

which the grantee provides a subcontract or subgrant, and the result of that collaboration as evidenced by improved delivery of technical assistance and training and improved collaboration between entities funded under the AT Act at the national and State level or other relevant and identifiable improvements; and

(4) A description of how the technical assistance and training needs of entities funded under the AT Act and entities not funded under the AT Act are identified and met, and the result of meeting those needs as evidenced by resolution of State-specific and national issues or other relevant and identifiable outcomes.

### VII. Agency Contact

*For Further Information Contact:* Robert Groenendaal, U.S. Department of Education, 400 Maryland Avenue, SW., room 5025, PCP, Washington, DC 20202-2800. Telephone: (202) 245-7393 or by e-mail:

[robert.groenendaal@ed.gov](mailto:robert.groenendaal@ed.gov).

If you use a TDD, call the Federal Relay Service (FRS), toll free, at 1-800-877-8339.

### VIII. Other Information

*Accessible Format:* Individuals with disabilities can obtain this document and a copy of the application package in an accessible format (e.g., braille, large print, audiotope, or computer diskette) by contacting the Grants and Contracts Services Team, U.S. Department of Education, 400 Maryland Avenue, SW., room 5075, PCP, Washington, DC 20202-2550. Telephone: (202) 245-7363. If you use a TDD, call the FRS, toll free, at 1-800-877-8339.

*Electronic Access to This Document:* You can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: <http://www.ed.gov/news/fedregister>.

To use PDF you must have Adobe Acrobat Reader, which is available free at this site.

**Note:** The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: <http://www.gpoaccess.gov/nara/index.html>.

Dated: February 24, 2010.

**Alexa Posny,**

*Assistant Secretary for Special Education and Rehabilitative Services.*

[FR Doc. 2010-4176 Filed 2-26-10; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF ENERGY

### Letter From Secretary of Energy Accepting Defense Nuclear Facilities Safety Board (Board) Recommendation 2009-2

**AGENCY:** Department of Energy.

**ACTION:** Notice.

**SUMMARY:** The Department of Energy (DOE) is making available the February 2, 2010, Secretary's letter to the Board accepting the Board's recommendation 2009-2 regarding seismic safety at the Los Alamos National Laboratory Plutonium Facility.

**ADDRESSES:** U.S. Department of Energy, HS-1.1, 1000 Independence Ave, SW., Washington, DC 20585.

**SUPPLEMENTARY INFORMATION:** DOE is making this letter available for public information and solicits comments from the public. Comments may be sent to the address above. The text of the document is below. It may also be viewed at: <http://www.hss.energy.gov/dep/dep/default.asp>.

Issued in Washington, DC, on February 23, 2010.

**Mark B. Whitaker,**

*Departmental Representative to the Defense Nuclear Facilities Safety Board.*

February 2, 2010.

The Honorable John E. Mansfield, Vice Chairman, Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW., Suite 700, Washington, DC 20004.

Dear Mr. Vice Chairman: The Department of Energy (DOE) acknowledges receipt of Defense Nuclear Facilities Safety Board (Board) Recommendation 2009-2, *Los Alamos National Laboratory Plutonium Facility Seismic Safety*, issued on October 26, 2009, and I accept the recommendation.

In December 2008, the National Nuclear Security Administration (NNSA) Los Alamos Site Office (LASO) approved a new Documented Safety Analysis (DSA) for the Plutonium Facility at Los Alamos National Laboratory (LANL), the first major upgrade to the Plutonium Facility's Safety Basis since 1996. The DSA conservatively describes potentially high mitigated consequences to the maximally exposed off-site individual (i.e., the public) from a first-floor fire following a seismic event, approximately two orders of magnitude higher than our evaluation guideline for selecting safety class controls.

Approval of the DSA included recognition of weaknesses in the facility's control set and the need to upgrade a number of safety systems in

order to meet DOE nuclear safety policies. As a result, Los Alamos National Security (LANS) has initiated a number of improvements to address safety issues identified in the DSA, including transitioning to an active confinement ventilation strategy.

LANS recently submitted to LASO an update of the facility's DSA that includes revised seismic accident scenarios to more accurately, but conservatively, evaluate the consequences of such scenarios. The DSA annual update, to be reviewed and approved by LASO, includes about a factor of 15 reduction from the previous DSA of the mitigated consequences to the maximally exposed off-site individual from a post-seismic fire. This proposed reduction is accomplished by establishing stricter limits to the overall material at risk allowed in the facility and by defining specific material quantity limits for various forms of material such as liquid, metal, and oxide and for heat-source plutonium. However, additional upgrades will be needed in order to meet DOE nuclear safety policies.

