

f. *Location*: The project is located on the Black River in Oneida County, New York.

g. *Filed Pursuant to*: Federal Power Act, 16 U.S.C. 791a–825r.

h. *Applicant Contact*: Sean Fairfield, Regulatory Coordinator, Algonquin Power System (New York) Inc., 2845 Bristol Circle, Oakville, Ontario, Canada L6H 7H7, 905–465–4518.

i. *FERC Contact*: Any questions on this notice should be addressed to Mr. Jake Tung at (202) 502–8757, or e-mail address: [hong.tung@ferc.gov](mailto:hong.tung@ferc.gov).

j. *Deadline for filing comments and or motions*: December 5, 2003.

k. *Description of Request*: The licensee proposes to revise the boundary for the Forestport Generating Station Project. The boundary area subject to revision is located downstream of the project's spillway. The licensee indicates that the revised boundary is based on an updated survey map and it will not affect the project's Recreation Use Plan approved by the Commission in 1990.

l. *Locations of the Application*: A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE., Room 2A, Washington, DC 20426, or by calling (202) 502–8371. This filing may also be viewed on the Commission's Web site at <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. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1–866–208–3676 or e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), for TTY, call (202) 502–8659. A copy is also available for inspection and reproduction at the address in item (h) above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Protests, or Motions to Intervene*: Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, 385.211, 385.214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified

comment date for the particular application.

o. *Filing and Service of Responsive Documents*: Any filings must bear in all capital letters the title "COMMENTS", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTEST", OR "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. All documents (original and eight copies) should be filed with: Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

p. *Agency Comments*: Federal, State, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

q. Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site at <http://www.ferc.gov> under the "e-Filing" link.

Magalie R. Salas,

Secretary.

[FR Doc. E3–00215 Filed 11–13–03; 8:45 am]

BILLING CODE 6717–01–P

## DEPARTMENT OF ENERGY

### National Nuclear Security Administration

#### Notice of Availability of the Final Environmental Impact Statement for the Proposed Chemistry and Metallurgy Research Building Replacement Project at Los Alamos National Laboratory, Los Alamos, NM

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

**ACTION**: Notice of availability.

**SUMMARY**: The Department of Energy's (DOE) National Nuclear Security Administration (NNSA) announces the availability of the *Final Environmental Impact Statement for the Chemistry and Metallurgy Research Building Replacement Project at Los Alamos National Laboratory, Los Alamos, New Mexico* (the Final CMRR EIS). The present Chemistry and Metallurgy

Research (CMR) Building at Los Alamos National Laboratory (LANL) houses mission critical analytical chemistry, material characterization and research and development capabilities involving actinides (actinides are any of a series of elements with atomic numbers ranging from actinium-89 through lawrencium-103). The Final CMRR EIS considers the potential environmental impacts that could result due to the consolidation and relocation of these CMR capabilities from the existing aged CMR Building to a new facility such that these capabilities would be available on a long-term basis to successfully accomplish LANL mission support activities or programs. Two locations at LANL were evaluated for locating a new CMRR Facility: A location within Technical Area (TA) –55 and a location within TA–6. The Final CMRR EIS also considers the no-action alternative of maintaining the CMR capabilities at the existing CMR Building.

**DATES**: The NNSA intends to issue a Record of Decision on the CMRR EIS no sooner than 30 days after the Environmental Protection Agency publishes a notice of filing of the Final CMRR EIS in the **Federal Register**.

**ADDRESSES**: A copy of the Final CMRR EIS and its Summary may be obtained upon request by writing to: U.S. Department of Energy, National Nuclear Security Administration, Los Alamos Site Office, Attn: Ms. Elizabeth Withers, Office of Facility Operations, 528 35th Street, Los Alamos, New Mexico, 87544; by facsimile ((505) 667–9998); or by e-mail ([CMRR\\_EIS@doe.gov](mailto:CMRR_EIS@doe.gov)). Copies of the Final CMRR EIS are also available for review at: the Los Alamos Outreach Center, 1619 Central Avenue, Los Alamos, New Mexico, 87544; and the Zimmerman Library, University of New Mexico, Albuquerque, New Mexico 87131.

**FOR FURTHER INFORMATION CONTACT**: For general information on NNSA NEPA process, please contact: Mr. James Mangeno (NA 1), NEPA Compliance Officer for Defense Programs, U.S. Department of Energy, National Nuclear Security Administration, 19901 Germantown Road, Germantown, MD 20874–1290, or telephone 1–800–832–0885. For general information about the DOE NEPA process, please contact: Ms. Carol Borgstrom, Director, Office of NEPA Policy and Compliance (EH–42), U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586–4600, or leave a message at 1–800–472–2756.

**SUPPLEMENTARY INFORMATION:** Mission critical CMR capabilities at LANL support NNSA's stockpile stewardship and management strategic objectives. The CMR Building's analytical chemistry, materials characterization, and actinide research and development capabilities are necessary to support the current and future directed stockpile work and campaign activities conducted at LANL. The CMR Building is over 50 years old and approaching end of design life. Studies conducted in the late 1990s identified a seismic fault trace located beneath the CMR Building, which greatly enhances the level of structural upgrades needed for the building to meet current structural seismic code requirements for a Hazard Category 2 nuclear facility. The CMR Building has been upgraded such that operations can continue, on a restricted basis, in support of national security missions. The CMR Upgrades project was designed to extend the life of the CMR Building through approximately 2010. It would be cost prohibitive to perform the needed repairs, upgrades, and systems retrofitting for a long-term (beyond 2010), unrestricted use of the CMR Building.

NNSA cannot continue to perform the assigned LANL mission critical CMR capabilities in the existing CMR Building at an acceptable level of risk to public and worker health and safety without operational restrictions. These operational restrictions would preclude the full implementation of the level of operation DOE decided upon through its Record of Decision for the 1999 LANL Site-wide Environmental Impact Statement for the Continued Operation of Los Alamos National Laboratory (DOE/EIS-0238). CMR capabilities are necessary to support the current and directed stockpile work and campaign activities at LANL. By 2010, operations will have been conducted in the existing CMR Building for 60 years; this is the estimated operational life span for nuclear operations at the existing CMR Building. Given that the CMR Building is near the end of its useful life, action is now required by NNSA to assess alternatives for continuing these activities for the succeeding 50 years.

The Final CMRR EIS evaluates the environmental impacts associated with relocating the CMR capabilities at LANL to new buildings sited at the following alternative locations: (1) Next to the Plutonium Facility at TA-55 at LANL (the Proposed Action), and (2) a "greenfield" site within TA-6. The NNSA also evaluated performing minimal necessary structural and systems upgrades and repairs to portions of the existing CMR Building

and continuing the use of these upgraded portions of the structure for administrative offices and support function purposes, as well as evaluating the potential decontamination and demolition of the existing CMR Building as disposition options coupled with the alternatives for construction and operation of new nuclear laboratory facilities at the two previously identified locations. The Final CMRR EIS considers the performance of minimal necessary structural and systems upgrades and repairs to the existing CMR Building as a no-action alternative with continued maintenance of limited mission critical CMR capabilities at the CMR Building.

In the Final CMRR EIS, the Administrator of the NNSA designated Alternative 1, the Proposed Action of constructing and operating a new CMRR Facility at TA-55, as its preferred alternative. Additionally, the designated preferred construction option is the construction of a single consolidated SNM-capable Hazard Category laboratory above ground with a separate administrative offices support functions building (Option 3); NNSA's preferred option for the disposition of the CMR Building is to decontaminate, decommission, and demolish that entire structure (Option 3).

Signed in Washington, DC, this 21 day of October, 2003.

**Everet H. Beckner,**

*Deputy Administrator for Defense Programs,  
National Nuclear Security Administration.*

[FR Doc. 03-28508 Filed 11-13-03; 8:45 am]

**BILLING CODE 6450-01-P**

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## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-6645-5]

### 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 4, 2003 (68 FR 16511).

#### Draft EISs

ERP No. D-AFS-G65090-NM Rating LO, Magdalena Ridge Observatory

Project, Construct and Operate an Observatory in the Magdalena Mountains, Cibola National Forest, Magdalena Ranger District, Socorro County, NM.

*Summary:* EPA had no objection to the preferred alternative.

ERP No. D-DOE-L09817-WA Rating EC2, BP Cherry Point Cogeneration Project, To Build a 720-megawatt Gas-Fired Combined Cycle Cogeneration Facility, Energy Facility Site Evaluation Council (EFSEC), Whatcom County, WA.

*Summary:* EPA expressed concerns that proposed mitigation would not adequately offset project-related impacts to wetlands. EPA recommended that the additional wetland mitigation be developed along with a demonstration that the applicant-proposed project represents the least environmentally damaging practicable alternative. EPA also recommended that the Bonneville Power Administration and the Corps of Engineers consult with the governments of affected tribes, pursuant to Executive Order 13175.

ERP No. D-NOA-L91019-00 Rating EC2, Pacific Coast Groundfish Fishery Management Plan (FMP) Amendment 16-2, Rebuilding Plans for: Darkblotched Rockfish, Pacific Ocean Perch, Canary Rockfish, and Lingcod, Maximum Sustainable Yield (MSY) Magnuson-Stevens Fishery Conservation and Management Act, WA, OR, CA and Boundary of U.S. EEZ.

*Summary:* EPA expressed concerns on bycatch information, impacts on habitat, and enforcement of depth-based management restrictions.

ERP No. D-USA-G11042-LA Rating EC2, 2nd Armored Cavalry Regiment Transformation and Installation Mission Support, Joint Readiness Training Center (JRTC) Stryker Brigade Combat Team, Long-Term Military Training Use of Kisatchie National Forest Lands, Fort Polk, LA.

*Summary:* EPA expressed environmental concerns and requested additional information on mitigation measure to reduce sediment loadings, mapping wetlands, and forest restoration.

ERP No. D-USA-L10005-AK Rating EC2, Programmatic EIS—Army Transformation of the 172nd Infantry Brigade (Separate) to a Stryker Brigade Combat Team (SBCT), Propose Location Forts Wainwright and Richardson, AK.

*Summary:* EPA expressed concerns regarding impacts on natural resources from increased in live-fire training and maneuver training. EPA requested that the FEIS clarify impacts and include compensation information for natural resources.