

Kimberly D. Bose,

Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 13036-001]

BPUS Generation Development, LLC; Notice of Surrender of Preliminary Permit

April 17, 2008.

Take notice that BPUS Generation Development, LLC, permittee for the proposed Mount Morris Dam Hydroelectric Project, has requested that its preliminary permit be terminated. The permit was issued on February 21, 2008, and would have expired on January 31, 2011.¹ The project would have been located on the Genesee River in Livingston County, New York.

The permittee filed the request on April 11, 2008, and the preliminary permit for Project No. 13036 shall remain in effect through the thirtieth day after issuance of this notice unless that day is a Saturday, Sunday, part-day holiday that affects the Commission, or legal holiday as described in section 18 CFR 385.2007, in which case the effective date is the first business day following that day. New applications involving this project site, to the extent provided for under 18 CFR Part 4, may be filed on the next business day.

Kimberly D. Bose,

Secretary.

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPPT-2003-0004; FRL-8362-5]

Access to Confidential Business Information by Solutions by Design II

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has authorized its contractor, Solutions by Design II (SBD) of Vienna, VA, to access information which has been submitted to EPA under all sections of the Toxic Substances

Control Act (TSCA). Some of the information may be claimed or determined to be Confidential Business Information (CBI).

DATES: Access to the confidential data will occur no sooner than May 1, 2008.

FOR FURTHER INFORMATION CONTACT: For general information contact: Colby Lintner, Regulatory Coordinator, Environmental Assistance Division (7408M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (202) 554-1404; e-mail address: TSCA-Hotline@epa.gov.

For technical information contact: Scott Sherlock, Environmental Assistance Division (7408M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (202) 564-8257; fax number: (202) 564-8251; e-mail address: Scott.Sherlock@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Notice Apply to Me?

This action is directed to the public in general. This action may, however, be of interest to you if are or may be required to conduct testing of chemical substances under the Toxic Substances Control Act (TSCA). Since other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action to a particular entity, consult the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

B. How Can I Get Copies of this Document and Other Related Information?

1. *Docket.* EPA has established a docket for this action under docket identification (ID) number EPA-HQ-OPPT-2003-0004. All documents in the docket are listed in the docket's index available at <http://www.regulations.gov>.

Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute.

Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available electronically at <http://www.regulations.gov>, or, if only available in hard copy, at the OPPT Docket. The OPPT Docket is located in the EPA Docket Center (EPA/DC) at Rm. 3334, EPA West Bldg., 1301

Constitution Ave., NW., Washington, DC. The EPA/DC Public Reading Room hours of operation are 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays. The telephone number of the EPA/DC Public Reading Room is (202) 566-1744, and the telephone number for the OPPT Docket is (202) 566-0280. Docket visitors are required to show photographic identification, pass through a metal detector, and sign the EPA visitor log. All visitor bags are processed through an X-ray machine and subject to search. Visitors will be provided an EPA/DC badge that must be visible at all times in the building and returned upon departure.

2. *Electronic access.* You may access this **Federal Register** document electronically through the EPA Internet under the "**Federal Register**" listings at <http://www.epa.gov/fedrgstr>.

II. What Action is the Agency Taking?

Under Contract Number EP-W-08-004, contractor SBD of 8614 Westwood Center Drive, Suite 100, Vienna, VA will assist the Office of Pollution Prevention and Toxics (OPPT) in developing the Premanufacture Notice (PMN) Lotus Notes Work Flow Application for the New Chemicals Program and PMN Review Process. Once the Application is completed, SBD will also assist in the continued operation and maintenance of the system.

In accordance with 40 CFR 2.306(j), EPA has determined that under Contract Number EP-W-08-004, SBD will require access to CBI submitted to EPA under all sections of TSCA to perform successfully the duties specified under the contract. SBD personnel will be given access to information submitted to EPA under all sections of TSCA. Some of the information may be claimed or determined to be CBI.

EPA is issuing this notice to inform all submitters of information under all sections of TSCA that EPA may provide SBD access to these CBI materials on a need-to-know basis only. All access to TSCA CBI under this contract will take place at EPA Headquarters.

SBD will be authorized access to TSCA CBI at EPA Headquarters under the EPA *TSCA CBI Protection Manual*.

Access to TSCA data, including CBI, will continue until October 31, 2009. If the contract is extended, this access will also continue for the duration of the extended contract without further notice.

SBD personnel will be required to sign nondisclosure agreements and will be briefed on appropriate security procedures before they are permitted access to TSCA CBI.

¹ "True up" is to fit, place or shape accurately. See *Webster's NewWorld Dictionary*, Second College Edition. New York: Simon & Schuster, 1980.