

The analysis also addressed the potential for severe accidents at a seaport and during overland transport to Savannah River. The accident analysis was updated from that performed in the FRR SNF EIS to reflect changes in populations along representative transportation routes and the Department's currently recommended dose-to-risk conversion factor for estimating risks from radiation exposures. The risks were determined to be low with no latent cancer fatalities expected among transport crews or members of the public. The potential for intentional destructive acts was also addressed and the impacts from such possible acts were determined to be comparable to those previously analyzed in the FRR SNF EIS.

Receipt and storage of Gap Material SNF at the Savannah River Site are not expected to cause impacts at the site that would differ from or exceed those identified in the FRR SNF EIS. Gap Material SNF is expected to ultimately be disposed of in a geologic repository. Disposition of Gap Material SNF is not expected to result in any changes to the envelope of impacts addressed in the FRR SNF EIS, the *Savannah River Site Spent Fuel Management Final Environmental Impact Statement* (DOE/EIS-0279, March 2000), and the *Environmental Impact Statement for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain* (DOE/EIS-0250, February 2002) and its supplemental EISs (DOE/EIS-0250-S1, DOE/EIS-0250-S2, and DOE/EIS-0369, June 2008). Acceptance of Gap Material SNF will occur under the condition that Gap Material SNF complies with the acceptance criteria of the SRS facility receiving the Gap Material SNF and that sufficient storage capacity exists at the facility, pending disposition of the material.

## Decision

DOE has decided to amend the FRR SNF EIS Record of Decision to accept up to 1 MTHM (1.1 tons) of foreign research reactor SNF containing either non-U.S.-origin HEU or SNF containing U.S.-origin HEU that was not previously addressed in the FRR SNF EIS.<sup>2</sup> DOE would only accept the material if it poses a threat to national security, is susceptible for use in an improvised

nuclear device, presents a high risk of terrorist threat, and has no other reasonable pathway to assure security from theft or diversion.

Further, acceptance of this material would be undertaken consistent with existing conditions of the FRR SNF Acceptance Program. The FRR SNF Acceptance Program provides for fuel acceptance through May 12, 2019. DOE will continue limitations on shipment cask curie activity and will ensure that the upper limit estimate for the source term assumed in the FRR SNF EIS accident analysis will not be exceeded. DOE will extend the mitigation action plan announced in the May 1996 ROD and currently in place for FRR SNF to Gap Material SNF to ensure that individual ship crew member doses are maintained as low as reasonably achievable and less than 100 millirem in a year. Acceptance of Gap Material SNF will occur in accordance with processes implemented to ensure compliance with DOE and international requirements. Shipments of Gap Material SNF will occur under the condition that Gap Material SNF complies with the acceptance criteria of the SRS facility receiving the Gap Material SNF and that sufficient storage capacity exists at the facility, pending disposition of the material.

## Conclusion

DOE's decision furthers the nonproliferation objectives of the United States. The decision provides for the management and disposition of certain material not previously addressed in the FRR SNF EIS that poses a threat to national security, is susceptible to use in an improvised nuclear device, presents a high risk of terrorist threat, and has no other reasonable pathway to assure security from theft or diversion.

The decision set forth in this Revised ROD complies with the requirements of NEPA (42 U.S.C. 4321 *et seq.*) and its implementing regulations at 40 CFR Parts 1500–1508 and 10 CFR Part 1021. Potential impacts resulting from implementing this action will remain within the range of the potential environmental impacts analyzed in the FRR SNF EIS. This action does not constitute either a substantial change or significant new circumstance relevant to environmental concerns. There are no significant new circumstances or information relevant to environmental concerns related to this action or its impacts within the meaning of 40 CFR 1502.9(c) and 10 CFR 1021.314. Therefore, neither a supplement to the FRR SNF EIS nor a new EIS is needed.

Issued in Washington, DC, on this 13th day of January, 2009.

**Thomas P. D'Agostino,**

*Administrator, National Nuclear Security Administration.*

[FR Doc. E9–1279 Filed 1–22–09; 8:45 am]

**BILLING CODE 6450–01–P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP08–6–003]

### Midcontinent Express Pipeline LLC; Notice of Application

January 14, 2009.

Take notice that on January 9, 2009, Midcontinent Express Pipeline LLC (Midcontinent), 3250 Lacey Road, Suite 700, Downers Grove, Illinois 60515–7918, filed in the above-referenced docket an abbreviated application pursuant to section 7(c) of the Natural Gas Act (NGA) and Part 157 of the regulations of the Commission, to amend its certificate authority issued on July 25, 2008, in Docket No. CP08–6–000, in order to revise the initial transportation rates for Midcontinent's Zone 1 and Zone 2 facilities.

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 an intervention or protest must serve a copy of that document on the Applicant. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

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 on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC.

<sup>2</sup> This decision also includes acceptance of non-U.S.-origin HEU in unirradiated (fresh) fuel that will be transported to the Y-12 National Security Complex in Oak Ridge, Tennessee. Management of such HEU is addressed in the *Site-wide Environmental Impact Statement for the Y-12 National Security Complex* (DOE/EIS-0309, 2001) and associated ROD (67 FR 11296; March 13, 2002).

