

radiological release. These systems are expected to be classified as safety-class or safety-significant as required by a conservative application of DOE-approved methodology, and should be designed and maintained to function during abnormal and accident conditions. Exceptions to such classifications should be approved at a level in DOE that ensures a consistent, conservative approach throughout the complex.

2. Disallow reliance on passive confinement systems and require an active confinement ventilation system for all new and existing Hazard Category 3 defense nuclear facilities with the potential for a radiological release. These systems would not ordinarily be classified as safety-class or safety-significant unless such designation is required by the DOE-approved methodology.

3. Revise all applicable DOE directives pertaining to operation of existing facilities, design and construction of new facilities, and major modifications to existing facilities, in accordance with Items 1 and 2 above. These revisions should include guidance for determining when a facility would not benefit from an active confinement ventilation system.

4. Assess existing facilities, ongoing major modifications, and new design/construction projects, to ensure that:

- (a) The confinement strategy described above is implemented, and
- (b) The 25 rem evaluation guideline is used solely for classification of safety controls.

Section 42 U.S.C. 2286d(e) provides authority to the Secretary of Energy to "implement any such Recommendation (or part of any such Recommendation) before, on, or after the date on which the Secretary of Energy transmits the implementation plan to the Board under this subsection." The Board suggests that the Secretary of Energy consider taking action on Item 4 above in parallel with the development of an Implementation Plan for this Recommendation.

In addition, the Board's Recommendation 2004-1, *Oversight of Complex, High-Hazard Nuclear Operations*, addresses the need for complex-wide consistency in the application of DOE requirements and expectations. The Board expects the mechanisms established in response to Recommendation 2004-1 would likewise ensure consistent, conservative implementation of the confinement requirement provided here.

**John T. Conway,**  
Chairman.

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## DEPARTMENT OF ENERGY

[Docket No. EA-274-A]

### Application To Export Electric Energy; Wisconsin Public Service Corporation

**AGENCY:** Office of Fossil Energy, DOE.

**ACTION:** Notice of application.

**SUMMARY:** Wisconsin Public Service Corporation (WPSC) has applied to renew its authority to transmit electric energy from the United States to Canada pursuant to section 202(e) of the Federal Power Act.

**DATES:** Comments, protests or requests to intervene must be submitted on or before January 14, 2005.

**ADDRESSES:** Comments, protests or requests to intervene should be addressed as follows: Office of Coal & Power Import/Export (FE-27), Office of Fossil Energy, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585-0350 (FAX 202-287-5736).

**FOR FURTHER INFORMATION CONTACT:** Xavier Puslowski (Program Office) 202-586-4708 or Michael Skinker (Program Attorney) 202-586-2793.

**SUPPLEMENTARY INFORMATION:** Exports of electricity from the United States to a foreign country are regulated and require authorization under section 202(e) of the Federal Power Act (FPA) (16 U.S.C. 824a(e)).

On February 6, 2003, the Office of Fossil Energy (FE) of the Department of Energy (DOE) issued Order No. EA-274 authorizing WPSC to transmit electric energy from the United States to Canada as a power marketer. That two year authorization will expire on February 6, 2005.

On November 30, 2004, FE received an application from WPSC to renew its authorization to transmit electric energy from the United States to Canada for a five-year term. WPSC proposes to arrange for the delivery of those exports over the international transmission facilities owned by Basin Electric Power Cooperative, Bonneville Power Administration, Eastern Maine Electric Cooperative, International Transmission Company, Joint Owners of the Highgate Project, Long Sault, Inc., Maine Electric Power Company, Maine Public Service Company, Minnesota Power, Inc., Minnkota Power Cooperative, New York Power Authority, Niagara Mohawk Power Corporation, Northern States Power, Vermont Electric Company and Vermont Electric Transmission Company.

The construction of each of the international transmission facilities to be utilized by WPSC, as more fully described in the application, has previously been authorized by a Presidential permit issued pursuant to Executive Order 10485, as amended.

**Procedural Matters:** Any person desiring to become a party to these proceedings or to be heard by filing comments or protests to this application should file a petition to intervene,

comment or protest at the address provided above in accordance with §§ 385.211 or 385.214 of the FERC's Rules of Practice and Procedures (18 CFR 385.211, 385.214). Fifteen copies of each petition and protest should be filed with the DOE on or before the dates listed above.

Comments on the WPSC application to export electric energy to Canada should be clearly marked with Docket EA-274-A. Additional copies are to be filed directly with Dennis M. Derricks, Director, Regulatory Policy & Analysis, Wisconsin Public Service Corporation, 700 North Adams Street, P.O. Box 19001, Green Bay, WI 54307-9001, and David Martin Connelly, Esquire, Bruder, Gentile & Marcoux, L.L.P., 1701 Pennsylvania Avenue, NW., Suite 900, Washington, DC 20006-15807.

Copies of this application will be made available, upon request, for public inspection and copying at the address provided above or by accessing the Fossil Energy Home Page at <http://www.fe.doe.gov>. Upon reaching the Fossil Energy Home page, select "Electricity Regulation," and then "Pending Proceedings" from the options menus.

Issued in Washington, DC, on December 8, 2004.

**Anthony J. Como,**

*Deputy Director, Electric Power Regulation, Office of Fossil Energy.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Application for Amendment of License and Soliciting Comments, Motions To Intervene, and Protests

December 9, 2004.

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

- a. *Application Type:* Amendment of License to Reflect Terms and Conditions of Settlement Agreement.
- b. *Project No:* 2360-144.
- c. *Date Filed:* November 12, 2004.
- d. *Applicant:* ALLETE, Inc.
- e. *Name of Project:* St. Louis Project.
- f. *Location:* The project is located on the St. Louis, Beaver, and Cloquet Rivers in Carlton and St. Louis Counties, Minnesota.
- g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a) 825(r) and sections 799 and 801.
- h. *Applicant Contact:* Ingrid K. Johnson, Assistant General Council,