

Township, Tioga County, Pa.; Consumptive Use of Up to 4.000 mgd; Approval Date: April 23, 2012.

8. SWEPI, LP, Pad ID: Hepler 235, ABR-201204008, Sullivan Township, Tioga County, Pa.; Consumptive Use of Up to 4.000 mgd; Approval Date: April 23, 2012.

9. Chesapeake Appalachia, LLC, Pad ID: Manning, ABR-201204009, Cherry Township, Sullivan County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: April 23, 2012.

10. EQT Production Co., Pad ID: Phoenix N (ANT6), ABR-201204010, Duncan Township, Tioga County, Pa.; Consumptive Use of Up to 3.000 mgd; Approval Date: April 27, 2012.

11. Chesapeake Appalachia, LLC, Pad ID: Simplex, ABR-201204011, Standing Stone Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: April 27, 2012.

12. Southwestern Energy Production Company, Pad ID: Claytor Pad, ABR-201204012, New Milford and Great Bend Townships, Susquehanna County, Pa.; Consumptive Use of Up to 4.999 mgd; Approval Date: April 27, 2012.

13. Southwestern Energy Production Company, Pad ID: Charles Pad, ABR-201204013, Jackson Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.999 mgd; Approval Date: April 27, 2012.

14. Chesapeake Appalachia, LLC, Pad ID: Freed, ABR-201204014, Albany Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: April 30, 2012.

15. Chesapeake Appalachia, LLC, Pad ID: Reilly, ABR-201204015, Colley Township, Sullivan County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: April 30, 2012.

16. Southwestern Energy Production Company, Pad ID: Conigliaro Pad, ABR-201204016, New Milford Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.999 mgd; Approval Date: April 30, 2012.

17. Southwestern Energy Production Company, Pad ID: Estabrooks Pad, ABR-201204017, Harford Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.999 mgd; Approval Date: April 30, 2012.

18. Southwestern Energy Production Company, Pad ID: Conklin South Pad, ABR-201204018, New Milford Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.999 mgd; Approval Date: April 30, 2012.

19. Southwestern Energy Production Company, Pad ID: Glover Pad, ABR-201204019, Thompson Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.999 mgd; Approval Date: April 30, 2012.

20. Southwestern Energy Production Company, Pad ID: Gaylord Pad, ABR-201204020, Jackson Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.999 mgd; Approval Date: April 30, 2012.

21. Southwestern Energy Production Company, Pad ID: Page Pad, ABR-201204021, Jackson Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.999 mgd; Approval Date: April 30, 2012.

22. Southwestern Energy Production Company, Pad ID: Seamans Pad, ABR-201204022, Harford Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.999 mgd; Approval Date: April 30, 2012.

23. Southwestern Energy Production Company, Pad ID: Walker Pad, ABR-201204023, Jackson Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.999 mgd; Approval Date: April 30, 2012.

24. Southwestern Energy Production Company, Pad ID: Warner Pad, ABR-201204024, New Milford Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.999 mgd; Approval Date: April 30, 2012.

25. Southwestern Energy Production Company, Pad ID: Preston-Perkins Pad, ABR-201204025, Stevens Township, Bradford County, Pa.; Consumptive Use of Up to 4.999 mgd; Approval Date: April 30, 2012.

**Authority:** Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806, 807, and 808.

Dated: May 30, 2012.

**Stephanie L. Richardson,**  
*Secretary to the Commission.*

[FR Doc. 2012-13999 Filed 6-8-12; 8:45 am]

**BILLING CODE 7040-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on the Newberg Dundee Bypass Project Project: Yamhill and Washington County, OR

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of Limitations on Claims for Judicial Review of Actions by FHWA.

**SUMMARY:** This notice announces actions taken by the FHWA, NMFS, and other Federal agencies that are final within the meaning of 23 U.S.C. 139(l)(1). The actions relate to a proposed highway project, Newberg Dundee Bypass Project, in Yamhill and Washington Counties, Oregon. This action grants approval for the project.

