

time allowed therefore, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the allowed time for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the NGA.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. E9-6501 Filed 3-24-09; 8:45 am]

**BILLING CODE**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. PR08-30-000, PR07-12-003, and PR07-12-004]

#### Enterprise Texas Pipeline LLC; Notice of Technical Conference

March 18, 2009.

Take notice that the Commission will convene a technical conference in the above-captioned proceeding on Tuesday, April 14, 2009, at 10 a.m. (EDT), in a room to be designated at the offices of the Federal Energy Regulatory Commission (Commission), 888 First Street, NE., Washington, DC, 20426.

The Commission's February 27, 2009 Order in the above-captioned proceeding,<sup>1</sup> directed that a technical conference be held to discuss Enterprise Texas Pipeline LLC's (Enterprise Texas) proposed incremental rates for firm and interruptible transportation services and the issues raised with respect to the Statement of Operating Conditions. At the conference, Commission Staff and interested persons will have the opportunity to discuss all of the issues raised by Enterprise Texas's filing including, but not limited to, technical, engineering and operational issues; rate and cost issues; and any issues raised in the protests and data requests. Enterprise Texas should be prepared to address all the concerns raised in the protests, to discuss answers to the data requests, to discuss technical, engineering and operational issues, to discuss rate and cost issues, and to provide, as necessary, additional support for its filing.

FERC conferences are accessible under section 508 of the Rehabilitation Act of 1973. For accessibility accommodations please send an e-mail to [accessibility@ferc.gov](mailto:accessibility@ferc.gov) or call toll free (866) 208-3372 (voice) or 202-502-8659

(TTY), or send a fax to 202-208-2106 with the required accommodations.

All interested parties and staff are permitted to attend. For further information please contact Rita Johnson at (202) 502-6518 or e-mail at [Rita.Johnson@FERC.gov](mailto:Rita.Johnson@FERC.gov).

**Kimberly D. Bose,**  
Secretary.

[FR Doc. E9-6499 Filed 3-24-09; 8:45 am]

**BILLING CODE**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8775-8]

### Notice of Availability for the U.S. Environmental Protection Agency's Strategic Plan for Evaluating the Toxicity of Chemicals

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of document availability.

**SUMMARY:** The U.S. Environmental Protection Agency (EPA) is announcing the availability of the final document *The U.S. Environmental Protection Agency's Strategic Plan for Evaluating the Toxicity of Chemicals* (EPA 100/K-09/001). The purpose of the Strategic Plan is to serve as a blueprint for EPA in incorporating advances in molecular biology and computational sciences into toxicity testing and risk assessment practices across the Agency. The Strategic Plan is centered on three interrelated components: (1) Toxicity pathways identification and use of this information in screening and prioritization of chemicals for further testing, (2) the use of toxicity pathways information in risk assessment, and (3) the institutional transition necessary to implement such practices across EPA. This Strategic Plan describes an ambitious and substantive improvement in the efficiency and effectiveness of the process by which environmental pollutants are evaluated for toxicity and risk. A workgroup of EPA's Science Policy Council oversaw the development of this document, incorporating input obtained from an external peer review.

**ADDRESSES:** The final document is available electronically through the EPA Office of the Science Advisor's Web site at: <http://www.epa.gov/osa/spc/toxicitytesting/>. A limited number of paper copies will be available from EPA's National Service Center for Environmental Publications (NSCEP), P.O. Box 42419, Cincinnati, OH 45242; telephone 1-800-490-9198 or 513-489-8190; facsimile 301-604-3408; e-mail

[NSCEP@bps-limit.com](mailto:NSCEP@bps-limit.com). Please provide your name and mailing addresses and the title and EPA number (as given above) of the requested publication.

**FOR FURTHER INFORMATION CONTACT:** Melissa Kramer, Office of the Science Advisor, Mail Code 8105R, Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; *telephone number:* (202) 564-8497; *fax number:* (202) 564-2070, *e-mail:* [kramer.melissa@epa.gov](mailto:kramer.melissa@epa.gov).

**SUPPLEMENTARY INFORMATION:** EPA recently took the lead in commissioning the National Research Council (NRC) of the National Academies to develop a long-range vision for toxicity testing and risk assessment. Their 2007 report, *Toxicity Testing in the 21st Century: A Vision and a Strategy* ([http://www.nap.edu/catalog.php?record\\_id=11970](http://www.nap.edu/catalog.php?record_id=11970)), envisions a landmark transformation that focuses on identifying and evaluating "toxicity pathways," *i.e.*, cellular response pathways responsible for adverse health effects when sufficiently perturbed by environmental agents under realistic exposure conditions.

To build upon the transformative changes advocated in the NRC document, while ensuring an internally coordinated and integrated approach, EPA established a cross-Agency workgroup under the auspices of its internal Science Policy Council. This workgroup produced *The U.S. Environmental Protection Agency's Strategic Plan for Evaluating the Toxicity of Chemicals* that provides a framework for EPA to comprehensively move forward to incorporate this new scientific paradigm into future toxicity testing and risk assessment practices.

This new paradigm has the potential to address increasingly complex issues that EPA faces in evaluating environmental contaminants for risks to human health and the environment. For example, it is expected to create more efficient and cost-effective means to screen and prioritize for further assessment the tens of thousands of chemicals that are already found in the environment. The new paradigm should facilitate evaluating the susceptibility of different life-stages and genetic variations in the population, understanding the mechanisms by which toxicity occurs, and considering the risks of concurrent, cumulative exposure to multiple and diverse chemicals, while at the same time significantly reducing reliance on animal testing for assessing human risk.

