are therefore attributed solely to the increased actinide concentration.

Short-Term Impacts

As evaluated in the SPA SEIS, short-term impacts are incurred during operation of the salt waste processing facilities, and long-term impacts are those resulting from release of disposed radionuclides from the Saltstone Disposal Facility. As described in the SA, differences in short-term impacts resulting from implementing Interim Salt Processing followed by SWPF operation using the CSSX technology will be small compared to operation of the CSSX technology as described in the SPA SEIS. Modifications to the Saltstone Production Facility were completed within the existing structure and result in no new land disturbance. Impacts from construction of the MCU will not differ from those described for the pilot plant in the SPA SEIS. The existing 512–S and 241–96H facilities will be modified for the ARP and will be operated remotely. No adverse impacts are anticipated from construction. Implementation of Interim Salt Processing will not necessitate changes in the design or operation of the SWPF.

There is the potential for short-term impacts to the health of workers and the public due to radiation doses from airborne releases of Cs and actinides from processing activities. For example, the dose to the maximum exposed individual would increase from the 0.31 millirem analyzed under the Caustic Side Solvent Extraction alternative in the SPA SEIS to 0.58 millirem (due to increased actinide concentrations in that portion of the salt waste segregated using DDA but not treated using ARP and MCU before disposal). Similar small increases would occur in involved worker doses and non-involved worker doses. The 0.31 millirem dose to the maximum exposed individual would result in a probability of a latent cancer fatality of about 2 chances in 1,000,000 (2.0×10^{-6}). The 0.58 millirem dose to the maximum exposed individual would result in a probability of a latent cancer fatality of about 3.7 chances in 1,000,000 (3.7×10^{-6}).

Long-Term Impacts

In the SA, DOE compares calculated doses and impacts from the SPA SEIS (the SWPF using the CSSX technology) and the increased actinide concentrations in the Saltstone Disposal Facility from implementing Interim Salt Processing followed by SWPF operation. Three scenarios are used. In the Agricultural Scenario an individual is assumed to unknowingly farm and constructs and lives in a permanent residence on the vaults. At 100 years post-closure a sufficient layer of soil would be present over the still-intact disposal vaults so that the resident would be unaware that the residence was constructed over the vaults. At 1,000 years post-closure the saltstone is assumed to have weathered sufficiently so that the resident could construct a residence without being aware of the presence of the saltstone.

Under the Agricultural Scenario the doses and latent cancer fatalities resulting from Interim Salt Processing followed by SWPF operation using the CSSX technology increase slightly. Under the Residential Scenario at 100 Years, impacts from Interim Salt Processing would be comparable to Caustic Side Solvent Extraction analyzed in the SPA SEIS. For the Residential Scenario at 100 Years doses are dominated by Cs, which has largely decayed by 1,000 years post-closure.

When Interim Salt Processing followed by SWPF operation using the CSSX technology is implemented, waste with a concentration of about 41 nCi/g resulting from the DDA process without ARP and MCU treatment will be sent to the Saltstone Disposal Facility until SWPF becomes operational. Using ARP and throughout the operating life of the SWPF, salt waste sent to the Saltstone Disposal Facility will have actinide concentrations of 10 nCi/g or less. Long-term impacts will be less than shown in the SA when DOE implements Interim Salt Processing followed by SWPF because the actual inventory of actinides disposed of in the Saltstone Disposal Facility will be less than assumed in the calculation.

V. Conclusions

DOE will process about 98.7 percent of the salt waste inventory (about 220 of about 223 MCi) using the CSSX technology as described in the SPA SEIS. When SWPF becomes operational the CSSX technology will be used to process the inventory of salt waste that was not processed during interim salt processing. Interim Salt Processing followed by High Capacity Salt Processing through SWPF using the CSSX technology does not constitute a substantial change in actions previously analyzed and does not present significant new circumstances or information relevant to environmental concerns and bearing on the impacts of DOE's salt processing and waste disposal program. Therefore, DOE does not need to undertake additional NEPA analysis, and DOE will implement Interim Salt Processing followed by High Capacity Salt Processing through SWPF using the CSSX technology to relieve tank space limitations and assure that vitrification of the high-activity fraction of liquid radioactive waste (sludge waste) at the Savannah River Site will continue uninterrupted while construction of the SWPF is completed.

Issued in Washington, DC, this 17th day of January 2006.

James A. Rispoli,

Assistant Secretary for Environmental Management.

[FR Doc. E6–818 Filed 1–23–06; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Section 3116 Determination for Salt Waste Disposal at the Savannah River Site

AGENCY: Office of Environmental Management, Department of Energy.

ACTION: Notice of Availability.

SUMMARY: The Department of Energy (DOE) announces the availability of a section 3116 determination for the disposal of separated, solidified, low-activity salt waste at the Savannah River Site (SRS) near Aiken, South Carolina. Section 3116 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 authorizes the Secretary of Energy, in consultation with the Nuclear Regulatory Commission, to determine that certain waste from reprocessing is not high-level waste (HLW) if it meets the statutory criteria set forth in Section 3116. The Section 3116 determination sets forth the basis on which the Secretary has determined that the salt waste is not high-level waste because it (1) does not require permanent isolation in a deep geologic repository, (2) has had highly radioactive radionuclides removed to the maximum extent practical, and (3) meets the NRC performance objectives for the disposal of low level waste. In a separate notice published in today's **Federal Register**, DOE is also making available the amended Record of Decision for Savannah River Site Salt Processing Alternatives Final Supplemental Environmental Impact Statement, originally issued on October 17, 2001 (66 FR 52752).