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.

*Comment Date:* January 30, 2009.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E9-1358 Filed 1-22-09; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Combined Notice of Filings

January 14, 2009.

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

*Docket Numbers:* RP96-312-186.

*Applicants:* Tennessee Gas Pipeline Company.

*Description:* Tennessee Gas Pipeline Company submits a negotiated rate gas transportation arrangement with JP Morgan Ventures Energy Corp pursuant to Tennessee's Rate Schedule FT-A, to be effective 2/1/09.

*Filed Date:* 01/12/2009.

*Accession Number:* 20090113-0293.

*Comment Date:* 5 p.m. Eastern Time on Monday, January 26, 2009.

*Docket Numbers:* RP09-123-000.

*Applicants:* Southern Star Central Gas Pipeline, Inc.

*Description:* Southern Star Central Gas Pipeline, Inc. submits its Annual Cash-Out Refund Report.

*Filed Date:* 12/01/2008.

*Accession Number:* 20081201-5035.

*Comment Date:* 5 p.m. Eastern Time on Wednesday, January 21, 2009.

*Docket Numbers:* RP09-206-000.

*Applicants:* Iroquois Gas Transmission System, L.P.

*Description:* Iroquois Gas Transmission System, LP submits Fourth Revised Sheet 141 *et al.*, to its FERC Gas Tariff, First Revised Volume 1.

*Filed Date:* 01/09/2009.

*Accession Number:* 20090112-0201.

*Comment Date:* 5 p.m. Eastern Time on Wednesday, January 21, 2009.

*Docket Numbers:* RP09-207-000.

*Applicants:* Tennessee Gas Pipeline Company.

*Description:* Tennessee Gas Pipeline Company submits Twelfth Revised Sheet 400 *et al.* to its FERC Gas Tariff, Fifth Revised Volume 1.

*Filed Date:* 01/09/2009.

*Accession Number:* 20090112-0202.

*Comment Date:* 5 p.m. Eastern Time on Wednesday, January 21, 2009.

*Docket Numbers:* RP09-208-000.

*Applicants:* North Baja Pipeline, LLC.

*Description:* North Baja Pipeline, LLC submits Second Revised Sheet 5 *et al.* to reflect tariff modifications necessitated by Order 712.

*Filed Date:* 01/09/2009.

*Accession Number:* 20090112-0173.

*Comment Date:* 5 p.m. Eastern Time on Wednesday, January 21, 2009.

*Docket Numbers:* RP09-209-000.

*Applicants:* SG Resources Mississippi, L.L.C.

*Description:* SG Resources Mississippi, LLC submits First Revised Sheet 114 *et al.* to FERC Gas Tariff, Original Volume 1 to be effective 2/8/09.

*Filed Date:* 01/09/2009.

*Accession Number:* 20090112-0171.

*Comment Date:* 5 p.m. Eastern Time on Wednesday, January 21, 2009.

*Docket Numbers:* RP09-210-000.

*Applicants:* Centra Pipelines Minnesota, Inc.

*Description:* Centra Pipelines Minnesota, Inc. submits Fourth Revised Sheet 35 to FERC Gas Tariff, Second Revised Volume 2.

*Filed Date:* 01/12/2009.

*Accession Number:* 20090113-0294.

*Comment Date:* 5 p.m. Eastern Time on Monday, January 26, 2009.

*Docket Numbers:* RP09-211-000.

*Applicants:* Colorado Interstate Gas Company.

*Description:* Colorado Interstate Gas Company submits Twelfth Revised Sheet 228 *et al.* to FERC Gas Tariff, First Revised Volume 1, to be effective 2/16/09.

*Filed Date:* 01/12/2009.

*Accession Number:* 20090113-0295.

*Comment Date:* 5 p.m. Eastern Time on Monday, January 26, 2009.

Any person desiring to intervene or to protest in any of the above proceedings 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) on or before 5 p.m. Eastern time on the specified comment date. It is not necessary to separately intervene again in a subdocket related to a compliance filing if you have previously intervened in the same docket. 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. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. In reference to filings initiating a new proceeding,

interventions or protests submitted on or before the comment deadline need not be served on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 14 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First St., NE., Washington, DC 20426.

The filings in the above proceedings are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also 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.

**Nathaniel J. Davis, Sr.,**

*Deputy Secretary.*

[FR Doc. E9-1366 Filed 1-22-09; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Combined Notice of Filings

January 9, 2009.

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

*Docket Numbers:* RP95-408-072.

*Applicants:* Columbia Gas Transmission, LLC.

*Description:* Columbia Gas Transmission, LLC submits Substitute Twenty-Fourth Revised Sheet 29 to its FERC Electric Tariff, Second Revised Volume 1 to be effective 2/1/09.

*Filed Date:* 01/07/2009.

*Accession Number:* 20090108-0379.

*Comment Date:* 5 p.m. Eastern Time on Wednesday, January 21, 2009.

*Docket Numbers:* RP96-331-021.