

cooperating agency, EPA will review the EIS and other documents developed by DOE in conjunction with NYSEDA to provide early input on the analyses of environmental impacts associated with the decommissioning alternatives to be analyzed.

*New York State Department of Environmental Conservation:* With respect to DOE proposed actions, NYSDEC will participate as a cooperating agency under NEPA on the West Valley Decommissioning and/or Long-Term Stewardship EIS. As a cooperating agency, NYSDEC will review the EIS and other documents developed by DOE in conjunction with NYSEDA to provide early input on the analyses of environmental impacts associated with the decommissioning alternatives to be analyzed, and as part of their regulatory responsibilities. NYSDEC will participate as an involved agency under SEQRA with respect to NYSEDA's proposed actions.

NYSDEC regulates the SDA through issuance of permits under 6 New York Codes, Rules and Regulations (NYCRR) Part 380 Rules and Regulations for Prevention and Control of Environmental Pollution by Radioactive Materials. NYSDEC also regulates hazardous and mixed waste at the Center pursuant to 6 NYCRR Part 370 Series. This includes permitting activities under Interim Status for RCRA regulated units and Corrective Action Requirements for investigation and if necessary, remediation of hazardous constituents from Solid Waste Management Units.

NYSDEC is also responsible for ensuring compliance with the 1992 joint NYSDEC/USEPA 3008 (h) [New York State Environmental Conservation Law, Article 27, Titles 9 and 13] Order issued to the DOE and NYSEDA. The Order required investigation of solid waste management units, performance of interim corrective measures, and completion of Corrective Measures Studies, if necessary. NYSDEC and EPA intend to accommodate the DOE's and NYSEDA's efforts to coordinate and integrate the EIS process pursuant to the Order.

#### Public Scoping Meetings

DOE and NYSEDA will hold two public scoping meetings on the Decommissioning and/or Long-Term Stewardship EIS at the Ashford Office Complex, located at 9030 Route 219 in the Town of Ashford, NY, from 7 to 9:30 p.m. on April 9 and April 10, 2003. The purpose of scoping is to encourage public involvement and solicit public comments on the proposed scope and content of the EIS. Requests to speak at

the public meeting should be made by calling or writing the DOE Document Manager (*see ADDRESSES*, above). Speakers will be scheduled on a first-come, first-served basis. Individuals may sign up at the door to speak and will be accommodated as time permits. Written comments will also be accepted at the meeting. Speakers are encouraged to provide written versions of their oral comments for the record.

The meetings will be facilitated by a moderator. Time will be provided for meeting attendees to ask clarifying questions. Individuals requesting to speak on behalf of an organization must identify the organization. Each speaker will be allowed five minutes to present comments unless more time is requested and available. Comments will be recorded by a court reporter and will become part of the scoping meeting record.

These two public scoping meetings will be held during a public scoping comment period. The comment period begins with publication of this NOI and will formally close on April 28, 2003. Comments received after this date will be considered to the extent practical. Comments provided during scoping will be addressed in the revised draft Decommissioning and/or Long-Term Stewardship EIS. Written comments will be received during the scoping period either in writing, by facsimile, or by email to Mr. Daniel Sullivan, DOE Document Manager (*see ADDRESSES*, above, for contact information).

#### Schedule

The DOE intends to issue the draft Decommissioning and/or Long-Term Stewardship EIS as early as December 2003. A public comment period of up to 180 days will start upon publication of the EPA's **Federal Register** Notice of Availability. DOE will consider and respond to comments received on the draft Decommissioning and/or Long-Term Stewardship EIS in preparing the final EIS.

Comments received during the 1989 scoping process and from the public comment period on the 1996 Cleanup and Closure EIS (DOE/EIS-0226-D) will be considered in the Decommissioning and/or Long-Term Stewardship EIS.

#### Public Reading Rooms

Documents referenced in this Notice of Intent and related information are available at the following locations: Central Buffalo Public Library Science and Technology Department, Lafayette Square, Buffalo, New York 14203, (716) 858-7098; The Olean Public Library, 134 North 2nd Street, Olean, New York 14760, (716) 372-0200; The Hulbert

Library of the Town of Concord, 18 Chapel Street, Springville, New York 14141, (716) 592-7742; West Valley Central School Library, 5359 School Street, West Valley, New York 14141, (716) 942-3261; Ashford Office Complex, 9030 Route 219, West Valley, New York 14171, (716) 942-4555.

Issued in Washington, DC on March 7, 2003.

**Beverly A. Cook,**

*Assistant Secretary, Environment, Safety and Health.*

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## DEPARTMENT OF ENERGY

### Bonneville Power Administration

[BPA File No: SN-03]

#### Bonneville Power Administration's Proposed Safety-Net Cost Recovery Adjustment Clause Adjustment to 2002 Wholesale Power Rates

**AGENCY:** Bonneville Power Administration, Department of Energy.

**ACTION:** Notice of proposed safety-net cost recovery adjustment clause: public hearing, and opportunity for public review and comment.

**SUMMARY:** The Pacific Northwest Electric Power Planning and Conservation Act (Northwest Power Act), 16 U.S.C. 839, provides that the Bonneville Power Administration (BPA) must establish and periodically review and revise its rates to recover, in accordance with sound business principles, the costs associated with the acquisition, conservation, and transmission of electric power, and to recover the Federal investment in the Federal Columbia River Power System (FCRPS) and other costs incurred by BPA.

On February 7, 2003, the BPA Administrator determined that the Safety-Net Cost Recovery Adjustment Clause (SN CRAC) triggered based upon a forecast of a 50 percent or greater chance of missing a payment to the U.S. Treasury or another creditor during this fiscal year. The triggering of the SN CRAC initiates an expedited hearing under section 7(i) of the Northwest Power Act, 16 U.S.C. 839e(a)(1). By this notice, BPA announces a proposed SN CRAC adjustment to BPA's Wholesale Power Rates for FY 2002-2006, which the Federal Energy Regulatory Commission (FERC) approved on an interim basis on September 28, 2001. *U. S. Department of Energy—Bonneville Power Admin.*, 96 F.E.R.C. ¶ 61,360 (2001).