ADDRESSES: The final determination, as well as DOE's responses to the public comments received on the draft determination, are available on the Internet at *http://apps.em.doe.gov/swd,* and are publicly available for review at the following locations: U.S. Department of Energy, Public Reading Room, 1000 Independence Avenue,

SW., Room 1E–190, Washington, DC 20585, Phone: (202) 586–5955, or Fax: (202) 586–0575; and U.S. Department of Energy, Savannah River Operations Office, Public Reading Room, 171 University Parkway, Aiken, SC 29801, Phone: (803) 641–3320, or Fax: (803) 641–3302.

SUPPLEMENTARY INFORMATION: As of November 2005 there are 36.4 million gallons (Mgal) of liquid radioactive waste stored in underground waste storage tanks at SRS. The waste consists of two distinct kinds of material: approximately 2.6 Mgal of sludge, comprised primarily of metals that settled at the bottom of the tanks; and approximately 33.8 Mgal of salt waste, which is comprised of concentrated salt solution (supernate) and crystallized saltcake.

DOE's plans call for stabilizing and disposing of retrieved sludge in a deep geologic repository for spent nuclear fuel and high-level radioactive waste. This will be done by stabilizing the HLW in a borosilicate glass matrix through vitrification in a facility known as the Defense Waste Processing Facility (DWPF). This process has been ongoing since 1996.

Regarding the salt waste, DOE plans to remove cesium, strontium, and actinides from these materials using a variety of technologies, combining the removed cesium, strontium, and actinides with the sludge being vitrified in DWPF, and solidifying the remaining low-activity salt stream into a grout matrix, known as saltstone grout, suitable for disposal in vaults at the Saltstone Disposal Facility at SRS. The disposal of this low-activity salt stream on site is the subject of this section 3116 determination.

DOE is separating the salt waste to segregate the low-activity fraction using a two-phase, three-part process. The first phase will involve two parts to treat the lower activity salt waste: (1) Beginning in 2006, DOE will process a minimal amount of the lowest-activity salt waste through a process involving deliquification, dissolution, and adjustment of the waste; and (2) beginning in 2007, DOE will process a minimal amount of additional salt waste with slightly higher activity levels using an Actinide Removal Process and a Modular Caustic Side Solvent Extraction Unit. The second, and longer-term phase, which is scheduled to begin in 2011, involves the separation and processing of the remaining (and by far the majority) of the salt waste using a high capacity Salt Waste Processing Facility, augmented as necessary by the Actinide Removal Process. This second phase will begin as soon as the Salt Waste Processing Facility is constructed, permitted by the State of South Carolina, and operational.

DOE believes that this two-phase, three-part approach to processing and disposing of the salt waste at SRS will enable it to complete cleanup and closure of the tanks years earlier and maximize reduction of the potential risks that the tank wastes pose to the environment, the public, and SRS workers. Taken together, the various technologies that will be used are expected to result in the removal and vitrification through the DWPF of 98 to 99 percent of the total radioactivity currently contained in the salt waste, while minimizing the time that waste will be stored in the underground tanks, some of which have a known history of leaks.

Issued in Washington, DC, on January 17, 2006.

James A. Rispoli,

Assistant Secretary for Environmental Management.

[FR Doc. E6–814 Filed 1–23–06; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL06–46–000]

Tucson Electric Power Company, Complainant, v. El Paso Electric Company, Respondent; Notice of Complaint

January 17, 2006.

Take notice that on January 11, 2006, Tucson Electric Power Company (TEP) filed a complaint against El Paso Electric Company (EPE) pursuant to Rule 206 of the Commission's Rules. TEP states that EPE has refused to permit TEP to use transmission rights on certain EPE transmission facilities that were assigned to it in a Tucson-El Paso Power Exchange and Transmission Agreement on file with the Commission (Power Exchange Agreement) for transmission of electricity from the newly-constructed Luna Generating Station near Deming, NM, to the TEP electric system. TEP has asked for Fast Track Processing of the Complaint and for prompt issuance of an order requiring EPE to refrain from disconnecting the Luna Generating Station to the TEP grid and to transmit electricity from TEP's share of the Luna Generating Station to the TEP service territory in accordance with the terms of the Power Exchange Agreement.

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. The Respondent's answer and all interventions, or protests must be filed on or before the comment date. The Respondent's answer, motions to intervene, and protests must be served on the Complainants.

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. 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,* or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Comment Date: 5 p.m. Eastern Time on January 31, 2006.

Magalie R. Salas,

Secretary.

[FR Doc. E6–792 Filed 1–23–06; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

January 17, 2006.

Take notice that the Commission received the following electric rate filings.

Docket Numbers: ER01–205–010; ER98–2640–008; ER98–4590–006; ER99–1610–013; EL05–115–000.

Applicants: Xcel Energy Services, Inc.; Northern States Power Company; Public Service Company of Colorado; Southwestern Public Service Company,