

of the Magnuson-Stevens Fishery Conservation and Management Act, and section 106 of the National Historic Preservation Act.

m. Black River Felts Mills LLC filed a Pre-Application Document (PAD; including a proposed process plan and schedule) with the Commission, pursuant to 18 CFR 5.6 of the Commission's regulations.

n. A copy of the PAD is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site (<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, contact FERC Online Support at [FERCONlineSupport@ferc.gov](mailto:FERCONlineSupport@ferc.gov) or toll-free at 1-866-208-3676, or for TTY, (202) 502-8659. A copy is also available for inspection and reproduction at the address in paragraph h.

o. Register online at <http://ferc.gov/esubscribenow.htm> to be notified via e-mail of new filing and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E8-11333 Filed 5-20-08; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 12623-001]

#### Black River Felts Mills LLC; Notice of Intent To File License Application, Filing of Pre-Application Document, and Approving Use of the Traditional Licensing Process

May 14, 2008.

a. *Type of Filing:* Notice of Intent to File License Application and Request to Use the Traditional Licensing Process.

b. *Project No.:* 12623-001.

c. *Dated Filed:* April 2, 2008.

d. *Submitted By:* Black River Felts Mills LLC.

e. *Name of Project:* Great Bend Hydroelectric Project.

f. *Location:* On the Black River, in Jefferson County, New York. No federal lands would be occupied by the project works.

g. *Filed Pursuant to:* 18 CFR 5.3 of the Commission's regulations.

h. *Potential Applicant Contact:* Keith Silliman, Black River Felts Mills, LLC, c/o Brookfield Power U.S. Holdings

America Co., 225 Greenway Parkway, Suite 201, Liverpool, NY 13088; (315) 413-2715; e-mail—

[keith.silliman@brookfieldpower.com](mailto:keith.silliman@brookfieldpower.com).

i. *FERC Contact:* John Costello at (202) 502-6119; or e-mail at [john.costello@ferc.gov](mailto:john.costello@ferc.gov).

j. Black River Felts Mills LLC filed its request to use the Traditional Licensing Process on April 2, 2008. Black River Felts Mills LLC provided public notice of its request on April 8, 2008. In a letter dated May 13, 2008, the Director of the Office of Energy Projects approved Black River Felts Mills LLC request to use the Traditional Licensing Process.

k. *With this notice, we are initiating informal consultation with:* (a) The U.S. Fish and Wildlife Service under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR, part 402; (b) NOAA Fisheries under section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act and implementing regulations at 50 CFR 600.920; and (c) the New York State Historic Preservation Officer, as required by Section 106, National Historical Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.

l. With this notice, we are designating Black River Felts Mills LLC as the Commission's non-federal representative for carrying out informal consultation, pursuant to section 7 of the Endangered Species Act, section 305 of the Magnuson-Stevens Fishery Conservation and Management Act, and section 106 of the National Historic Preservation Act.

m. Black River Felts Mills LLC filed a Pre-Application Document (PAD; including a proposed process plan and schedule) with the Commission, pursuant to 18 CFR 5.6 of the Commission's regulations.

n. A copy of the PAD is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site (<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, contact FERC Online Support at [FERCONlineSupport@ferc.gov](mailto:FERCONlineSupport@ferc.gov) or toll-free at 1-866-208-3676, or for TTY, (202) 502-8659. A copy is also available for inspection and reproduction at the address in paragraph h.

o. Register online at <http://ferc.gov/esubscribenow.htm> to be notified via e-mail of new filing and issuances related to this or other pending projects. For

assistance, contact FERC Online Support.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E8-11334 Filed 5-20-08; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 12603-002]

#### Energy Recycling Company; Notice of Surrender of Preliminary Permit

May 14, 2008.

Take notice that Energy Recycling Company, permittee for the proposed Klamath County Pump Storage Project, has requested that its preliminary permit be terminated. The permit was issued on December 21, 2005, and would have expired on November 30, 2008.<sup>1</sup> The project would have been located two miles southwest of the town of Lorella, in Klamath County, Oregon.

The permittee filed the request on April 29, 2008, and the preliminary permit for Project No. 12603 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.*

[FR Doc. E8-11332 Filed 5-20-08; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8568-4]

#### Availability of FY 07 Grantee Performance Evaluation Reports for the Eight States of EPA Region 4 and 15 Local Agencies

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

**ACTION:** Notice of availability of Clean Air Act, section 105 grantee performance evaluation reports.

**SUMMARY:** EPA's grant regulations (40 CFR 35.115) require the Agency to

<sup>1</sup> *Energy Recycling Company*, 113 FERC ¶ 62,225.

