

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Project No. 12478-003]

**Gibson Dam Hydro Company, LLC;
Notice Soliciting Scoping Comments****DATES:** October 28, 2009.

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

a. *Type of Application:* Major Project—Existing Dam.

b. *Project No.:* P-12478-003.

c. *Date filed:* August 28, 2009.

d. *Applicant:* Gibson Dam Hydro Company, LLC.

e. *Name of Project:* Gibson Dam Hydroelectric Project.

f. *Location:* On the Sun River, near the towns of Augusta and Fairfield, Lewis and Clark and Teton Counties, Montana. The project would occupy 95.34 acres of Federal land administered by the U. S. Forest Service and 19.39 acres of Federal land administered by the U. S. Bureau of Land Management for a total of 114.73 acres of Federal land.

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

h. *Applicant Contact:* Steve C. Marmon and Thom A. Fischer, Whitewater Engineering Corporation, 3633 Alderwood Ave., Bellingham, WA 98225, (360) 738-9999.

i. *FERC Contact:* Matt Cutlip, (503) 552-2762 or matt.cutlip@ferc.gov.

j. *Deadline for filing scoping comments:* January 26, 2010.

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; 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 project would utilize the existing facilities of the U.S. Bureau of Reclamation's Gibson dam including the reservoir, existing valve house, and two existing dam outlet pipes; and would consist of the following new facilities: (1) Two new 72-inch-diameter penstocks extending 40 feet from the existing outlet pipes to the powerhouse; (2) a new powerhouse located near the toe of the dam with four turbine/generating units with total installed capacity of 15 megawatts; (3) a new 25.8-mile, 34.5/69 kV overhead and underground transmission line from the powerhouse to an interconnection point with Sun River Electric Cooperative, Inc.'s existing 69 kV transmission line at Jackson's Corner; (4) a new 34.5/69 kV step-up substation; (5) a new maintenance building located approximately 1,400 feet downstream of the powerhouse adjacent to existing Gibson Dam operations facilities; and (6) appurtenant facilities. The average annual generation is estimated to be 40 gigawatt-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

Commission staff intend to prepare a draft and final Environmental Assessment (EA) for the Gibson Dam Hydroelectric 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.

The project as proposed in the license application differs from Gibson Dam Hydro Company's proposals described in Scoping Document 1 and Scoping Document 2, filed on March 9, 2006,

and February 8, 2007, respectively. Therefore, to support and assist our environmental review, we are conducting additional paper scoping on the current proposal to ensure that all pertinent issues and alternatives are identified and analyzed, and that the EA is thorough and balanced. 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 October 28, 2009.

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. E9-26473 Filed 11-3-09; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Docket No. AD09-10-000]

National Action Plan on Demand Response; Notice Providing New Technical Conference Date and Announcing Release of Discussion Draft

October 28, 2009.

On September 18, 2009, the Commission issued a notice scheduling staff technical conferences to support the development of the National Action Plan on Demand Response. On October 7, 2009, the Commission postponed the technical conferences. Take notice that Commission Staff will hold only one technical conference, and it will be in Washington, DC on November 19, 2009, beginning at 1 p.m. (EST) and ending at approximately 2 p.m. on November 20, 2009 in the Commission Meeting Room at the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

Section 529 of the Energy Independence and Security Act of 2007¹ directed the Commission to

¹Public Law No. 110-140, § 529, 121 Stat. 1492, 1664 (to be codified at National Energy

develop a National Action Plan on Demand Response (National Action Plan). The purpose of this technical conference is to elicit input from interested stakeholders on the possible elements of the National Action Plan as discussed in the *Discussion Draft on Possible Elements of a National Action Plan on Demand Response* (Discussion Draft), released today in the above-referenced docket number. Commission Staff will utilize the Discussion Draft at the technical conference to frame the discussions.

The technical conference will include panel sessions on the first day to discuss the overall approach and scope of the Discussion Draft. The second day will include breakout sessions that will focus on each of the three statutory objectives listed below. A closing plenary session will summarize the break-out discussions.

