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Magalie R. Salas,

Secretary.

[FR Doc. 02-8898 Filed 4-11-02; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2416-009, South Carolina]

#### Aquenergy Systems, Inc.; Notice of Availability of Final Environmental Assessment

April 5, 2002.

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's (Commission) regulations, 18 CFR part 380 (Order No. 486, 52 FR 47897), the Office of Energy Projects has reviewed the application for license for the Ware Shoals Hydroelectric Project and has prepared a Final Environmental Assessment (FEA) for the project. The project is located on the Saluda River, in the Town of Ware Shoals, within the counties of Laurens, Greenwood, and Abbeville, South Carolina. No federal lands or facilities are occupied or used by the project.

The FEA contains the staff's analysis of the potential environmental impacts of the project and concludes that licensing the project, with appropriate environmental protective measures, would not constitute a major federal action that would significantly affect the quality of the human environment.

A copy of the FEA is on file with the Commission and is available for public inspection. The FEA may also be viewed on the web at <http://www.ferc.gov> using the "RIMS" link—select "Docket #" and follow the instructions (call 202-208-2222 for assistance).

For further information, contact Timothy Looney at (202) 219-2852.

Linwood A. Watson, Jr.,

Deputy Secretary.

[FR Doc. 02-8917 Filed 4-11-02; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Application Tendered for Filing With the Commission, Soliciting Additional Study Requests, and Establishing Procedures for Relicensing and a Deadline for Submission of Final Amendments

April 5, 2002.

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

a. *Type of Application:* New Major License.

b. *Project No.:* 2984-042.

c. *Date Filed:* March 29, 2002.

d. *Applicant:* S.D. Warren Company.

e. *Name of Project:* Eel Weir Project.

f. *Location:* On the Presumpscot River at Sebago Lake, in Cumberland County, Maine. The project does not affect federal lands.

g. *Filed Pursuant to:* Federal Power Act 16 U.S.C. 791 (a)-825®)

h. *Applicant Contact:* Thomas P. Howard, S.D. Warren Company, 89 Cumberland Street, P.O. Box 5000, Westbrook, ME 04098-1597, (207) 856-4286.

i. *FERC Contact:* Allan Creamer at (202) 219-0365, or [allan.creamer@ferc.gov](mailto:allan.creamer@ferc.gov).

j. *Cooperating Agencies:* We are asking federal, state, local, and tribal agencies with jurisdiction and/or special expertise with respect to environmental issues to cooperate with us in the preparation of the environmental document. Agencies who would like to request cooperating status should follow the instructions for filing comments described in item k below.

k. *Deadline for Filing Additional Study Requests and Requests for Cooperating Agency Status:* 60 days from the filing date shown in paragraph (c), or May 28, 2002.

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.

The Commission's Rules of Practice require all interveners filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervener 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.

Additional study requests and requests for cooperating agency status 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 (<http://www.ferc.gov>) under the "e-Filing" link.

l. *Status:* This application is not ready for environmental analysis at this time.

m. *Description of Project:* The existing Eel Weir Project operates in a store-and-release mode. The Eel Weir Project consists of the following features: (1) a 115-foot-long, 23-foot-high stone masonry spillway dam; (2) a 150-foot-long, 10-foot-high stone and earth-fill east abutment section; (3) a 90-foot-long, 5-foot-high stone and earth-fill west abutment section; (4) five 6.5-foot-high by 4.75-foot-wide discharge gates; (5) four 8.8-foot-high by 7-foot-wide canal intake gates; (6) a 12-mile-long, 28,771-acre, reservoir, Sebago Lake, at elevation 266.65 msl; (7) a 90-foot-long fish screen located upstream of the canal gates; (8) a 4,826-foot-long, 15-foot-deep earthen power canal; (9) a 90-foot-long timber-sheathed canal overflow weir; (10) a powerhouse containing three Hercules turbines and generating units, having an installed capacity of 1,800 kW; (11) a 3.5-mile-long, 11-kV transmission line; and (12) appurtenant facilities.

The applicant estimates that the average annual generation would be about 12,300 MWh. All generated power is utilized by the applicant's paper mill in Westbrook, Maine.

n. A copy of the application is on file with the Commission and is available for public inspection. This filing may also be viewed on the web at <http://www.ferc.gov> using the "RIMS" link—select "Docket #" and follow the instructions (call 202-208-2222 for assistance). A copy is also available for inspection and reproduction at the address in item h above.

o. With this notice, we are initiating consultation with the MAINE STATE HISTORIC PRESERVATION OFFICER (SHPO), as required by § 106, National Historic Preservation Act, and the regulations of the Advisory Council on Historic Preservation, 36 CFR 800.4.

p. *Procedural schedule and final amendments:* The application will be processed according to the following milestones, some of which may be combined to expedite processing: Notice of application has been accepted for filing  
Notice of NEPA Scoping  
Notice of application is ready for environmental analysis  
Notice of the availability of the draft NEPA document  
Notice of the availability of the final NEPA document

Order issuing the Commission's decision on the application

Final amendments to the application must be filed with the Commission no later than 30 days from the issuance date of the notice of ready for environmental analysis.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. 02-8918 Filed 4-11-02; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Application Accepted for Filing and Soliciting Motions To Intervene and Protests

April 5, 2002.

