

Dated: June 19, 2009.

**Alberta E. Mills,**

*Acting Secretary, Consumer Product Safety Commission.*

[FR Doc. E9-14952 Filed 6-24-09; 8:45 am]

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## DEPARTMENT OF DEFENSE

### United States Air Force

#### **Notice of Intent To Prepare an Environmental Impact Statement for Modification of the Condor 1 and Condor 2 Military Operations Areas Used by the 104th Fighter Wing of the Massachusetts Air National Guard**

**AGENCY:** Air National Guard, Department of Defense.

**ACTION:** Notice of intent (NOI) to prepare an environmental impact statement.

**SUMMARY:** This notice replaces the posting in the **Federal Register** on June 17, 2009, Vol. 74, No. 115 with the corrected location of the public hearing from the Civic Center in Augusta, Maine. In accordance with the National Environmental Policy Act (NEPA) of 1969, as amended (42 *United States Code* [U.S.C.] 4321-4347), the Council on Environmental Quality (CEQ) NEPA Regulations (40 Code of Federal Regulations [CFR] parts 1500-1508), and the United States Air Force's (USAF) Environmental Impact Analysis Process (EIAP, 32 CFR part 989), the Air Force is issuing this notice to advise the public and other Federal agencies that the ANG intends to prepare an Environmental Impact Statement (EIS) for proposed modifications of the Condor 1 and Condor 2 Military Operations Areas (MOAs) used by the 104th Fighter Wing (FW) of the Massachusetts ANG (MAANG). The 104th FW is based at Barnes ANG Base in Westfield, Massachusetts. The study area for this EIS includes portions of Piscataquis, Somerset, Franklin, and Oxford counties in Maine and a portion of Coos County, New Hampshire.

The ANG and Federal Aviation Administration (FAA) completed an Environmental Assessment (EA) of this proposal in June 2008. However, in response to requests from elected officials and the general public, the ANG has elected to prepare an EIS. The ANG conducted five previous scoping meetings in the towns of Rumford, Mexico, Rangeley, and Farmington (2), Maine as part of the EA process; the previous scoping meetings are sufficient and follow-on scoping meetings are not deemed necessary. However, the Air Force requests formal written scoping

comments from the public, State and local government agencies, as well as affected Federal agencies for 30 days after the publication date of this NOI, to ascertain if there are additional issues relevant to the range of actions, alternatives, and impacts to be examined in detail in the draft EIS.

The Condor 1 and 2 MOAs are centered approximately 200 nautical miles northeast of Barnes ANG Base. The altitudes of both MOAs currently extend from 7,000 feet above mean sea level (MSL) (between approximately 2,800 feet and 6,300 feet above ground level [AGL]) up to 18,000 ft MSL. Condor 1 MOA is located immediately west of Condor 2 MOA. The Condor 1 and 2 MOAs are currently utilized by aircraft from the MAANG, the Vermont ANG, the United States Air Force, and the United States Navy. Units from these services utilize a variety of aircraft including the F-15, F-16, KC-10, KC-135, and P-3. Of these aircraft, F-15 and F-16 operations currently constitute 86-88% of annual operations in the Condor 1 and 2 MOAs.

The Ready Aircrew Program (RAP) is the United States Air Force's continuation training program designed to focus training or develop capabilities needed to accomplish a unit's core missions. The RAP requirements for every qualified F-15 and F-16 pilot include Low Altitude Awareness Training (LOWAT) which includes realistic, mission oriented air-to-air operations while in a LOWAT-certified low-altitude block at or below 1,000 feet AGL, as well as Low Slow/Visual Identification intercept and Slow Shadow intercept training missions. These training missions require pilots to identify and engage aerial targets at low altitude, and perform low altitude navigation, tactical formation, and defensive maneuvering to avoid or negate threats.

In order to be Combat Mission Ready, all F-15 and F-16 pilots are required to demonstrate proficiency in these skills down to 500 feet AGL, over land, on a regular basis. Pilot operational training standards require missions to be accomplished in the low, medium, and high altitude regimes. As currently defined, the floors of Condor 1 and 2 MOAs are too high to allow for the effective and efficient completion of required training. The purpose of the Proposed Action is to rectify these deficiencies and provide the 104th FW with adequate training airspace in a safe training environment to fulfill its mission.

The 104 FW proposes to combine the Condor 1 and 2 MOAs, divide the combined MOA into Condor Low MOA

and Condor High MOA, and lower the flight floor of the proposed Condor Low MOA from 7,000 feet MSL to 500 feet AGL. Condor Low MOA would extend from 500 feet AGL up to, but not include, 7,000 feet MSL. Condor High MOA would extend from 7,000 feet MSL up to, but not include, 18,000 MSL. As part of the EIAP, and in accordance with the requirements of NEPA, the EIS will consider potential alternatives to the Proposed Action. Other Alternatives to be considered include lowering the floor of Condor 1 MOA and leaving Condor 2 MOA unchanged, completing low-altitude training in other airspace in the Northeast, deploying to conduct low-altitude training, and no action.

