

*Comment Date:* 5 p.m. eastern time on August 25, 2004.

### 12. Bethpage Energy Center 3, LLC

[Docket No. ER04-1099-000]

Take notice that on August 4, 2004, Bethpage Energy Center 3, LLC (Applicant) tendered for filing, under section 205 of the Federal Power Act (FPA), a request for authorization to make wholesale sales of electric energy, capacity, replacement reserves, and ancillary services at market-based rates, to reassign transmission capacity, and to resell firm transmission rights. Applicant states that it will own and operate a 79.9 megawatt combined-cycle electric generation facility in the Town of Oyster Bay, New York. Applicant requests an effective date of May 1, 2005.

*Comment Date:* 5 p.m. eastern time on August 25, 2004.

### 13. TBG Cogen Partners

[Docket No. ER04-1100-000]

Take notice that on August 4, 2004, TBG Cogen Partners (Applicant) tendered for filing, under section 205 of the Federal Power Act (FPA), a request for authorization to make wholesale sales of electric energy, capacity, replacement reserves, and ancillary services at market-based rates, to reassign transmission capacity, and to resell firm transmission rights. Applicant states that it owns and operates a 57 megawatt topping-cycle electric cogeneration facility in Bethpage, Nassau County, New York. Applicant requests an effective date of September 1, 2004.

*Comment Date:* 5 p.m. eastern time on August 25, 2004.

### Standard Paragraph

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. Such notices, motions, or protests must be filed on or before the comment date. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and

interventions in lieu of paper using the "e-Filing" 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](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

**Magalie R. Salas,**  
*Secretary.*

[FR Doc. E4-1833 Filed 8-16-04; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP04-340-000]

#### **Southern Natural Gas Company; Notice of Intent To Prepare an Environmental Assessment for the Proposed Triangle Project and Request for Comments on Environmental Issues**

August 10, 2004.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the Triangle Project involving construction and operation of facilities by Southern Natural Gas Company (Southern) in Bibb, Clayton, Douglas, Fulton, Henry, Jefferson, Monroe, Richmond, Spalding, and Upson Counties, Georgia. These facilities consist of about 6.4 miles of 30-inch-diameter pipeline, four new taps and meter stations, replacement of about 420 feet of 16-inch-diameter pipeline, and auxiliary equipment. The EA will be used by the Commission in its decision-making process to determine whether the project is in the public convenience and necessity.

A fact sheet prepared by the FERC entitled "An Interstate Natural Gas Facility On My Land? What Do I Need To Know?" is available for viewing on the FERC Internet Web site ([http://](http://www.ferc.gov)

[www.ferc.gov](http://www.ferc.gov)). This fact sheet addresses a number of typically asked questions, including how to participate in the Commission's proceedings.

### Summary of the Proposed Project

Southern requests authorization to abandon by sale to Atlanta Gas Light Company (AGLC) about 253.7 miles of various pipelines located between Southern's North and South Main Lines, as well as ten meter stations and two regulator stations. In order to accomplish the transfer of these facilities to AGLC, Southern proposes to construct, install, and operate about 6.4 miles of 30-inch-diameter pipeline loop.<sup>1</sup> The 6.4 miles of 30-inch-diameter pipeline would extend Southern's existing Ocmulgee/Atlanta 3rd Loop Line to a point where it connects with Southern's existing Thomaston/Griffin 2nd Loop Line in Spalding County, Georgia.

As part of the request to abandon facilities by sale to AGLC, Southern proposes to construct four new delivery points consisting of tap, metering, and appurtenant facilities to provide service at the points of interconnection between Southern's facilities and the facilities to be purchased by AGLC. Southern proposes to construct the new delivery points at the new Ben Hill (a proposed bi-directional meter station), South Thomaston, Bass Junction, and South Atlanta Meter Stations in Fulton, Upson, Bibb, and Clayton Counties, Georgia, respectively. The proposed meter stations would be constructed on Southern's existing properties at the Ben Hill Regulator/Check Station, Thomaston Compressor Station, Bass Junction Crossover Meter Station, and the South Atlanta #1 Meter Station.

Southern also proposes to uprate about 11 miles of its 16-inch-diameter South Main Line in Jefferson and Richmond Counties, Georgia from a Maximum Allowable Operating Pressure (MAOP) of 1,100 pounds per square inch gauge (psig) to 1,200 psig in order to meet its existing firm obligations downstream as a result of the sale of facilities to AGLC. This would require the replacement of about 420 feet of 16-inch-diameter pipeline.

Southern proposes to also install auxiliary equipment to isolate its facilities from AGLC's facilities and to enable deliveries at the four new delivery points for the purpose of obtaining more efficient or more economical operation of the proposed transmission facilities.

<sup>1</sup> A loop is a segment of pipeline that is installed adjacent to an existing pipeline and connected to it on both ends. The loop allows more gas to be moved through the pipeline system.

In addition to the acquisitions from Southern, AGLC intends to construct certain nonjurisdictional facilities. These consist of: (1) A new South Atlanta Meter Station reconstructed from the South Atlanta #1 Meter Station purchased from Southern, about 1,200 feet of pipeline, and a regulator station; (2) tie-overs to AGLC's distribution system; (3) additional cathodic protection equipment/fittings along the mainlines purchased from Southern; (4) AGLC would perform work necessary to raise the MAOP of the 20-inch North Main Line and 30-inch North Main Loop Line purchased from Southern; (5) install odorization equipment; (6) a new South Thomaston Meter Station and tie-in piping; (7) a new crossover connection between the 14-inch Ocmulgee-Atlanta Loop Line and the 18-inch Ocmulgee-Atlanta 2nd Loop Line being purchased from Southern; and (8) a new Bass Junction Meter Station. These facilities would be constructed and operated under AGLC's present franchise agreements and under authority granted by the Georgia Public Service Commission.

The general location of Southern's proposed facilities is shown on the map attached as appendix 1.<sup>2</sup>

#### Land Requirements for Construction

Construction of Southern's proposed facilities would require about 142.0 acres of land, including construction right-of-way for the loop and 16-inch-diameter mainline replacement, meter stations, extra work/staging areas, pipe storage yards, and acreage affected by construction of the ancillary facilities. The majority of the loop would be constructed directly adjacent to Southern's existing rights-of-way. For the construction of the 30-inch-diameter loop, Southern proposes to use up to a 90-foot-wide construction right-of-way, which includes a 50- to 65-foot overlap of the existing right-of-way, with 40-feet of new temporary construction right-of-way to be cleared. Because of the use of Southern's existing right-of-way for construction, Southern indicates that only about 5.0 acres would be maintained as new permanent right-of-way. For the existing 16-inch-diameter South Main Line replacement, Southern proposes to use a 70-foot-wide construction right-of-way, which

includes a 30-foot overlap of the existing right-of-way, with 40-feet of new temporary construction right-of-way to be cleared.

Modifications to the meter stations and ancillary facilities needed to upgrade existing facilities would be performed within the existing Southern aboveground facilities or rights-of-way, and would not require the clearing of additional land.

Construction access to Southern's project would be via existing public and private roads. Southern has identified 10 existing private access roads necessary for the construction of its project.

#### The EA Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires us<sup>3</sup> to discover and address concerns the public may have about proposals. This process is referred to as "scoping". The main goal of the scoping process is to focus the analysis in the EA on the important environmental issues. By this Notice of Intent, the Commission staff requests public comments on the scope of the issues to address in the EA. All comments received are considered during the preparation of the EA. State and local government representatives are encouraged to notify their constituents of this proposed action and encourage them to comment on their areas of concern.

Our independent analysis of the issues will be in the EA. Depending on the comments received during the scoping process, the EA may be published and mailed to Federal, State, and local agencies, public interest groups, interested individuals, affected landowners, newspapers, libraries, and the Commission's official service list for this proceeding. A comment period will be allotted for review if the EA is published. We will consider all comments on the EA before we make our recommendations to the Commission.

To ensure your comments are considered, please carefully follow the instructions in the public participation section below.

#### Currently Identified Environmental Issues

We have already identified several issues that we think deserve attention

based on a preliminary review of the proposed facilities and the environmental information provided by Southern. This preliminary list of issues may be changed based on your comments and our analysis.

- Crossing of 11 perennial waterbodies and 6 wetlands.
- Impact on 10 residences located within 50 feet of the construction work area, of which eight are within 25 feet of the construction work area.

#### Public Participation

You can make a difference by providing us with your specific comments or concerns about the project. By becoming a commentator, your concerns will be addressed in the EA and considered by the Commission. You should focus on the potential environmental effects of the proposal, alternatives to the proposal (including alternative locations/routes), and measures to avoid or lessen environmental impact. The more specific your comments, the more useful they will be. Please carefully follow these instructions to ensure that your comments are received in time and properly recorded:

- Send an original and two copies of your letter to: Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First St., NE., Room 1A, Washington, DC 20426.
- Label one copy of the comments for the attention of Gas Branch 1.
- Reference Docket No. CP04-340-000.

Mail your comments so that they will be received in Washington, DC on or before September 10, 2004.

The Commission strongly encourages electronic filing of comments. 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 and the link to the User's Guide. Before you can file comments you will need to create a free account which can be created on-line.

#### Becoming an Intervenor

In addition to involvement in the EA scoping process, you may want to become an official party to the proceeding known as an "intervenor". Intervenor play a more formal role in the process. Among other things, intervenors have the right to receive copies of case-related Commission documents and filings by other intervenors. Likewise, each intervenor must send one electronic copy (using the Commission's e-Filing system) or 14 paper copies of its filings to the Secretary of the Commission and must send a copy of its filings to all other

<sup>2</sup> The appendices referenced in this notice are not being printed in the **Federal Register**. Copies of all appendices, other than appendix 1 (map), are available on the Commission's Web site at the "eLibrary" link or from the Commission's Public Reference Room, 888 First Street, NE., Washington, DC 20426, or call (202) 502-8371. For instructions on connecting to eLibrary refer to the last page of this notice. Copies of the appendices were sent to all those receiving this notice in the mail.

<sup>3</sup> "We", "us", and "our", refer to the environmental staff of the Office of Energy Projects (OEP).

parties on the Commission's service list for this proceeding. If you want to become an intervenor you must file a motion to intervene according to Rule 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.214) (see appendix 2).<sup>4</sup> Only intervenors have the right to seek rehearing of the Commission's decision.

Affected landowners and parties with environmental concerns may be granted intervenor status upon showing good cause by stating that they have a clear and direct interest in this proceeding which would not be adequately represented by any other parties. You do not need intervenor status to have your environmental comments considered.

#### Environmental Mailing List

An effort is being made to send this notice to all individuals, organizations, and government entities interested in and/or potentially affected by the proposed project. This includes all landowners who are potential right-of-way grantors, whose property may be used temporarily for project purposes, or who own homes within distances defined in the Commission's regulations of certain aboveground facilities. By this notice we are also asking governmental agencies, especially those in appendix 3, to express their interest in becoming cooperating agencies for the preparation of the EA.

If you do not want to send comments at this time, but still want to remain on our mailing list, please return the Information Request (appendix 4). If you do not return the Information Request, you will be taken off the mailing list.

#### Additional Information

Additional information about the project is available from the Commission's Office of External Affairs, at 1-866-208-FERC or on the FERC Internet Web site (<http://www.ferc.gov>) using the eLibrary link. Click on the eLibrary link, click on "General Search" and enter the docket number excluding the last three digits in the Docket Number field. Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at 1-866-208-3676, or for TTY, contact (202) 502-8659.

In addition, the Commission now offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the

amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries and direct links to the documents. Go to <http://www.ferc.gov/esubscribenow.htm>.

