

plutonium operations in the complex, which includes the manufacture of pits for weapon assemblies, the Board recommends that DOE:

1. Implement near-term actions and compensatory measures to reduce significantly the consequences of seismically induced events, including clear identification of consequence reduction targets/goals, schedule, and implementation methods. In planning for and completing these actions and compensatory measures, DOE should be guided by the need for immediate actions and mindful of the provisions of 42 U.S.C. 2286d(f)(1) regarding implementation timelines.

2. Develop and implement an acceptable safety strategy for seismically induced events that includes the following elements:

a. A technically justifiable decision logic and criteria for evaluating and selecting safety-class structures, systems, and components that can effectively prevent or mitigate the consequences of seismic events to acceptably low values.

b. The seismic analysis approach for structures, systems, and components required to implement the seismic safety strategy.

c. A prioritized plan and schedule, including quarterly briefs to the Board for the next 12 months, for seismic analyses, necessary upgrades, and other actions to implement the seismic safety strategy.

The severity of the problems that are the subject of this Recommendation and the urgency to remediate them argue forcefully for the Secretary to avail himself of the authority under the Atomic Energy Act (U.S.C. 2286d(e)) to "implement any such recommendation (or part of any such recommendation) before, on, or after the date on which the Secretary transmits the implementation plan to the Board under this subsection."

**John E. Mansfield, Ph.D.,**

*Vice Chairman.*

[FR Doc. E9-26774 Filed 11-5-09; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 12462-020]

#### Indian River Power Supply, LLC; Notice of Application for Amendment of Exemption, Soliciting Comments, Motions To Intervene, and Protests, and Mandatory Terms and Conditions

October 30, 2009.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Type of Application:* Amendment of exemption.

b. *Project No.:* 12462-020.

c. *Date Filed:* August 5, 2009.

d. *Applicant:* Indian River Power Supply, LLC.

e. *Name of Project:* Indian River.

f. *Location:* Westfield River, in the Town of Russell, Hampden County, Massachusetts

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

h. *Applicant Contact:* Mr. Peter B. Clark, Manager, P.O. Box 149, 823 Bay Road, Hamilton, Massachusetts, (978) 468-3999.

i. *FERC Contact:* Jeremy Jessup, [Jeremy.Jessup@ferc.gov](mailto:Jeremy.Jessup@ferc.gov), (202) 502-6779.

j. *Deadline for filing comments, motions to intervene and protest:* November 30, 2009.

All documents (original and eight copies) should be filed with: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

k. *Description of Request:* Indian River Power Supply, LLC, proposes to rehabilitate the project's existing generating Unit 1. The rehabilitated unit would have an installed capacity of 800 kW and a hydraulic capacity of 428 cfs. The rehabilitation would result in a total installed capacity of 1,600 kW and a total hydraulic capacity of 856 cfs for the Indian River Project.

l. *Location of the Application:* The filing 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://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/docsfiling/esubscription.asp> to be notified via e-mail 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, .211, .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. Any filing must bear in all capital letters the title "COMMENTS", "PROTEST", "MOTION TO INTERVENE", or "MANDATORY TERMS AND CONDITIONS" as applicable, and the Project Number of the particular application to which the filing refers.

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.

**Kimberly D. Bose,**  
*Secretary.*

[FR Doc. E9-26740 Filed 11-5-09; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Effectiveness of Exempt Wholesale Generator Status; Elizabethtown Energy, LLC, et al.

October 30, 2009.

|                                             | Docket Nos. |
|---------------------------------------------|-------------|
| Elizabethtown Energy, LLC .....             | EG09-69-000 |
| Lumberton Energy, LLC .....                 | EG09-70-000 |
| Milford Wind Corridor Phase I, LLC .....    | EG09-71-000 |
| Prairie Breeze Wind Energy LLC .....        | EG09-72-000 |
| Dominion Nuclear Connecticut, Inc .....     | EG09-73-000 |
| Fox Islands Wind, LLC .....                 | EG09-74-000 |
| Rolling Thunder I Power Partners, LLC ..... | EG09-75-000 |
| Black Bear Hydro Partners, LLC .....        | EG09-77-000 |
| Tilton Energy LLC .....                     | EG09-78-000 |
| Langford Wind Power, LLC .....              | EG09-79-000 |

Take notice that during the month of September, 2009, the status of the above-captioned entities as Exempt Wholesale Generators became effective by operation of the Commission's regulations 18 CFR 366.7(a).

**Kimberly D. Bose,**  
*Secretary.*

[FR Doc. E9-26742 Filed 11-5-09; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 13600-000]

#### Alaska Power & Telephone Company; Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Competing Applications

October 30, 2009.

On October 5, 2009, Alaska Power & Telephone Company filed an application for a preliminary permit, pursuant to section 4(f) of the Federal Power Act, proposing to study the feasibility of the Yukon River Hydrokinetic Water Power Project, located on the Yukon River, in the Southeast Fairbanks Census Area, near Eagle, Alaska. The sole purpose of a preliminary permit, if issued, is to grant the permit holder priority to file a license application during the permit term. A preliminary permit does not authorize the permit holder to perform any land disturbing activities or otherwise enter upon lands or waters owned by others without the owners' express permission.

The proposed project would consist of: (1) A 41.5-foot-long fabricated aluminum pontoon barge used to deploy and support the turbines; (2) a 25-kilowatt (kW) turbine generator unit attached to the pontoon barge; (3) a V-shaped floating debris boom tethered to the pontoon; (4) a power conversion station (PCS) building, located on the river bank adjacent to the moored pontoon barge; (5) a 750-foot-long, 600-volt power and control cable linking the turbine generator unit with the PCS building; (6) a 150-foot-long, 7.2-kilovolt (kV) transmission line connecting the PCS building to an existing 7.2-kV utility transmission line; and (7) appurtenant facilities. The project is projected to operate from May 15th to October 15th annually. The pontoon barge, turbine/generator unit, debris boom, and power and control cable will be removed from the river each October and redeployed the following May to prevent damage to the project facilities from winter ice in the Yukon River. The proposed Yukon River Hydrokinetic Water Power Project would have an average annual generation of 55-60 megawatt-hours.

*Applicant Contact:* Mr. Robert S. Grimm, CEO/President, Alaska Power & Telephone Company, P.O. Box 3222, Port Townsend, WA 98368; phone: (360) 385-1733.

*FERC Contact:* Jennifer Harper, 202-502-6136.

Deadline for filing comments, motions to intervene, competing applications (without notices of intent), or notices of intent to file competing applications: 60 days from the issuance of this notice. Comments, motions to intervene, notices of intent, and competing applications may be filed electronically

via the Internet. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site (<http://www.ferc.gov/docs-filing/ferconline.asp>) under the "eFiling" link. For a simpler method of submitting text only comments, click on "Quick Comment." For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov); call toll-free at (866) 208-3676; or, for TTY, contact (202) 502-8659. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, mail an original and eight copies to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

More information about this project, including a copy of the application, can be viewed or printed on the "eLibrary" link of Commission's Web site at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number (P-13600) in the docket number field to access the document. For assistance, contact FERC Online Support.

**Kimberly D. Bose,**  
*Secretary.*

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