The conference will be open to the public, and all interested persons are invited to participate. For logistical purposes, staff requests those planning to attend to pre-register via an electronic form at: <https://www.ferc.gov/whats-new/registration/nap-11-19-form.asp>. Advance registration is not required to participate.

The Commission is extending the deadline to Friday, November 6, 2009 for those interested in speaking during the November 19th afternoon panels at the conference. Those interested should complete an online form describing the elements that they will address at <https://www.ferc.gov/whats-new/registration/nap-11-19-speaker-form.asp>. The Commission also requests that those parties that previously completed the online speaker form resubmit it to indicate that they are available on the new date. Due to time constraints, we may not be able to accommodate all those interested in speaking on panels; however, the panels will represent a balance of stakeholder interests.

All conference attendees are invited to attend the panel sessions on November 19th, participate in the breakout session discussions and attend the plenary session on November 20th. A detailed agenda, including panel speakers, will be published at a later date.

The Commission is seeking input in the form of written comments on the Discussion Draft and discussions at the technical conference on the best ways to meet the objectives that Congress identified for the National Action Plan: (1) Identification of requirements for

technical assistance to States to allow them to maximize the amount of demand response resources that can be developed and deployed; (2) design and identification of requirements for implementation of a national communications program that includes broad-based customer education and support; (3) development or identification of analytical tools, information, model regulatory provisions, model contracts, and other support materials for use by customers, States, utilities and demand response providers.²

Written comments on the Discussion Draft and on the discussions at the technical conference are due by Friday, December 4, 2009. Commission Staff will draw on the written comments received and the discussions at the technical conferences to prepare the National Action Plan. Comments may be filed electronically via the Internet. Instructions for submitting comments are available 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; 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.

Commission conferences are accessible under section 508 of the Rehabilitation Act of 1973. For accessibility accommodations, please send an e-mail to accessibility@ferc.gov or call toll free (866) 208-3372 (voice) or (202) 208-1659 (TTY), or send a FAX to (202) 208-2106 with the required accommodations.

For further information about these conferences, please contact:

Caroline Daly (Technical Information), Office of Energy Policy and Innovation, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502-8931, Caroline.Daly@ferc.gov.

Christina Switzer (Legal Information), Office of the General Counsel—Energy Markets, Federal Energy Regulatory Commission, 888 First Street, NE.,

Washington, DC 20426, (202) 502-6379, Christina.Switzer@ferc.gov.

Kimberly D. Bose,
Secretary.

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2009-0628; FRL-8794-9]

Pesticides; Draft Guidance for Pesticide Registrants on Pesticide Drift Labeling

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability.

SUMMARY: The Agency is announcing the availability of and seeking public comment on two documents – a draft Pesticide Registration Notice (draft PR Notice) entitled "Pesticide Drift Labeling" (PRN 2009-X) and a draft explanatory document entitled "Pesticide Drift Labeling Interpretation." PR Notices are issued by the Office of Pesticide Programs (OPP) to inform pesticide registrants and other interested persons about important policies, procedures, and registration related decisions, and serve to provide guidance to pesticide registrants and OPP personnel. This particular draft PR Notice provides guidance to the applicants and registrants of certain pesticide products for revising labeling statements intended to protect people and other non-target organisms and sites from adverse effects that may be caused by off-target pesticide drift. The draft explanatory document provides guidance for state and tribal regulatory officials responsible for enforcement of user compliance with the requirements of pesticide labeling on how to interpret the labeling statements contained in the draft PR Notice. An additional supporting document, entitled "Draft PR Notice 2009-X: Additional Information and Questions for Commenters," provides background and supplemental information that explain the Agency's rationale for its proposed guidance on drift labeling. This document also requests responses by readers to specific questions concerning draft PR Notice 2009-X. All three documents are available in the public docket.

DATES: Comments must be received on or before January 4, 2010.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2009-0628, by one of the following methods: