

agency's comments must also be sent to the Applicant's representatives.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. E9-29621 Filed 12-11-09; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. DI10-4-000]

#### Madison Farms; Notice of Declaration of Intention and Soliciting Comments, Protests, and/or Motions To Intervene

December 4, 2009.

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

a. *Application Type:* Declaration of Intention.

b. *Docket No:* DI10-4-000.

c. *Date Filed:* December 1, 2009.

d. *Applicant:* Madison Farms.

e. *Name of Project:* Madison ASR Hydroelectric Project.

f. *Location:* The proposed Madison ASR Hydroelectric Project will be located near the town of Echo, Umatilla County, Oregon, affecting T. 3 N, R. 27 E, Willamette Meridian.

g. *Filed Pursuant to:* Section 23(b)(1) of the Federal Power Act, 16 U.S.C. 817(b).

h. *Applicant Contact:* Kent Madison, 29299 Madison Road, Echo, OR 9826; telephone: (541) 376-8107; Fax: (541) 376-8618; e-mail: <http://www.Kmadison@eoni.com>.

i. *FERC Contact:* Any questions on this notice should be addressed to Henry Ecton, (202) 502-8768, or E-mail address: [henry.ecton@ferc.gov](mailto:henry.ecton@ferc.gov).

j. *Deadline for filing comments, protests, and/or motions:* January 4, 2010.

Comments, Motions to Intervene, and Protests may be filed electronically via the Internet. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "eFiling" link. If unable to be filed electronically, documents may be paper-filed. To paper-file, an original and eight copies should be mailed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. For more information on how to submit these types of filings, please go to the Commission's Web site located at <http://www.ferc.gov/filing-comments.asp>.

Please include the docket number (DI10-4-000) on any comments, protests, and/or motions filed.

k. *Description of Project:* The proposed Madison ASR Hydroelectric Project contains an existing system collecting ground water, approximately 20 feet below ground, which is piped into a 4-foot-diameter, 25-foot-deep shallow well. The water in the shallow well is pumped into the irrigation system, as needed. Excess water is pumped through an 8-inch-diameter pipe into a second deeper 750-foot-deep basalt well, containing a 100-horsepower line-shaft turbine pump. It is expected that approximately 37 kW will be created, to be sold on the interstate grid.

When a Declaration of Intention is filed with the Federal Energy Regulatory Commission, the Federal Power Act requires the Commission to investigate and determine if the interests of interstate or foreign commerce would be affected by the project. The Commission also determines whether or not the project: (1) Would be located on a navigable waterway; (2) would occupy or affect public lands or reservations of the United States; (3) would utilize surplus water or water power from a government dam; or (4) if applicable, has involved or would involve any construction subsequent to 1935 that may have increased or would increase the project's head or generating capacity, or have otherwise significantly modified the project's pre-1935 design or operation.

l. *Locations of the Application:* Copies of this filing are on file with the Commission and are available for public inspection. This filing may be viewed on the web 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. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via e-mail of new filings and issuances related to this or other pending projects. For assistance, call 1-866-208-3676 or e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) for TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the address in item (h) above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. Comments, Protests, or Motions to Intervene—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but

only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. Filing and Service of Responsive Documents—All filings must bear in all capital letters the title "COMMENTS", "PROTESTS", AND/OR "MOTIONS TO INTERVENE", as applicable, and the Docket Number of the particular application to which the filing refers. A copy of any Motion to Intervene must also be served upon each representative of the Applicant specified in the particular application.

p. Agency Comments—Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. E9-29618 Filed 12-11-09; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. PF09-15-000]

#### Dominion Transmission, Inc.; Notice of Intent To Prepare an Environmental Assessment for the Planned Appalachian Gateway Project and Request for Comments on Environmental Issues

December 4, 2009.

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 Appalachian Gateway Project involving construction and operation of facilities by Dominion Transmission, Inc. (DTI) in northeastern West Virginia (WV) and southwestern Pennsylvania (PA). 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.

This notice announces the opening of the scoping process we<sup>1</sup> will use to gather input from the public and interested agencies on the project. Your input will help the Commission staff determine what issues need to be evaluated in the EA. Please note that the scoping period will close on February 3, 2010.