evaluate the performance of agencies which receive grants. EPA's regulations for regional consistency (40 CFR 56.7) require that the Agency notify the public of the availability of the reports of such evaluations. EPA performed end-of-year evaluations of eight state air pollution control programs (Alabama Department of Environmental Management; Florida Department of Environmental Protection; Georgia Department of Natural Resources; Commonwealth of Kentucky Department for Environmental Protection; Mississippi Department of Environmental Quality; North Carolina Department of Environment and Natural Resources; South Carolina Department of Health and Environmental Control; and Tennessee Department of Environment and Conservation) and 15 local programs (City of Huntsville Division of Natural Resources, AL; Jefferson County Department of Health, AL; Broward County Environmental Protection Department, FL; City of Jacksonville Environmental Quality Division, FL; Hillsborough County Environmental Protection Commission, FL; Miami-Dade County Air Quality Management Division, FL; Palm Beach County Health Department, FL; Pinellas County Department of Environmental Management, FL; Forsyth County Environmental Affairs Department, NC; Mecklenburg County Land Use and Environmental Services Agency, NC; Western North Carolina Regional Air Quality Agency, NC; Chattanooga-Hamilton County Air Pollution Control Bureau, TN; Memphis-Shelby County Health Department, TN; Knox County Department of Air Quality Management, TN; and Metropolitan Government of Nashville and Davidson County Public Health Department, TN). The 23 evaluations were conducted to assess the agencies' FY 07 performance under the grants awarded by EPA under authority of section 105 of the Clean Air Act. EPA Region 4 has prepared reports for each agency identified above and these reports are now available for public inspection. The evaluation for the remaining local government of Louisville Metro Air Pollution Control District will be published at a later date.

**ADDRESSES:** The reports may be examined at the EPA's Region 4 office, 61 Forsyth Street, SW., Atlanta, Georgia 30303, in the Air, Pesticides and Toxics Management Division. The Regional Office's official hours of business are Monday through Friday, 8:30 to 4:30, excluding federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Marie Persinger (404) 562-9048 for information concerning the state and

local agencies of Alabama and Kentucky; Miya Smith (404) 562-9091 for the state and local agencies of Florida; Sean Flynn (404) 562-9093 for the state agency of Mississippi; Mary Echols (404) 562-9053 for the state agency of Georgia, and for the state and local agencies of North Carolina; and Marilyn Sabadaszka (404) 562-9001 for the state agency of South Carolina and for the state and local agencies of Tennessee. They may be contacted at the above Region 4 address.

Dated: May 12, 2008.

**Russell L. Wright, Jr.,**

*Acting Regional Deputy Administrator,  
Region 4.*

[FR Doc. E8-11382 Filed 5-20-08; 8:45 am]

**BILLING CODE 6560-50-P**

## **ENVIRONMENTAL PROTECTION AGENCY**

**[EPA-HQ-OPP-2007-1019; FRL-8364-3]**

### **Nicotine Reregistration Eligibility Decision; Notice of Availability**

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the availability of EPA's Reregistration Eligibility Decision (RED) for the pesticide nicotine. The Agency's risk assessments and other related documents are available in the nicotine Docket. The sole remaining nicotine registration, a restricted use insecticide registered for use only on greenhouse ornamentals and effective against adult whiteflies, aphids, and thrips, is being voluntarily cancelled by the registrant. EPA has reviewed nicotine through the reregistration eligibility decision-making process, which is used by the Agency to ensure that all pesticides meet current health and safety standards.

**FOR FURTHER INFORMATION CONTACT:** Jill Bloom, Special Review and Reregistration Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8019; fax number: (703) 308-7070; e-mail address: [bloom.jill@epa.gov](mailto:bloom.jill@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. General Information**

###### *Does this Action Apply to Me?*

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including environmental, human health, and

agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may 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 person listed under **FOR FURTHER INFORMATION CONTACT**.

## **II. Background**

### *A. What Action is the Agency Taking?*

Under section 4 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is reevaluating existing pesticides to ensure that they meet current scientific and regulatory standards. EPA has completed a RED for the pesticide nicotine under section 4(g)(2)(A) of FIFRA. The sole remaining nicotine registration is a restricted use insecticide registered for use only on greenhouse ornamentals and effective against adult whiteflies, aphids, and thrips. It is not registered for use on food.

EPA has determined that the data base to support nicotine is incomplete. The Agency has relied primarily on information available from the open literature to assess the risks associated with the use of nicotine. Although there is considerable information, particularly toxicity information, available in the literature, very little of it is appropriate for the routes of exposure relevant to the pesticidal use of nicotine, and much of it relates to derivatives of nicotine not present in the pesticide. Data on worker and residential exposures are also very limited. The data gaps create a substantial amount of uncertainty in the Agency's risk assessment, and risk estimates derived from the available data exceed the Agency's level of concern in certain areas. The RED identifies data that would be needed to refine the risk assessment for nicotine. Rather than develop the data needed to refine the assessment, the registrant has requested the cancellation of its nicotine registration, effective December 31, 2013.

The Agency has made its risk management decision for nicotine, and has determined that the phase-out as requested by the registrant is warranted due to the extremely low volume of nicotine use and the benefits associated with its use in production of greenhouse ornamentals. In light of the risk estimates derived from the available data, the Agency is requiring implementation of label amendments designed to reduce the potential for