A significant number of actions have been completed recently or are planned in the near future that improve the safety posture of the facility. For example, in the near term, NNSA will incentivize LANS to accomplish the following in FY 10:

- Install an automatic seismic shutdown capability for non-vital laboratory room electrical loads that provides an engineered control to reduce laboratory room electrical ignition sources;
- Develop conceptual designs for potential seismic upgrades to key active confinement ventilation subsystems and to the fire suppression system;
- Robustly package or otherwise disposition greater than 250 kilograms of plutonium-equivalent material;
- Reduce first floor material at risk limit by 40 percent; and
- Complete safety class encapsulation of the existing inventory of heat-source plutonium currently stored in Russian Product Containers (RPCs) that will subsequently be stored in the vault water baths.

NNSA has also provided additional funding to LANS for FY 10 to support the repackaging and disposition of material, risk reduction activities, and new generation container development. Also, for FY 10, LASO and LANS have developed performance-based incentives of about \$1.3M for materials repackaging and disposition, updated seismic analyses, and safety upgrades to the Plutonium Facility. These actions in

FY 10 build upon actions taken by LANS in FY 09 and early FY 10, including the following:

- Removed nearly 11 tons of combustible material from the facility, primarily first-floor laboratory rooms;
- Repackaged 60 existing RPCs with pressure safety concerns into new safety class containers;
- Replaced 195 high efficiency particulate air (HEPA) filters with 500°F-rated HEPA filters; and
- Developed a hydraulic model of the Fire Suppression System that identified weaknesses that are being addressed and will be used to inform decision-making for making this system safety class.

A more comprehensive summary of key actions is provided in the enclosure to this letter.

As noted above, the changes to the DSA currently under review would reduce the potential consequences at the site boundary due to a post-seismic fire event by a factor of 15. Approving updates to the DSA and Technical Safety Requirements is the binding mechanism by which DOE directs changes to the nuclear safety posture of its facilities. DOE is expediting its review of the updated DSA to achieve its implementation at the earliest feasible date.

I have assigned Mr. James J. McConnell, Acting Assistant Deputy Administrator for Nuclear Safety and Operations, Office of Defense Programs, NNSA, to be the Department's responsible manager for developing the Implementation Plan. He can be reached at (202) 586-4379.

Sincerely,  
Steven Chu

[FR Doc. 2010-4128 Filed 2-26-10; 8:45 am]

BILLING CODE 6450-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP10-64-000]

#### Tennessee Gas Pipeline Company; Notice of Application

February 19, 2010.

Take notice that on February 9, 2010, Tennessee Gas Pipeline Company (Tennessee), 1001 Louisiana Street, Houston, Texas 77002, filed in the above referenced docket an application pursuant to section 7(b) of the Natural Gas Act (NGA) and Part 157 of the Commission's regulations, requesting authorization to abandon in place an inactive supply lateral designed as Line

No. 527A-1300 and associated appurtenances located in Federal waters offshore Louisiana. Tennessee states that the subject facilities incurred extensive damage during Hurricane Gustav and have since been inactive, all as more fully set forth in the application which is on file with the Commission and open to public inspection. The filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site 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. For assistance, contact FERC at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or call toll-free, (866) 208-3676 or TTY, (202) 502-8659.

Any questions concerning this application may be directed to Thomas G. Joyce, Manager, Certificates, Tennessee Gas Pipeline Company, 1001 Louisiana Street, Houston, Texas 77002, by telephone at (713) 420-3299, by facsimile at (713) 420-1605, or by e-mail at [tom.joyce@elpaso.com](mailto:tom.joyce@elpaso.com); or Kathy Cash, Principal Analyst, Rates and Regulatory Affairs, Tennessee Gas Pipeline Company, 1001 Louisiana Street, Houston, Texas 77002, by telephone at (713) 420-3290, by facsimile at (713) 420-1605, or by e-mail at [kathy.cash@elpaso.com](mailto:kathy.cash@elpaso.com).

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 in the proceeding with the Commission and must mail a copy to the applicant and to every other party. 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.

The Commission strongly encourages electronic filings of comments, 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: March 1, 2010.

Kimberly D. Bose,  
Secretary.

[FR Doc. 2010-4090 Filed 2-26-10; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Combined Notice of Filings No. 1

February 18, 2010.

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

*Docket Numbers:* RP10-383-000.

*Applicants:* CenterPoint Energy Gas Transmission Co.

*Description:* CenterPoint Energy Gas Transmission Co submits Ninth Revised Sheet No. 1 *et al.* to FERC Gas Tariff, Sixth Revised Volume No. 1.

*Filed Date:* 02/16/2010.

*Accession Number:* 20100217-0223.

*Comment Date:* 5 p.m. Eastern Time on Monday, March 1, 2010.

*Docket Numbers:* RP10-384-000.

*Applicants:* Columbia Gas Transmission, LLC.

*Description:* Columbia Gas Transmission, LLC submits petition for