

Central Library, 14 West 10th Street, Kansas City, MO 64105, *Phone:* (816) 701-3400.

North-East Branch, 6000 Wilson Road, Kansas City, MO 64123, *Phone:* (816) 701-3485.

Kansas City Site Office, Mid-Continent Public Library, Blue Ridge Branch, 9253 Blue Ridge Boulevard, Kansas City, MO 64138, *Phone:* (816) 761-3382.

NNSA Nevada Site Office, U.S. Department of Energy, Public Reading Room, 755 East Flamingo Road; Room 103, Las Vegas, NV 89119, *Phone:* (702) 784-5121.

Office of Repository Development, Bechtel SAIC Company LLC, Reading Room, Science Center, 4101 B Meadows Lane, Las Vegas, NV 89107, *Phone:* (702) 295-1312.

Las Vegas Library, 833 Las Vegas Boulevard North, Las Vegas, NV 89101, *Phone:* (702) 507-3500.

Indian Springs Library, 715 Gretta Lane, Indian Springs, NV 89018, *Phone:* (702) 879-3845.

Beatty Community Library, 400 North 4th Street, Beatty, NV 89003, *Phone:* (775) 553-2257.

Tonopah Public Library, 167 South Central Street, Tonopah, NV 89049, *Phone:* (775) 482-3374.

Los Alamos National Laboratory, Public Reading Room, PO Box 1663, Mail Stop M9991, Los Alamos, NM 87545, *Phone:* (505) 667-0216.

National Nuclear Security Administration Service Center, DOE Reading Room, Government Information Department, Zimmerman Library, University of New Mexico, Albuquerque, NM 87131-1466, *Phone:* (505) 277-7180.

Mesa Public Library, 2300 Central Avenue, Los Alamos, NM 87544, *Phone:* (505) 662-8250.

Santa Fe Main Library, 145 Washington Avenue, Santa Fe, NM 87501, *Phone:* (505) 955-6780.

Socorro Public Library, 401 Park Street, Socorro, NM 87801, *Phone:* (505) 835-1114.

Savannah River Operations Office, Gregg-Graniteville Library, University of South Carolina-Aiken, 471 University Parkway, Aiken, SC 29801, *Phone:* (803) 641-3320.

Aiken County Public Library, 314 Chesterfield Street South, Aiken, SC 29801, *Phone:* (803) 642-2020.

Barnwell County Public Library, 617 Hagood Avenue, Barnwell, SC 29812, *Phone:* (803) 259-3612.

Oak Ridge Office, DOE Information Center, 475 Oak Ridge Turnpike, Oak Ridge, TN 37830, *Phone:* (865) 241-4780 or 1 (800) 328-6938, Option 6.

Oak Ridge Public Library, Civic Center, 1401 Oak Ridge Turnpike, Oak Ridge, TN 37830, *Phone:* (865) 425-3455.

Kingston Public Library, 1004 Bradford Way, Kingston, TN 37763, *Phone:* (865) 376-9905.

Central Library, 413 E 4th Avenue; Amarillo, TX 79101, *Phone:* (806) 378-3054.

North Branch, 1500 NE 24th Avenue, Amarillo, TX 79107, *Phone:* (806) 381-7931.

DOE Reading Room, Lynn Library/Learning Center, Amarillo College, Washington Street Campus, 2201 South Washington Street, Amarillo, Texas, *Phone:* (806) 371-5400.

Carson County Library, 401 Main Street, Panhandle, Texas 79068, *Phone:* (806) 537-3742.

U.S. Department of Energy, Freedom of Information Act Reading Room, 1000 Independence Avenue, SW., IE-190, Washington, DC 20585-0001, *Phone:* (202) 586-5955.

Signed in Washington, DC, this 21st day of October 2008.