**DATES:** By this notice, the FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before December 10, 2012. If the Federal law that authorizes judicial review of a claim provides a time period of less than 180 days for filing such claim, then that shorter time period still applies.

**FOR FURTHER INFORMATION CONTACT:** Michelle Eraut, Program Development Team Leader, Federal Highway Administration, 530 Center Street NE., Suite 420, Salem, Oregon 97301, Telephone: (503) 316-2559. The Newberg Dundee Bypass Project Final Environmental Impact Statement, Record of Decision (ROD) and other project records are available upon written request from the Federal Highway Administration at the address shown above. Comments or questions concerning this proposed action and the Newberg Dundee Bypass Project should be directed to the FHWA at the address provided above.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the FHWA has taken final agency action subject to 23 U.S.C. 139 (l)(1) by issuing approval for the following highway project in the State of Oregon: Newberg Dundee Bypass Project. The project will build an 11-mile, four-travel lane, access-controlled expressway (Bypass) with four interchanges and related local circulation changes to reduce congestion on Oregon 99W through Newberg and Dundee in Yamhill and Washington Counties, Oregon. The project area is located along the south sides of Newberg and Dundee, from the Oregon 99W/Oregon 18 junction near Dayton (approximately Oregon 18 milepost 51.6) to past Rex Hill, east of Newberg (approximately Oregon 99W milepost 19.6). The project followed a tiered NEPA process. On August 26, 2005, FHWA issued a ROD on the Tier 1 FEIS that approved the Bypass Corridor (Corridor), the number and location of interchanges, and a general Bypass configuration. The Tier 2 DEIS, published in June 5, 2010, evaluated a No Build Alternative and Build Alternative based on the approved Corridor, including several design and local circulation options. A Preferred Alternative was identified, considering the Tier 2 DEIS analysis and public and agency comments received on the Tier 2 DEIS. The actions by the Federal agencies and the laws under which such actions were taken are described in the Final Environmental Impact Statement

published on April 27, 2012, in the ROD approved on June 5, 2012, and in other documents in the FHWA project records. This notice applies to all Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. General: National Environmental Policy Act (NEPA) [42 U.S.C. 4321–4347]; Federal-Aid Highway Act [23 U.S.C. 109 and 23 U.S.C. 128]; Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users [SAFETEA-LU—23 U.S.C. 139].
2. Air: Clean Air Act [42 U.S.C. 7401–7671(q)].
3. Land: Section 4(f) of the Department of Transportation Act of 1966 [23 U.S.C. 138 and 49 U.S.C. 303]; Land and Water Conservation Fund (LWCF) [16 U.S.C. 4601–4604]; Landscaping and Scenic Enhancement (Wildflowers) [23 U.S.C. 319].
4. Wildlife: Endangered Species Act [16 U.S.C. 1531, *et seq.*]; Magnuson-Stevens Fishery Conservation and Management Act [16 U.S.C. 1801, *et seq.*]; Fish and Wildlife Coordination Act [16 U.S.C. 661–667 (d)]; Migratory Bird Treaty Act [16 U.S.C. 703–712]; Bald and Golden Eagle Protection Act [16 U.S.C. 668–668(c)].
5. Historic and Cultural Resources: Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f)]; Archeological Resources Protection Act of 1977 [16 U.S.C. 470(aa)–470(ll)]; Archeological and Historic Preservation Act [16 U.S.C. 469–469(c)]; Native American Grave Protection and Repatriation Act (NAGPRA) [25 U.S.C. 3001–3013].
6. Social and Economic: Title VI of the Civil Rights Act of 1964 [42 U.S.C. 2000(d) *et seq.*]; American Indian Religious Freedom Act [42 U.S.C. 1996]; Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201–4209].
7. Hazardous Materials and Waste: Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9601–9675; Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6901–6992(k).
8. Wetlands and Water Resources: Clean Water Act [33 U.S.C. 1251–1377]; Safe Drinking Water Act (SDWA) [42 U.S.C. 300(f)–300(j)(6)]; Rivers and Harbors Act of 1899 [33 U.S.C. 401–406]; Wild and Scenic Rivers Act [16 U.S.C. 1271–1287];

Emergency Wetlands Resources Act [16 U.S.C. 3921, 3931]; Wetlands Mitigation [23 U.S.C. 103(b)(6)(M) and 133 (b)(11)]; Flood Disaster Protection Act [42 U.S.C. 4001–4128].