The draft EIS will be made available for a 45-day public review and comment period. The Air Force will sponsor a public hearing on the draft EIS in mid August 2009 at the University of Maine, Farmington, ME. Notification of hearing time and related logistics will be made via local public notifications.

No additional meetings are planned at this time. In addition to comments received at the public hearing, any written comments on the draft EIS received at the address below by October 1, 2009, will be considered in the preparation of this EIS.

**FOR FURTHER INFORMATION CONTACT:** Major Stephen R. Lippert NGB/A 7AM, Program Manager, 3500 Fetchet Avenue, Andrews AFB, MD 20762-5157, Ph: (301) 836-8167  
*stephen.lippert@ang.af.mil.*

**Bao-Anh Trinh,**

*Air Force Federal Register Liaison Officer.*

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## DEPARTMENT OF ENERGY

### **Federal Energy Regulatory Commission**

[Docket No. CP09-431-000]

#### **Texas Eastern Transmission, LP; Notice of Application**

June 18, 2009.

Take notice that on June 11, 2009, Texas Eastern Transmission, LP (Texas Eastern), 5400 Westheimer Court, Houston, TX 77056-5310 filed an application in Docket No. CP09-431-000 an application pursuant to section 7 of the Natural Gas Act (NGA) requesting permission and approval to (1) abandon by removal two Pratt-Whitney units with a total combined horsepower (HP) of 5,500 and related appurtenances at the Hanover

Compressor Station in Morris County, New Jersey (Hanover Station), and uprate to 6,500 HP the existing Solar compressor unit at the Hanover Station such that the certificated HP at the station is reduced from 9,200 HP to 6,500, and (2) abandon in place one 2,000 HP compressor unit and related appurtenances located at the Eagle Compressor Station (Station No. 25) in Chester County, Pennsylvania (Eagle Station), all as more fully set forth in the application which is on file with the Commission and open to public inspection. This filing is accessible online 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.

Texas Eastern states that the two Pratt-Whitney compressor units at the Hanover Station and the unit at the Eagle Station are outdated, and in conjunction with approval of the requested uprate of the Solar unit at the Hanover Station, are not needed for Texas Eastern to continue to meet its current firm service obligations. Texas Eastern further states that there will be no termination or reduction in service to any existing firm customer of Texas Eastern as a result of the proposed uprate and abandonments proposed in the application. According to Texas Eastern, the proposed abandonment will not affect Texas Eastern's existing tariffs. Texas Eastern states that the proposed abandonments will reduce Texas Eastern's current repair and maintenance expenses and eliminate the need for future capital expenditures at the stations associated with the abandoned units. As a result, Texas Eastern submits that the requested uprate and abandonment authorization is consistent with the public convenience and necessity.

In order to accomplish the abandonment at the Eagle Station, Texas Eastern proposes to abandon in place the Westinghouse Type CS Frame 2-36-26 compressor and associated piping.

No work is required in order to accomplish the proposed uprate of the Solar unit at the Hanover Station. In order to accomplish the abandonment of the Pratt-Whitney units at the Hanover Station, Texas Eastern proposes to (1) Remove the two units and the concrete foundation and piers; (2) remove all

associated valves, gas piping, lube oil piping and control panels associated with the two units; and (3) complete rehabilitation.

Any questions regarding this application should be directed to: Lisa A. Moore, General Manager, Rates and Certificates, Texas Eastern Transmission, LP, PO Box 1642, Houston, Texas 77251-1642, at (713) 627-4102.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before the comment date stated below, file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit 14 copies of filings made with the Commission and must mail a copy to the applicant and to every other party in the proceeding. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commentors will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commentors will not be required to serve copies of filed

documents on all other parties.

However, the non-party commentors will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

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 under the "e-Filing" link at <http://www.ferc.gov>. The Commission strongly encourages intervenors to file electronically. 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.

*Comment Date:* 5 p.m. Eastern Time on July 9, 2009.

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

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. PF09-3-000; BLM Reference No. UTU-87295]

#### **Magnum Gas Storage, LLC; Notice of Intent To Prepare an Environmental Assessment for the Proposed Magnum Gas Storage Project and Draft Pony Express Resource Management Plan Amendment for the Bureau of Land Management, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings**

June 18, 2009.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) and the staff of the Bureau of Land Management (BLM) will prepare a Draft Pony Express Resource Management Plan Amendment (Draft RMP Amendment). The EA and the Draft RMP Amendment will discuss the environmental impacts of the construction and operation of a new interstate natural gas storage facility and pipeline lateral, located in central Utah, proposed by Magnum Gas Storage, LLC (MGS) as part of its Magnum Gas Storage Project (Project).

This notice announces the opening of the scoping process that will be used to gather input from the public and