<sup>1</sup> *Enterprise Texas Pipeline LLC*, 126 FERC ¶ 61,183 (2009).

Dated: February 18, 2009.

**Kevin Y. Teichman,**

*Acting EPA Science Advisor.*

[FR Doc. E9-6683 Filed 3-24-09; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8781-3]

### Clean Water Act Section 303(d): Availability of List Decisions

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of Availability and Request for Public Comment.

**SUMMARY:** This action announces the availability of EPA's proposed decision identifying water quality limited segments and associated pollutants in Idaho to be listed pursuant to Clean Water Act section 303(d)(2), and requests public comment. Section 303(d)(2) requires that states submit and EPA approve or disapprove lists of waters for which existing technology-based pollution controls are not stringent enough to attain or maintain state water quality standards and for which total maximum daily loads (TMDLs) must be prepared.

EPA is providing the public the opportunity to review its proposed decision to add the following 2 waters, and their associated pollutants to Idaho's 2008 section 303(d) list: the Boise River from Indian Creek to the mouth for nutrients (AU:ID17050114SW001\_06) and Hem Creek for temperature (AU:ID17060307CL007\_02b). EPA will consider and respond to public comments in reaching its final decision on the addition of the 2 referenced water bodies and pollutants identified for inclusion on Idaho's 2008 303(d) list.

**DATES:** Comments must be submitted to EPA within 30 days of the publication of this notice.

**ADDRESSES:** Comments on the proposed decision to add the two waters should be sent to Jill Gable, 303(d) Listing Assistant, Office of Water and Watersheds; USEPA Region 10; 1200 6th Ave., Suite 900, OWW-134; Seattle, WA 98101; telephone (206) 553-2582, facsimile (206) 553-0165, e-mail [gable.jill@epa.gov](mailto:gable.jill@epa.gov). Oral comments will not be considered. Copies of the proposed decision concerning Idaho's 303(d) list which explain the rationale for EPA's proposed decision can be obtained at EPA Region 10's Web site at: <http://yosemite.epa.gov/r10/water.nsf/tmdls/ID303disapproval>, or by writing

or calling Ms. Gable at the above address. Underlying documentation for the proposed decision to add these waters is available for public inspection at the above address and also available at EPA Region 10—Boise Operations Office, 1435 N Orchard St., Boise, ID 83706.

**FOR FURTHER INFORMATION CONTACT:** Jill Gable at (206) 553-2582 or [gable.jill@epa.gov](mailto:gable.jill@epa.gov).

**SUPPLEMENTARY INFORMATION:** Section 303(d) of the Clean Water Act (CWA) requires that each state identify those waters for which existing technology-based pollution controls are not stringent enough to attain or maintain state water quality standards. For those waters, states are required to establish TMDLs according to a priority ranking.

EPA's Water Quality Planning and Management regulations include requirements related to the implementation of Section 303(d) of the CWA (40 CFR 130.7). The regulations require states to identify water quality limited waters still requiring TMDLs every two years. The lists of waters still needing TMDLs must also include priority rankings and must identify the waters targeted for TMDL development during the next two years (40 CFR 130.7). On March 31, 2000, EPA promulgated a revision to this regulation that waived the requirement for states to submit Section 303(d) lists in 2000 except in cases where a court order, consent decree, or settlement agreement required EPA to take action on a list in 2000 (65 FR 17170).

Consistent with EPA's regulations, Idaho submitted to EPA its listing decisions under Section 303(d)(2) in July 2008. On February 4, 2009, EPA partially approved and partially disapproved Idaho's 2008 303(d) list of impaired waters and associated pollutants. EPA partially approved Idaho's listing of 929 waterbodies still requiring TMDLS but disapproved Idaho's decision to not list two water quality limited segments and associated pollutants: The Boise River from Indian Creek to the mouth for nutrients (AU:ID17050114SW001\_06) and Hem Creek for temperature (AU:ID17060307CL007\_02b). EPA identified these additional waterbodies and pollutants for inclusion on the State's 2008 section 303(d) list. EPA solicits public comment on its identification of these additional waters and associated pollutants for inclusion on Idaho's 2008 Section 303(d) list.

Dated: March 5, 2009.

**Michael A. Bussell,**

*Director, Water Division, EPA Region X.*

[FR Doc. E9-6605 Filed 3-24-09; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-R01-OW-2008-0919; FRL-8781-9]

### Maine Marine Sanitation Device Standard—Notice of Determination

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of Determination.

**SUMMARY:** The Regional Administrator of the Environmental Protection Agency—New England Region, has determined that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the waters of Boothbay Harbor.

**ADDRESSES:** *Docket:* All documents in the docket are listed in the <http://www.regulations.gov> index. 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 in <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Ann Rodney, U.S. Environmental Protection Agency—New England Region, One Congress Street, Suite 1100, COP, Boston, MA 02114-2023. *Telephone:* (617) 918-0538. *Fax number:* (617) 918-1505. *E-mail address:* [rodney.ann@epa.gov](mailto:rodney.ann@epa.gov).

#### SUPPLEMENTARY INFORMATION:

On January 5, 2009, EPA published a notice that the state of Maine had petitioned the Regional Administrator, Environmental Protection Agency, to determine that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the waters of Boothbay Harbor. One comment was received on this petition. The response to comments can be obtained utilizing the above contact information.

The petition was filed pursuant to Section 312(f)(3) of Public Law 92-500, as amended by Public Laws 95-217 and 100-4, for the purpose of declaring these waters a No Discharge Area (NDA).

Section 312 (f) (3) states: After the effective date of the initial standards and regulations promulgated under this