9. Executive Orders: E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management; E.O. 12898 Federal Actions To Address Environmental Justice in Minority Populations and Low Income Populations; E.O. 11593 Protection and Enhancement of Cultural Resources; E.O. 13007 Indian Sacred Sites; E.O. 13175 Consultation and Coordination with Indian Tribal Governments; E.O. 11514 Protection and Enhancement of Environmental Quality; E.O. 13112 Invasive Species. (Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

**Authority:** 23 U.S.C. 139(l)(1)

Issued On: June 5, 2012.

**Michelle Eraut,**

*Program Development Team Leader Salem, Oregon.*

[FR Doc. 2012–14045 Filed 6–8–12; 8:45 am]

**BILLING CODE 4910–22–P**

## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA–2012–0079]

#### Pipeline Safety: Mechanical Fitting Failure Reports

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

**ACTION:** Notice; Issuance of Advisory Bulletin.

**SUMMARY:** This notice provides clarification to owners and operators of gas distribution pipeline facilities when completing the Mechanical Fitting Failure Report Form, PHMSA F 7100.1–2. Initial reviews of reports submitted for calendar year 2011 failures have identified a need for PHMSA to issue this notice to provide operators with additional guidance for reporting the apparent cause. PHMSA has also enhanced the online submittal process and plans to implement further improvements.

**ADDRESSES:** This document can be viewed on the PHMSA home page at: <http://www.phmsa.dot.gov> and in docket number PHMSA–2012–0079 at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Chris McLaren, Distribution Integrity Management Program Coordinator at 281–216–4455, or by email at [chris.mclaren@dot.gov](mailto:chris.mclaren@dot.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Section 192.1009 of the pipeline safety regulations (49 CFR parts 190–199) requires each owner or operator of a gas distribution pipeline facility to file a written report for any mechanical fitting failure that results in a hazardous leak. A hazardous leak is defined in § 192.1001 as a leak that represents an existing or probable hazard to persons or property and requires immediate repair or continuous action until the conditions are no longer hazardous. Each report must be filed by March 15 of the following year on a Mechanical Fitting Failure Report Form (PHMSA F 7100.1–2).

A report is required for all failures regardless of the material composition, type, manufacturer, or size of the fitting. The reporting requirements apply to all failures that result in a hazardous leak due to the use of a fitting and may include failures in the body of the mechanical fitting, failures in the joints between the fitting and the pipe, indications of leakage from the seals associated with the fitting, and partial or complete separation of the pipe from the fitting. Operators are to report all mechanical fitting failures regardless of the cause. It is important to note that PHMSA does not seek information related to failures of cast iron bell and spigot joints unless the leak resulted from a failure of a mechanical fitting used to repair or reinforce a joint.

Question 15, “Apparent Cause of Leak”, under Part C of PHMSA F 7100.1–2 specifies various apparent causes of leaks. These causes include “Corrosion,” “Natural Forces,” “Excavation Damage,” “Other Outside Force Damage,” “Material or Welds/Fusions,” “Equipment,” “Incorrect Operation,” and “Other.” These apparent cause options contain two potential options for a failure that apparently results from incorrect installation of the mechanical fitting. One option is “Material or Welds/Fusions” with a subcategory of “Construction/Installation Defect.” The other option is “Incorrect Operation.” PHMSA prefers that failures resulting from an installation defect be reported