

The combined (direct plus indirect) emissions of NO<sub>x</sub> would exceed 50 tpy during the construction and operational phases of the project. Therefore, a General Conformity Determination is required for NO<sub>x</sub> emissions. Similarly, the combined emissions of VOCs exceed 50 tpy during the operational phases of the project, and a General Conformity Determination is also required for VOC emissions.

#### **Preliminary General Conformity Determination**

A General Conformity Determination must be completed for projects requiring Federal authorization that are undertaken in areas designated as "nonattainment" or "maintenance" for certain criteria air pollutants and for which the combined direct and indirect emissions of those air pollutants will equal or exceed certain thresholds. The EPA has designated the Beaumont-Port Arthur area as a serious nonattainment area for the 1-hour ozone standard. Consequently, a General Conformity Determination is required for certain projects undertaken in the Beaumont-Port Arthur area for which the combined direct and indirect emissions of either NO<sub>x</sub> or VOCs, as ozone precursors, will equal or exceed 50 tpy. See 40 CFR 93.153(b) and 30 TAC § 101.30. The Project requires a General Conformity Determination for NO<sub>x</sub> because the combined direct and indirect emissions of NO<sub>x</sub> would equal or exceed 50 tpy. In addition, the Project requires a General Conformity Determination for VOC because the combined direct and indirect emissions of VOC would equal or exceed 50 tpy.

On September 24, 2004, the TXCEQ issued a conditional general conformity certification for the Project based on a review of project emissions estimates, modeling of the emissions from the Project, and a number of commitments proposed by Golden Pass (see Attachment A). These commitments include: (1) NO<sub>x</sub> emission offsetting of terminal emissions, and (2) other impact mitigation practices. Each is described in the sections to follow.

#### **NO<sub>x</sub> Emission Offsetting**

The Project may potentially result in NO<sub>x</sub> emission reductions that are far greater than the NO<sub>x</sub> emissions generated by the LNG terminal and associated sources (LNG trucks and ships). This emission reduction would occur when power plants and residential customers convert boilers and furnaces to higher-efficiency natural gas fired units. However, these NO<sub>x</sub> emission reductions would not be enforceable reductions; therefore their

impact on the Beaumont-Port Arthur SIP cannot be quantified or credited for purposes of the general conformity determination.

Golden Pass has committed to purchasing and retiring 48 tons of NO<sub>x</sub> emission reduction credits prior to commencement of operations. The 48 tons of NO<sub>x</sub> credits offset the maximum projected long-term emissions of NO<sub>x</sub> from terminal operations (47.7 tpy). This commitment by Golden Pass is documented in the September 24, 2004 letter from TXCEQ.

#### **Other Impact Mitigation Practices**

TXCEQ's conditional conformity certification put forth additional conditions as requirements for a determination of acceptability of the project relative to the Beaumont-Port Arthur SIP. These additional conditions, which are also stated in the September 24, 2004 letter from TCEQ (see Attachment 1), are as follows:

- Golden Pass will encourage construction contractors to participate in the Texas Emission Reduction Plan (TERP) grant program and to apply for TERP grant funds;
- Golden Pass will establish bidding conditions to give preference to "Clean Contractors";
- Golden Pass will direct, through provisions included in its construction contracts, construction contractors to exercise Best Management Practices relating to air quality; and
- Golden Pass will encourage construction contractors to use appropriate low emission fuels.

#### **Conditions for Granting a Final Conformity Determination**

The commitments by Golden Pass as described in sections 5.1 and 5.2 above constitute conditions for granting a final conformity determination. Documentation of fulfillment of each condition is required prior to issuance of the final conformity determination and authorization of project construction. Golden Pass may not begin construction of the LNG terminal until the Commission has issued its final General Conformity Determination and Golden Pass has received written approval by the Director of Office of Energy Projects of its filing stating that it would comply with all requirements of the General Conformity Determination.

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## **DEPARTMENT OF ENERGY**

### **Federal Energy Regulatory Commission**

[Docket No. RP05-368-000]

#### **Gulfstream Natural Gas System, L.L.C.; Notice of Filing**

June 10, 2005.

