

Gulf's reservation of its right to recover the unrecovered Company Use Gas (CUG) and LAUF quantities for the 2008 calendar year deferral period, or any other unrecovered quantities, in a future annual or period TRA filing may also be discussed at the technical conference.

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 persons are permitted to attend. For further information please contact Lisa Long at (202) 502-8691 or e-mail [lisa.long@ferc.gov](mailto:lisa.long@ferc.gov).

**Kimberly D. Bose,**  
*Secretary.*

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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Docket No. RM98-1-000]

**Records Governing Off-the-Record Communications; Public Notice**

August 26, 2009.

This constitutes notice, in accordance with 18 CFR 385.2201(b), of the receipt

of prohibited and exempt off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive a prohibited or exempt off-the-record communication relevant to the merits of a contested proceeding, to deliver to the Secretary of the Commission, a copy of the communication, if written, or a summary of the substance of any oral communication.

Prohibited communications are included in a public, non-decisional file associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication, and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such a request only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication shall serve the document on all parties listed on the official service list for the applicable

proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications are included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of off-the-record communications recently received by the Secretary of the Commission. The communications listed are grouped by docket numbers in ascending order. These filings are available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site 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, please contact FERC, Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at (866) 208-3676, or for TTY, contact (202) 502-8659.

Docket No.	File date	Presenter or requestor
Prohibited:		
1. IN09-9-000 .....	8-24-09	John H. Pound.
Exempt:		
1. CP08-431-000 .....	07-28-09	Hon. Sherrod Brown.
2. P-400-051 .....	08-05-09	Greg Stobb, Edwin Schlapfer.
3. P-405-087 .....	08-03-09	Hon. Benjamin L. Cardin.
4. P-12569-001 .....	08-06-09	Gregory Griffith.
5. P-12569-001 .....	08-04-09	Dan Boettger.
6. P-12737-002 .....	08-06-09	Brenda Winn.

**Kimberly D. Bose,**  
*Secretary.*

[FR Doc. E9-21113 Filed 9-1-09; 8:45 am]  
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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Project No. 12492-001]

**Ha-Best Inc.; Notice Soliciting Scoping Comments**

August 26, 2009.

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

- a. *Type of Application:* Original Major License.
- b. *Project No.:* P-12492-001.

c. *Date Filed:* July 31, 2008.

d. *Applicant:* Ha-Best Inc.

e. *Name of Project:* Miner Shoal Waterpower Project.

f. *Location:* The proposed project is located on the Soque River, near the Town of Demorest, Habersham County, Georgia. The proposed project does not occupy federal lands.

g. *Filed Pursuant to:* Federal Power Act 16 U.S.C. 791 (a)-825(r).

h. *Applicant Contact:* Don Ferguson, 34 West Jarrard Street, Cleveland, GA 30528; Telephone (706) 865-3999.

i. *FERC Contact:* Janet Hutzel, Telephone (202) 502-8675, or by e-mail at [janet.hutzel@ferc.gov](mailto:janet.hutzel@ferc.gov).

j. *Deadline for Filing Scoping Comments*: September 25, 2009.

All documents may be filed electronically via the Internet. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site (<http://www.ferc.gov/docs-filing/ferconline.asp>) under the "eFiling" link. For a simpler method of submitting text only comments, click on "Quick Comment." For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov); call toll-free at (866) 208-3676; or, for TTY, contact (202) 502-8659. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, mail an original and eight copies to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

The Commission's Rules of Practice require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. This application is not ready for environmental analysis at this time.

l. The proposed Minor Shoal Project would consist of the following: (1) An existing 5-foot-high, 80-foot-long diversion dam; (2) an existing 92-foot-long, 7-foot-diameter steel penstock; (3) a new 160-foot-long, 7-foot-diameter steel penstock from the diversion dam tying in to the existing penstock at elevation 1,228 feet mean sea level; (4) two existing powerhouses containing a total of three turbines with a total installed capacity of 1,260 kilowatts; (5) an existing 446-foot-long, 230-kilovolt transmission line and (6) appurtenant facilities. The project would have an annual generation of 2,175,000 kilowatt-hours.

m. A copy of the application is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to address the document. For assistance, contact FERC Online Support. A copy is available for inspection and reproduction at the address in Item H above.

n. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via e-mail of new filings and issuances

related to this or other pending projects. For assistance, contact FERC Online Support.

o. *Scoping Process*.

