although the business case study showed only minor cost differences among the alternatives. All alternatives analyzed were found to pose some technical risk; however, no significant differences were found among the alternatives. For the alternatives involving consolidation at SNL/NM or NTS, the major risk was the potential delay in constructing a new facility to house the Building 334 and Building 834 missions. For these missions, consolidation into an existing building at Pantex has the lowest cost, poses the smallest risk, and produces the least environmental impacts.

Considering potential environmental impacts, cost, technical risk and schedule, the alternative of consolidating major ETF capabilities at SNL/NM, and moving the activities conducted at Building 334 and Building 834 to Pantex, is the best alternative.

#### Mitigation Measures

As described in the SPEIS, NNSA conducts its missions in compliance with environmental laws, regulations, and policies within a framework of contractual requirements; many of these requirements mandate actions to control and mitigate potential adverse environmental effects. Examples include the site environment, safety, and health manuals, site security and threat protection plans, emergency plans, Integrated Safety Management Systems, pollution prevention and waste minimization programs, cultural resource and protected species programs, and energy and water conservation programs.

#### Comments Received on Final SPEIS Related to the Project-Specific Alternatives

During the 30-day period following the EPA's notice of availability for the Final SPEIS (73 FR 63460, Oct. 24, 2008), NNSA received written

comments from the following groups: Alliance for Nuclear Accountability, Project on Government Oversight, National Radical Women, Physicians for Social Responsibility, Oak Ridge Environmental Peace Alliance, Tri-Valley CAREs, the Union of Concerned Scientists, Nuclear Watch New Mexico, the Arms and Security Initiative of the New America Foundation, Concerned Citizens for Nuclear Safety, Embudo Valley Environmental Group, Ecology Ministry, Loretto Community, Aqua es Vida Action Team, Citizens for Alternatives to Radioactive Dumping, and Tewa Women United. Written comments were also received from approximately 30 individuals. The majority of these comments, which focused primarily on policy and programmatic issues, are considered by NNSA in the ROD for the programmatic decisions. NNSA did receive comments related to two issues regarding the project-specific alternatives, though neither has bearing on any of the three missions that this ROD concerns. These project-specific comments and NNSA's responses follow.

1. Referring to the Preferred Alternative for Major Hydrodynamic Testing as described in the Final SPEIS (Section 3.17.2, Volume I), one commenter stated that containing hydrodynamic testing at LLNL in the Contained Firing Facility by the end of fiscal year (FY) 2008 implies that open-air detonation experiments would cease at LLNL's Site 300 by the end of FY 2008. The commenter points out that the Preferred Alternative also states that hydrodynamic testing at Site 300 would be consolidated to a smaller footprint by 2015. The commenter then states that since many of the hydrodynamic testing facilities at Site 300 are open-air firing tables, it is not clear whether open-air detonations would continue at LLNL Site 300 facilities until 2015, or potentially a later date. If NNSA plans to cease open-air detonation experiments at Site 300, either by the end of FY 2008 or in 2015, it should express this determination in unequivocal language. Another commenter stated that all open air tests must be contained and questioned the meaning of the following sentence in the Final SPEIS: "Open-air hydrotests at LANL's DARHT [Dual-Axis Radiographic Hydrodynamic Test facility], excluding SNM, would only occur if needed to meet national security requirements." (See Section S.3.17.2, Summary.) The commenter specifically asked what the phrase "if needed" means and asked who would make this decision.

*Response:* As stated in this ROD, NNSA is not making any new decisions regarding hydrodynamic testing activities at this time. These activities will continue as described in the No Action Alternative and pursuant to previous decisions. If NNSA decides to make significant changes to hydrodynamic testing, it would issue a ROD to announce and explain the new decision.

2. In reference to the Preferred Alternative for HE R&D as described in the Final SPEIS (Section S.3.17.2 of the Summary), one commenter stated that a schedule that defines when LANL would arrive at contained HE R&D experimentation must be given. Just stating that LANL will "move towards" contained HE R&D experimentation is meaningless and will continue to impose environmental impacts on the public.

*Response:* As stated in this ROD, NNSA is not making any new decisions regarding HE R&D activities at this time. These activities will continue as described in the No Action Alternative and pursuant to previous decisions. If NNSA decides to make significant changes to HE R&D activities, it would issue a ROD to announce and explain the new decision.

Issued at Washington, DC, this 15th day of December 2008.

**Thomas P. D'Agostino,**

*Administrator, National Nuclear Security Administration.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 1256-029-Nebraska]

#### Loup River Public Power District; Notice of Scoping Meetings and Site Visits

December 12, 2008.

a. *Type of Filings:* Notice of Intent to File License Applications for New Licenses; Pre-Application Documents; Commencement of Licensing Proceedings.

b. *Project No.:* 1256-029.

c. *Dated Filed:* October 16, 2008.

d. *Submitted By:* Loup River Public Power District (Loup Power District).

e. *Name of Project:* Loup River Hydroelectric Project No. 1256.

f. *Location:* The Loup River Hydroelectric Project is located on the Loup River in Nance and Platte Counties, Nebraska.

g. *Filed Pursuant to:* 18 CFR Part 5 of the Commission's Regulations.

h. *Potential Applicant Contact:* Neal Suess, President/CEO, Loup Power District, P.O. Box 988, 2404 15th Street, Columbus, Nebraska 68602 (866) 869-2087.