**Thomas P. D'Agostino,**

*Administrator, National Nuclear Security Administration.*

[FR Doc. E8-25420 Filed 10-23-08; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Supplement to the Environmental Impact Statements for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain, Nye County, NV

**AGENCY:** U.S. Department of Energy.

**ACTION:** Notice of Intent.

**SUMMARY:** The U.S. Department of Energy (DOE or the Department) is announcing its intent to prepare a Supplement to the "Final Environmental Impact Statement for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain, Nye County, Nevada" (DOE/EIS-0250F, February 2002) (Yucca Mountain Final EIS), and the "Final Supplemental Environmental Impact Statement for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain, Nye County, Nevada" (DOE/EIS-0250F-S1, July 2008) (Repository SEIS). The U.S. Nuclear Regulatory Commission (NRC) staff determined, pursuant to Section 114(f)(4) of the Nuclear Waste Policy Act of 1982, as amended (NWPAct), that it is practicable to adopt, with further supplementation, DOE's

environmental impact statements prepared in connection with the proposed repository at Yucca Mountain, Nye County, Nevada. The NRC staff concluded that the Yucca Mountain Final EIS and Repository SEIS did not address adequately all of the repository-related impacts on groundwater, or from surface discharges of groundwater, and therefore requested that DOE prepare a supplement to these environmental impact statements. Based on a review of the NRC staff evaluation, the Department has decided to prepare the requested supplement.

**DATES:** The Department invites comments during a 30-day period, which starts with publication of this Notice of Intent and ends November 24, 2008. Comments received after this date will be considered to the extent practicable.

**ADDRESSES:** Requests for additional information on the supplement or on the repository program in general, or to become a cooperating agency should be directed to: Dr. Jane Summerson, EIS Document Manager, Regulatory Authority Office, Office of Civilian Radioactive Waste Management, U.S. Department of Energy, 1551 Hillshire Drive, Las Vegas, NV 89134, Telephone 1-800-967-3477. Written comments may be submitted to Dr. Jane Summerson at this address, or by facsimile to 1-888-767-0739, or via the Internet at <http://www.ocrwm.doe.gov/contact/comments.shtml>.

**FOR FURTHER INFORMATION CONTACT:** For general information regarding the DOE National Environmental Policy Act (NEPA) process contact: Ms. Carol M. Borgstrom, Director, Office of NEPA Policy and Compliance, U.S. Department of Energy, 1000 Independence Ave., SW., Washington, DC 20585, Telephone 202-586-4600, or leave a message at 1-800-472-2756.

#### SUPPLEMENTARY INFORMATION:

##### Background

The NWPAct directs the Secretary of Energy, if the Secretary decides to recommend approval of the Yucca Mountain site for development of a repository, to submit a final environmental impact statement with any recommendation to the President. The Department prepared the Yucca Mountain Final EIS to fulfill that requirement. The Yucca Mountain Final EIS considered the potential environmental impacts of a repository design for surface and subsurface facilities, and plans for the construction, operation, monitoring, and eventual closure of the repository.

On February 14, 2002, the Secretary, in accordance with the NWPA, transmitted his recommendation (including the Yucca Mountain Final EIS) to the President for approval of the Yucca Mountain site for development of a geologic repository. The President considered the site qualified for application to the NRC for a construction authorization and recommended the site to the U.S. Congress. On July 23, 2002, the President signed into law a joint congressional resolution designating the Yucca Mountain site for development as a geologic repository for the disposal of spent nuclear fuel and high-level radioactive waste.

In 2006, DOE modified its approach to repository design and operational plans. On October 13, 2006, DOE announced that it would prepare a supplement to the Yucca Mountain Final EIS to evaluate potential environmental impacts of the modified repository design and operational plans.

On June 3, 2008, the Department submitted an application to the NRC seeking authorization to construct a geologic repository at Yucca Mountain in Nye County, Nevada. DOE's application was accompanied by the Yucca Mountain Final EIS. On June 16, 2008, DOE submitted the Repository SEIS to the NRC. On July 11, 2008, the Environmental Protection Agency announced in the **Federal Register** the availability of the Repository SEIS (73 FR 39958).

In accord with Section 114(f)(4) of the NWPA, the NRC shall adopt, to the extent practicable, any environmental impact statement prepared by DOE in connection with the proposed repository. The NRC staff reviewed DOE's Yucca Mountain Final EIS and Repository SEIS, and found that it is practicable to adopt, with further supplementation, these environmental impact statements. The NRC staff concluded that these environmental impact statements did not address adequately all of the repository-related impacts on groundwater, or from surface discharges of groundwater, and therefore requested that DOE prepare a supplement to the Yucca Mountain Final EIS and the Repository SEIS. Based on a review of the NRC staff evaluation, the Department has decided to prepare the requested supplement.