Comments may be submitted in written form or verbally. Further details on how to submit written comments are provided in the public participation section of this notice. Comments may be submitted verbally during public scoping meetings, which will be scheduled for late January 2010. Another notice will be distributed to announce the dates and locations of the public scoping meetings.

This notice is being sent to the Commission's current environmental mailing list for this project, which includes affected landowners; federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American Tribes; other interested parties; and local libraries and newspapers. State and local government representatives are asked to notify their constituents of this planned project and encourage them to comment on their areas of concern.

If you are a landowner receiving this notice, you may be contacted by a pipeline company representative about the acquisition of an easement to construct, operate, and maintain the planned facilities. The company would seek to negotiate a mutually acceptable agreement. However, if the project is approved by the Commission, that approval conveys with it the right of eminent domain. Therefore, if easement negotiations fail to produce an agreement, the pipeline company could initiate condemnation proceedings in accordance with state law.

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 Web site (<http://www.ferc.gov/for-citizens/citizen-guides.asp>). This fact sheet addresses a number of typically asked questions, including the use of eminent domain and how to participate in the Commission's proceedings.

### Summary of the Planned Project

DTI plans to construct and operate approximately 110 miles of 20-, 24-, and 30-inch diameter natural gas pipeline and associated aboveground facilities in northeastern West Virginia and

southwestern Pennsylvania. According to DTI, its project would provide about 484,260 dekatherms of natural gas per day of firm transportation services from increasing gas production in the Appalachian region of West Virginia and Pennsylvania to the east coast markets.

The Appalachian Gateway Project would consist of the following facilities:

- Approximately 43.1 miles of 30-inch diameter pipeline in Marshall County, WV and Greene County, PA;
- Approximately 54.2 miles of 24-inch diameter pipeline in Greene, Washington, Allegheny, and Westmoreland Counties, PA;
- Approximately 5.2 miles of 20-inch diameter pipeline loop in Kanawha County, WV and 6 miles of 24-inch diameter pipeline loop in Greene County, PA;<sup>2</sup>
- A total of approximately 1.5 miles of various diameter discharge and suction pipelines to serve the Lewis-Wetzel Compressor Station (Wetzel County, WV) and the Morrison Compressor Station (Harrison County, WV);
- Two new compressor stations on new sites: Burch Ridge Station (Marshall County, WV) with approximately 6,130 horsepower (HP) and Morrison Station (Harrison County, WV) with approximately 1,775 HP;
- Two new compressor stations on existing sites: Chelyan Station (Kanawha County, WV) with approximately 4,735 HP and Lewis Wetzel Station (Wetzel County, WV) with approximately 3,550 HP;
- A new metering and regulation facility at the existing Oakford Compressor Station in Westmoreland County, PA; and
- Upgrades and minor additions to other existing facilities in Wyoming, Doddridge, McDowell, and Barbour Counties, WV.

The general location of the project facilities is shown in Appendix 1.<sup>3</sup>

### Land Requirements for Construction

Construction of the planned facilities would disturb about 1,612 acres of land for the aboveground facilities and the pipeline. Following construction, about 785 acres would be maintained for permanent operation of the project's

<sup>2</sup> A pipeline loop is constructed parallel to an existing pipeline to increase capacity.

<sup>3</sup> The appendices referenced in this notice are not being printed in the **Federal Register**. Copies of appendices were sent to all those receiving this notice in the mail and are available at <http://www.ferc.gov> using the link called "eLibrary" 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.

facilities; the remaining acreage would be restored and allowed to revert to former uses. About 80 percent of the planned pipeline route parallels existing pipeline, utility, or road rights-of-way.

### 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 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, the Commission requests public comments on the scope of the issues to address in the EA. All comments received will be considered during the preparation of the EA. To ensure your comments are considered, please carefully follow the instructions in the Public Participation section of this notice, beginning on page 5.

In the EA we will discuss impacts that could occur as a result of the construction and operation of the planned project under these general headings:

- Geology and soils;
- Land use, recreation and visual resources;
- Water resources, fisheries, and wetlands;
- Cultural resources;
- Vegetation and wildlife;
- Air quality and noise;
- Endangered and threatened species;
- Hazardous waste;
- Public safety; and
- Cumulative impacts.