i. *FERC Contact:* Kim Nguyen (202) 502-6015 or via e-mail at [kim.nguyen@ferc.gov](mailto:kim.nguyen@ferc.gov).

j. Loup Power District filed Pre-Application Document (PAD) for the Loup River Project, including proposed process plan and schedule, with the Commission pursuant to 18 CFR 5.6 of the Commission's regulations.

k. Copies of the PAD and Scoping Document 1 (SD1) are available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site (<http://www.ferc.gov>), using the "eLibrary" link. Enter the docket number, excluding the last three digits, in the docket number field to access the document. For assistance, contact FERC Online Support at [FERCONlineSupport@ferc.gov](mailto:FERCONlineSupport@ferc.gov) or toll free at 1-866-208-3676, or for TTY, (202) 502-8659. A copy is also available for inspection and reproduction at the address in paragraph h.

Register online at <http://ferc.gov/esubscribenow.htm> to be notified via e-mail of new filings and issuances related to these or other pending projects. For assistance, contact FERC Online Support.

l. With this notice, we are soliciting comments on SD1. All comments on SD1 should be sent to the address above in paragraph h. In addition, all comments on the PAD and SD1, study requests, requests for cooperating agency status, and all communications to Commission staff related to the merits of the potential applications (original and eight copies) must be filed with the Commission at the following address: Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. All filings with the Commission relevant to the Loup River Hydroelectric Project must include on the first page, the project name (Loup River Project), and number (P-1256-029), and bear the heading, as appropriate, "Comments on Scoping Document 1." Any individual or entity interested in commenting on SD1 must do so by February 10, 2009.

Comments on SD1 and other permissible forms of communications with the Commission may be filed electronically via the Internet in lieu of paper. The Commission strongly

encourages electronic filings. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site (<http://www.ferc.gov>) under the "e-filing" link.

m. At this time, Commission staff intends to prepare a single Environmental Assessment for the project, in accordance with the National Environmental Policy Act.

#### Scoping Meetings

We will hold two scoping meetings for each project at the times and places noted below. The daytime meetings will focus on resource agency, Indian tribes, and non-governmental organization concerns, while the evening meetings are primarily for receiving input from the public. We invite all interested individuals, organizations, Indian tribes, and agencies to attend one or all of the meetings, and to assist staff in identifying particular study needs, as well as the scope of environmental issues to be addressed in the environmental document. The times and locations of these meetings are as follows:

##### Daytime Scoping Meeting

*Date:* Tuesday, January 13, 2009.

*Time:* 9 a.m.

*Location:* Holiday Inn Express, 524 E. 23rd Street, Columbus, Nebraska 68601, (402) 564-2566.

##### Evening Scoping Meeting

*Date:* Monday, January 12, 2009.

*Time:* 7 p.m.

*Location:* same as daytime meeting. SD1, which outlines the subject areas to be addressed in the environmental document, has been mailed to the individuals and entities on the Commission's mailing list. Copies of SD1 will be available at the scoping meetings, or may be viewed on the Web at <http://www.ferc.gov>, using the "eLibrary" link. Follow the directions for accessing information in paragraph k. Depending on the extent of comments received, a Scoping Document 2 (SD2) may or may not be issued.

#### Site Visits

The Loup Power District and Commission staff will conduct a site visit of the key project facilities on Monday, January 12, 2009, starting at 9 a.m. Those wishing to participate should meet at 8:45 a.m. at: Loup Power District Main Office, 2404 15th Street, Columbus, Nebraska 68602.

To appropriately accommodate persons interested in attending the site

visit, participants should contact Ron Ziola at (402) 564-3171 or e-mail [rziola@loup.com](mailto:rziola@loup.com) by January 5, 2009. The Loup Power District will provide transportation from their Main Office to the project site and lunch for the site visit. Participants should dress appropriately for outdoor, winter elements. In the event of inclement weather, participants can check the Loup Power District's Relicensing Hotline at (866) 869-2087 for updates on the site visit.

#### Scoping Meeting Objectives

At the scoping meetings, staff will: (1) Present the proposed list of issues to be addressed in the EA; (2) review and discuss existing conditions and resource agency management objectives; (3) review and discuss existing information and identify preliminary information and study needs;

(4) review and discuss the process plan and schedule for pre-filing activity that incorporates the time frames provided for in Part 5 of the Commission's regulations and, to the extent possible, maximizes coordination of federal, state, and tribal permitting and certification processes; and (5) discuss requests by any federal or state agency or Indian tribe acting as a cooperating agency for development of an environmental document.

Meeting participants should come prepared to discuss their issues and/or concerns. Please review the Pre-Application Document in preparation for the scoping meetings. Directions on how to obtain a copy of the PAD and SD1 are included in item k of this notice.

#### Scoping Meeting Procedures

The scoping meetings will be recorded by a stenographer and will become part of the formal Commission records for the projects.

n. A notice of intent to file license application, filing PAD, solicitation of comments on the PAD and SD1, solicitation of study requests, and commencement of proceedings will be issued by December 19, 2008, setting the date for filing comments on the PAD and study requests in accordance with Commission regulations and the proposed process plan.

**Kimberly D. Bose,**

*Secretary.*

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