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

- a. *Type of Application:* New Major License.
- b. *Project No.:* 7000-015.
- c. *Date filed:* January 30, 2002.
- d. *Applicant:* Newton Falls Holdings, LLC (NFH).
- e. *Name of Project:* Newton Falls Hydroelectric Project.
- f. *Location:* The existing project is located on the Oswegatchie River in St. Lawrence County, New York. The project does not affect federal lands.
- g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791 (a)—825(r).
- h. *Applicant Contact:* Harold G. Slone, Manager, Newton Falls Holdings, LLC, 1930 West Wesley Road, NW., Atlanta, GA 30327; Telephone (770) 638-1172.
- i. *FERC Contact:* Jim Haimes, (202) 219-2780 or [james.haimes@ferc.gov](mailto:james.haimes@ferc.gov)
- j. *Deadline for filing motions to intervene and protests:* 60 days from the issuance date of this notice.

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.

The Commission's rules of practice require all interveners filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervener 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.

Motions to intervene and protests 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 (<http://www.ferc.gov>) under the "e-Filing" link.

k. This application has been accepted, but is not ready for environmental analysis at this time.

l. The constructed and operating Newton Falls Hydroelectric Project consists of an upper and a lower development with a combined installed capacity of 2,220 kilowatts (kW). The project produces an average annual generation of 9,500,000 kilowatt-hours. From approximately 1927 until late 2000, the electricity produced by the project was consumed by the adjacent Newton Falls Paper Mill. Since this facility ceased manufacturing operations, almost all electricity produced at the project has been sold to the Niagara Mohawk Power Corporation.

The upper development includes the following constructed facilities: (1) A 40-foot-high, 600-foot-long, concrete gravity dam with 3-foot-high flash boards mounted on the 58-foot-long spillway; (2) a 42-foot-long floodgate structure with four gates; (3) a 650-acre reservoir with a gross storage capacity of 5,930 acre-feet; (4) a reinforced concrete intake structure with a maximum height of 25 feet, equipped with trash racks having 2-inch spacing; (5) a 9-foot-diameter, 1,200-foot-long, wood stave penstock supported on timber cradles and mud sills; (6) a riveted steel surge tank; (7) a 49-foot-long, 26-foot-wide, and 45-foot-high, reinforced concrete and brick powerhouse, containing three vertical Francis turbines with a combined maximum hydraulic capacity of 464 cubic feet per second (cfs) and a net head of 46 feet, directly connected to three generator units having a total installed capacity of 1,540 kilowatts (kW); (8) a 375-foot-long, 60 Hertz transmission line; and (9) appurtenant facilities.

The lower development includes the following constructed facilities: (1) A 28-foot-high, 350-foot-long, concrete gravity dam with 3-foot-high flash boards mounted on the 120-foot-long spillway; (2) a 9-acre impoundment with a gross storage capacity of 115 acre-feet; (3) a 15-foot-high, reinforced concrete intake structure, equipped with trash racks having 2-inch spacing; (4) a 60-foot-long by 40-foot-wide, reinforced concrete powerhouse located immediately downstream of the dam, containing one vertical Francis turbine with a maximum hydraulic capacity of 486 cfs and a net head of 22 feet, directly connected to a 680-kW

generator unit; (5) a 2,200-foot-long, 60 Hertz transmission line; and (6) appurtenant facilities.

With the exception of periods of high inflows, the upper development is operated as a daily peaking facility with most generation taking place during the hours of peak electricity demand. This store and release operation is restricted during the months of May and June, the spawning period for smallmouth bass and northern pike, such that daily reservoir drawdowns do not exceed 1 foot from the top of the flash boards. During the remainder of the year, daily peaking causes reservoir drawdowns of up to 2.2 feet from the top of the flash boards.

The tailrace of the upper development discharges directly into the lower development's reservoir. Generally, the hydraulic output of the lower powerhouse is established such that it releases approximately the same flow as the upper one. Consequently, daily drawdowns of the lower reservoir are minimal.

Although the project's current license does not mandate the provision of minimum flows in the project's bypassed reaches, the licensee is required to provide a continuous minimum flow of 100 cfs or project inflow, whichever is less, below the lower development. Further, the existing license does not require the provision of public recreational facilities at the project.

Currently, the applicant and concerned agencies and non-governmental organizations are discussing a settlement agreement that would require NFH to implement various environmental enhancement measures at the project.

m. *Locations of the Application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, Room 2A, located at 888 First Street, NE., Washington, DC 20426, or by calling (202) 208-1371. The application may be viewed on the web at <http://www.ferc.gov> using the "RIMS" link—select "Docket P-7000" and follow the instructions (call (202)208-2222 for assistance). A copy is also available for inspection and reproduction at the address in item h above.

n. Anyone may submit a protest or a motion to intervene in accordance with the requirements of rules of practice and procedure, 18 CFR 385.210, 385.211, and 385.214. In determining the appropriate action to take, the Commission will consider all protests filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a