We will also evaluate possible alternatives to the planned project or portions of the project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

Although no formal application has been filed, we have already initiated our NEPA review under the Commission's pre-filing process. The purpose of the pre-filing process is to encourage early involvement of interested stakeholders and to identify and resolve issues before an application is filed with the FERC. As part of our pre-filing review, we have begun to contact some federal and state agencies to discuss their involvement in the scoping process and the preparation of the EA.

Our independent analysis of the issues will be presented in the EA. Depending on the comments received during the scoping process, the EA may

<sup>1</sup> "We," "us," and "our" refer to environmental staff of the Office of Energy Projects (OEP).

be published and mailed to those on our environmental mailing list (see discussion of how to remain on our mailing list on page 6). A comment period will be allotted for review of the EA if it is published. We will consider all comments on the EA before we make our recommendations to the Commission.

With this notice, we are asking agencies with jurisdiction and/or special expertise with respect to environmental issues to formally cooperate with us in the preparation of the EA. These agencies may choose to participate once they have evaluated the proposal relative to their responsibilities. Agencies that would like to request cooperating agency status should follow the instructions for filing comments provided under the Public Participation section of this notice.

### Currently Identified Environmental Issues

Based on a preliminary review of the planned facilities and the environmental information provided by DTI, we have identified potential visual and land use impacts that we think deserve attention. DTI anticipates that longwall coal mining may proceed beneath the pipeline at some point in the future. Mitigation measures that DTI would take to maintain the integrity of its pipeline may require unearthing the pipeline post-construction to conduct stress tests, which could in turn impact both land use and visual resources. Additional issues may be included in our analysis based on your comments.

### Public Participation

You can make a difference by providing us with your specific comments or concerns about the project. Your comments should focus on the potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. The more specific your comments, the more useful they will be. To ensure that your written comments are timely and properly recorded, please send in your comments so that they will be received in Washington, DC on or before February 3, 2010.

For your convenience, there are three methods which you can use to submit your written comments to the Commission. The Commission encourages electronic filing of comments and has expert eFiling staff available to assist you at 202-502-8258 or [efiling@ferc.gov](mailto:efiling@ferc.gov).

(1) You may file your comments electronically by using the Quick Comment feature, which is located at <http://www.ferc.gov> under the link

called "Documents and Filings". A Quick Comment is an easy method for interested persons to submit text-only comments on a project;

(2) You may file your comments electronically by using the "eFiling" feature that is listed under the "Documents and Filings" link. eFiling involves preparing your submission in the same manner as you would if filing on paper, and then saving the file on your computer's hard drive. You will attach that file to your submission. New eFiling users must first create an account by clicking on the links called "Sign up" or "eRegister". You will be asked to select the type of filing you are making. A comment on a particular project is considered a "Comment on a Filing"; or

(3) You may file your comments with the Commission via mail by sending an original and two copies of your letter to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Room 1A, Washington, DC 20426.

In all instances, please reference the project docket number PF09-15-000 with your submission. Label one copy of the comments for the attention of Gas Branch 3, PJ-11.3.

### 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 planned 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 certain distances of aboveground facilities (as defined in the Commission's regulations).

If you do not want to send comments at this time but still want to remain on our mailing list, please return the Mail List Retention Form (Appendix 2). If you do not return the Mail List Retention Form, you will be taken off the mailing list.

### Becoming an Intervenor

Once DTI files its application with the Commission, you may want to become an "intervenor", which is an official party to the Commission's proceeding. Intervenor play a more formal role in the process and are able to file briefs, appear at hearings, and be heard by the courts if they choose to appeal the Commission's final ruling. An intervenor formally participates the proceeding by filing a request to intervene. Instructions for becoming an intervenor are included in the User's Guide under the "e-filing" link on the

Commission's Web site. Please note that you may not request intervenor status at this time. You must wait until a formal application for the project is filed with the Commission.

### 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 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 (i.e., PF09-15). 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. The eLibrary link also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

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

**Kimberly D. Bose,**  
Secretary.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. ID-3404-002]

### McGrath, Eugene R.; Notice of Filing

December 4, 2009.

Take notice that on November 23, 2009, Eugene R. McGrath filed an application for authorization to hold interlocking positions, pursuant to section 305(b) of the Federal Power Act, 16 USCA 825(b) (2006), and part 45 of the regulations of the Federal Energy Regulatory Commission, 18 CFR part 45 (2009).

Any person desiring to intervene or to protest this filing must file in