Take notice that on June 6, 2005, Gulfstream Natural Gas System, L.L.C. (Gulfstream) tendered for filing a service agreement with Tampa Electric Company (TECO).

Gulfstream states that it is requesting approval of the service agreement with TECO as part of the Bayside Lateral project, in which TECO will construct a pipeline from its Bayside, Florida generation facility to Gulfstream's mainline in Manatee County, Florida.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the date as indicated below. Anyone filing an intervention or protest must serve a copy of that document on the Applicant. Anyone filing an intervention or protest on or before the intervention or protest date need not serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of 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 email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call

(866) 208-3676 (toll free). For TTY, call (202) 502-8659.

**Magalie R. Salas,**  
*Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP05-371-000]

#### Nautilus Pipeline Company; Notice of Proposed Changes in FERC Gas Tariff

June 10, 2005.

Take notice that on June 7, 2005, Nautilus Pipeline Company (Nautilus) tendered for filing as part of its FERC Gas Tariff, Original Volume No. 1, the following tariff sheets, to become effective June 8, 2005:

Second Revised Sheet No. 23  
Third Revised Sheet No. 204  
First Revised Sheet No. 204A  
First Revised Sheet No. 248  
Original Sheet No. 255A  
Original Sheet No. 255B  
First Revised Sheet No. 259  
Original Sheet No. 266A  
Original Sheet No. 266B  
First Revised Sheet No. 270  
Original Sheet No. 278A  
Original Sheet No. 278B  
First Revised Sheet No. 282  
Original Sheet No. 289A  
Original Sheet No. 289B  
First Revised Sheet No. 292  
Original Sheet No. 299  
Original Sheet No. 300  
Sheet Nos. 301-319  
First Revised Sheet No. 340  
First Revised Sheet No. 345  
Original Sheet No. 345A  
Original Sheet No. 345B

Nautilus states that it is filing these tariff sheets to amend its general terms and conditions to provide for specific types of discounts in its tariff, consistent with Commission's policy. Nautilus states that this will give it the flexibility it needs to respond to the marketplace and the needs of its shippers. Nautilus also submits revised tariff sheets to reflect the commission's order in Williston Basin Interstate Pipeline Co., 110 FERC ¶ 61,210 (2005), which allows pipelines to delete current tariff provisions that permits shippers to retain selective discounts at secondary points.

Nautilus states that copies of its filing have been mailed to all affected customers of Nautilus and interested State Commissions.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of

the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed in accordance with the provisions of Section 154.210 of the Commission's regulations (18 CFR 154.210). Anyone filing an intervention or protest must serve a copy of that document on the Applicant. Anyone filing an intervention or protest on or before the intervention or protest date need not serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of 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.

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**Magalie R. Salas,**  
*Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP01-382-015]

#### Northern Natural Gas Company; Notice of Filing of Reimbursement Report

June 10, 2005.

Take notice that on June 7, 2005, Northern Natural Gas Company (Northern) tendered for filing various schedules detailing the Carlton buyout and surcharge dollars reimbursed to the appropriate parties.

Northern further states that copies of the filing have been mailed to each of its customers and interested state commissions.

Any person desiring to protest this filing must file in accordance with Rule 211 of the Commission's Rules of Practice and Procedure (18 CFR 385.211). Protests to this filing will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Such protests must be filed on or before the date as indicated below. Anyone filing a protest must serve a copy of that document on all the parties to the proceeding.

The Commission encourages electronic submission of protests 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 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 email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

*Protest Date:* 5 p.m. Eastern Time on June 17, 2005.

**Magalie R. Salas,**  
*Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP05-370-000]

#### Northern Natural Gas Company; Notice of Proposed Changes in FERC Gas Tariff

June 10, 2005.

Take notice that on June 3, 2005, Northern Natural Gas Company (Northern) tendered for filing as part of its FERC Gas Tariff, Fifth Revised Volume No. 1, the following tariff sheets, with an effective date of July 5, 2005:

Second Revised Sheet No. 212