The requested supplement will analyze further the repository-related impacts on groundwater, and from surface discharges of groundwater. More specifically, the supplement will describe the extent of the volcanic-alluvial aquifer, particularly those parts that could become contaminated, and

how water (and potential contaminants) can leave the flow system. In addition, the supplement will provide an analysis of the cumulative amount of radiological and non-radiological contaminants that can be reasonably expected to enter the aquifer from the repository, and the amount that could reasonably remain over time. This information will be used to estimate contamination in the groundwater, given potential accumulation of radiological and non-radiological contaminants.

The supplement also will provide a discussion of the impacts on soils and surface materials from the processes involved in surface discharges of contaminated groundwater. A description of locations of potential natural discharge of contaminated groundwater for present and expected future wetter periods will be included, as will a description of the physical processes at surface discharge locations that can affect accumulation, concentration, and potential remobilization of groundwater-borne contaminants. This information will be used to develop estimates of the amount of contaminants that could be deposited at or near the surface, and potential environmental impacts.

#### Schedule

The Department intends to issue the Draft Supplement in the spring of 2009, at which time its availability will be announced in the **Federal Register** and in media in Nevada. A public comment period will start upon publication of the Environmental Protection Agency's Notice of Availability in the **Federal Register**. DOE will hold a public hearing during the comment period. The Department will consider and respond to comments received on the draft supplement in preparing the final supplement.

#### Public Reading Rooms

Documents referenced in this Notice of Intent and related information are available at the following locations: Nye County Department of Natural Resources and Federal Facilities, 1210 E. Basin Road, Suite #6, Pahrump, NV 89060 (775) 727-7727; Pahrump Community Library, 701 East Street, Pahrump, NV 89041 (775) 727-5930; Beatty Library District, 400 N. 4th Street, Beatty, NV 89003 (775) 553-2257; Amargosa Valley Library District, 829 East Farm Road, Amargosa, NV 89020 (775) 372-5340; University of Nevada, Reno, The University of Nevada Libraries, Business and Government Information Center, M/S 322, 1664 N. Virginia Street, Reno, NV 89557, (775)

784-6500, Ext. 309; Yucca Mountain Repository Assessment Office, 135 South Jackson Street, Independence, CA 93526 (760) 878-0030; National Nuclear Agency Administration Nevada Site Office, Public Reading Room, Frank H. Rogers Building, 755 C East Flamingo Road, Suite 103, Las Vegas, NV 89119 (702) 794-5117; and the U.S. Department of Energy Headquarters Office Public Reading Room, 1000 Independence Avenue, SW., Room 1E-190 (ME-74) FORS, Washington, DC 20585, 202-586-3142.

Issued in Washington, DC, on October 21, 2008.

**Edward F. Sproat, III,**

*Director, Office of Civilian Radioactive Waste Management.*

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**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 13102-000; Project No. 13105-000]

#### **Birch Power Company; Brookfield Power Company; Notice of Preliminary Permit Applications Accepted for Filing and Soliciting Comment, Motions To Intervene, and Competing Applications**

October 17, 2008.

On February 1, 2008, Birch Power Company (Birch Power) and BPUS Generation Development LLC (BPUS) filed applications, pursuant to section 4(f) of the Federal Power Act, proposing to study the feasibility of the Demopolis Lock and Dam Hydroelectric Project, to be located at the existing U.S. Army Corp of Engineers' (Corps) Demopolis Lock and Dam on the Tombigbee River in Marengo County, Alabama.

The proposed projects would use the existing Corps Demopolis Lock and Dam and consists of:

For Birch Power—(1) A proposed powerhouse with two generating units having a total capacity of 23.7 MW; (2) two proposed 90-foot-long, 18-foot-diameter steel penstocks; (3) a proposed one-mile-long transmission line; and (4) appurtenant facilities. The project would have an annual generation of 155 GWh, and would be sold to a local utility.

For BPUS—(1) A proposed powerhouse with three generating units having a total capacity of 37.5 MW; (2) a proposed intake channel and tailrace channel; (3) a proposed 3.7-mile-long transmission line; and (4) appurtenant