

appropriate environmental measures, would not constitute a major federal action significantly affecting the quality of the human environment.

A copy of the EA is on file with the Commission and is available for public inspection. The EA may also be viewed on the Commission's Web site at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at 1-866-208-3676, or for TTY, (202) 502-8659.

Any comments should be filed within 30 days from the issuance date of this notice, and should be addressed to the Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Room 1-A, Washington, DC 20426. Please affix "Royal Mills Hydroelectric Project No. 12557" to all comments. Comments may be filed electronically via the Internet in lieu of paper. The Commission strongly encourages electronic filings. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "eFiling" link. For further information, contact Steve Kartalia at (202) 502-6131.

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

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. ER09-198-000]

#### New York Independent System Operator, Inc.; Notice of Filing

November 3, 2008.

Take notice that on October 31, 2008, New York Independent System Operator, Inc. filed a request to amend its tariffs to preclude the scheduling of certain external transactions.

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, 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. 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 "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](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

*Comment Date:* 5 p.m. Eastern Time on November 10, 2008.

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

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8739-6]

### Proposed CERCLA Administrative Cost Recovery Settlement; Portland Harbor Superfund Site, Triangle Park Removal Action Area

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice; request for public comment.

**SUMMARY:** In accordance with section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), 42 U.S.C. 9622(i), notice is hereby given of a proposed administrative settlement agreement under the authority of section 122(h) of CERCLA, 42 U.S.C. 9622(h), for recovery of response costs concerning the Triangle Park Removal Action Area within the Portland Harbor Superfund Site with Triangle Park LLC ("Settling Party"). The settlement requires the Settling Party to pay \$1,200,000 to the Triangle Park Removal Action Area Trust Fund ("TP Trust

Fund") to be used to pay for the cleanup, and includes a covenant not to sue the Settling Party pursuant to sections 106 and 107(a) of CERCLA, 42 U.S.C. 9606 and 9607(a). The TP Trust Fund will be established pursuant to an existing Bona Fide Prospective Purchaser Agreement between the University of Portland ("University") and EPA ("BFPP Agreement"). In the BFPP Agreement, the University agreed to conduct removal action on the Triangle Park property ("Property") once the University completed the purchase of the Property. The University of Portland has entered into an agreement with Triangle Park LLC to purchase the Property. By acquiring the Property, the University intends to enlarge its campus so that it can continue to expand and pursue its educational and service mission by relocating certain athletic facilities, freeing up its existing land for academic buildings. The University's plan includes public access to the Property, recreational opportunities, including a planned riverfront trail. For thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the settlement. The Agency will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations which indicate that the settlement is inappropriate, improper, or inadequate.

**DATES:** Comments must be received on or before December 10, 2008.

**ADDRESSES:** The proposed settlement is available for public inspection at the U.S. EPA Region 10 offices, located at 1200 Sixth Avenue, Seattle, Washington 98101. Comments should reference the Triangle Park Removal Action Area in Portland, Oregon, EPA Docket No. CERCLA-10-2008-0160 and sent to Jennifer G. MacDonald, Assistant Regional Counsel, U.S. EPA Region 10, Mail Stop ORC-158, 1200 Sixth Avenue, Suite 900, Seattle, Washington 98101.

**FOR FURTHER INFORMATION CONTACT:** Jennifer G. MacDonald, Assistant Regional Counsel, U.S. EPA Region 10, Mail Stop ORC-158, 1200 Sixth Avenue, Suite 900, Seattle, Washington 98101; (206) 553-8831.

Dated: September 29, 2008.

**Daniel D. Opalski,**

*Director, Office of Environmental Cleanup.*

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