Finally, site visits will be posted on the Commission's calendar located at <http://www.ferc.gov/EventCalendar/EventsList.aspx> along with other related information.

**Magalie R. Salas,**  
Secretary.

[FR Doc. E4-1832 Filed 8-16-04; 8:45 am]

**BILLING CODE 6717-01-P**

#### ENVIRONMENTAL PROTECTION AGENCY

[AZ-118-ADEQ; FRL-7801-9]

#### Adequacy Status of the Maricopa County, Arizona, Submitted One-Hour Ozone Redesignation Request and Maintenance Plan for Transportation Conformity Purposes

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of adequacy.

**SUMMARY:** In this notice, EPA is notifying the public that we have found that the motor vehicle emissions budgets contained in the submitted *One-Hour Ozone Redesignation Request and Maintenance Plan for the Maricopa County Nonattainment Area* are adequate for conformity purposes.

As a result of our finding, the Maricopa Association of Governments and the U.S. Department of Transportation must use the VOC and NO<sub>x</sub> motor vehicle emissions budgets from the submitted Ozone Redesignation Request and Maintenance Plan for future conformity determinations.

**DATES:** This determination is effective September 1, 2004.

**FOR FURTHER INFORMATION CONTACT:** The finding is available at EPA's conformity Web site: <http://www.epa.gov/otaq/transp/conform/adequacy.htm> (once there, click on the "What SIP submissions has EPA already found adequate or inadequate?" button).

You may also contact Wienke Tax, U.S. EPA, Region IX, Air Division AIR-2, 75 Hawthorne Street, San Francisco, CA 94105-3901; (520) 622-1622 or [tax.wienke@epa.gov](mailto:tax.wienke@epa.gov).

**SUPPLEMENTARY INFORMATION:** This notice announces our finding that the emissions budgets contained in the submitted One-Hour Ozone Redesignation Request and Maintenance

Plan for the Maricopa County Nonattainment Area (March 2004) ("2004 MAG Ozone Maintenance Plan"), submitted by the State of Arizona on behalf of the Maricopa Association of Governments, are adequate for conformity purposes. EPA Region IX made this finding in a letter to the State of Arizona, Department of Environmental Quality, on August 3, 2004. We are also announcing this finding on our conformity Web site: <http://www.epa.gov/otaq/transp/conform/adequate.htm> (once there, click on the "What SIP submissions has EPA already found adequate or inadequate?" button).

Transportation conformity is required by section 176(c) of the Clean Air Act. Our conformity rule requires that transportation plans, programs, and projects conform to state air quality implementation plans (SIPs) and establishes the criteria and procedures for determining whether or not they do. Conformity to a SIP means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the national ambient air quality standards. The criteria by which we determine whether a SIP's motor vehicle emissions budgets are adequate for conformity purposes are outlined in 40 CFR 93.118(e)(4). One of these criteria is that the motor vehicle emissions budgets, when considered together with all other emissions sources, are consistent with applicable requirements for a maintenance plan. We have preliminarily determined that the 2004 MAG Ozone Maintenance Plan meets the necessary emissions reductions and therefore, the motor vehicle emissions budgets can be found adequate. Please note that an adequacy review is separate from EPA's completeness review which is required by section 110(k)(1) of the Clean Air Act, and it also should not be used to prejudice EPA's ultimate action (approval or disapproval) on the submitted plan itself. Even if we find a budget adequate, the submitted plan could later be disapproved.

We have described our process for determining the adequacy of submitted SIP budgets in guidance (May 14, 1999, memo titled "Conformity Guidance on Implementation of March 2, 1999, Conformity Court Decision"). We followed this guidance in making our adequacy determination on the emissions budgets contained in the 2004 MAG Ozone Maintenance Plan.

**Authority:** 42 U.S.C. 7401-7671q.

<sup>4</sup>Interventions may also be filed electronically via the Internet in lieu of paper. See the previous discussion on filing comments electronically.