The Commission staff intends to prepare a single Environmental Assessment (EA) for the Miner Shoal Waterpower Project in accordance with the National Environmental Policy Act. The EA will consider both site-specific and cumulative environmental impacts and reasonable alternatives to the proposed action.

Commission staff does not propose to conduct any on-site scoping meetings at this time. Instead, we are soliciting comments, recommendations, and information, on the Scoping Document (SD) issued on August 26, 2007.

Copies of the SD outlining the subject areas to be addressed in the EA were distributed to the parties on the Commission's mailing list and the applicant's distribution list. Copies of the SD may be viewed on the 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, call 1-866-208-3676 or for TTY, (202) 502-8659.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E9-21112 Filed 9-1-09; 8:45 am]

**BILLING CODE 6717-01-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-ORD-2009-0605; FRL-8951-7]

### Notice of Availability of the External Peer Review Draft of Recommended Toxicity Equivalency Factors (TEFs) for Human Health Risk Assessments of Dioxin and Dioxin-Like Compounds

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

**ACTION:** Notice of document availability for public comment.

**SUMMARY:** The Environmental Protection Agency (EPA) is announcing a 30-day public comment period for the external peer review draft of "Recommended Toxicity Equivalency Factors (TEFs) for Human Health Risk Assessments of Dioxin and Dioxin-Like Compounds," a draft guidance document. An EPA contractor for external peer review will convene a panel of experts and will organize and conduct an independent expert external peer review meeting to review the draft document. All comments received by the closing date of October 2, 2009 will be shared with the external peer review panel for their

consideration. Comments received after the close of the comment period may be considered by EPA when it finalizes the document. This draft guidance document does not represent and should not be construed to represent any EPA policy, viewpoint, or determination. Members of the public may obtain the draft document from <http://www.regulations.gov>; or <http://www.epa.gov/raf/hhtefguidance>; or from Seema Schappelle via the contact information below. The public comment period and external peer review are separate processes that provide opportunities for all interested parties to comment on the document.

The external expert peer review will be conducted by letter and open teleconference in the fall 2009 time frame. The panel may consider public comments received in the official public docket for this activity under docket ID number EPA-HQ-ORD-2009-0605. The draft document is available at <http://www.epa.gov/raf/hhtefguidance>. In preparing a final document, EPA intends to consider the public comments submitted to EPA's docket during the public comment period and the comments and recommendations from the external peer reviewers.

EPA is releasing this draft document solely for the purpose of pre-dissemination peer review under applicable information quality guidelines. This document has not been formally disseminated by the EPA. It does not represent and should not be construed to represent any Agency policy or determination.

**DATES:** All comments received by October 2, 2009 will be shared with the external peer review panel for their consideration. Comments received beyond that time may be considered by EPA when it finalizes the documents.

**ADDRESSES:** The draft document is available electronically through the EPA Office of the Science Advisor's Web site at: <http://www.epa.gov/raf/hhtefguidance>.

Submit your comments, identified by Docket ID No. EPA-HQ-ORD-2009-0605, by one of the following methods:

- *Online at:* <http://www.regulations.gov>; Follow the on-line instructions for submitting comments.

- *E-mail:* [ORD.Docket@epa.gov](mailto:ORD.Docket@epa.gov).
- *Mail:* ORD Docket, Environmental Protection Agency, Mailcode: 28221T, 1200 Pennsylvania Avenue, NW., Washington, DC 20460.

- *Hand Delivery:* EPA Docket Center (EPA/DC), Room 3334, EPA West Building, 1301 Constitution Avenue, NW., Washington, DC 20460, Attention Docket ID No. EPA-HQ-ORD-2009-