

The Commission strongly encourages electronic filings of comments, protests, and interventions via the Internet in lieu of paper. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site (<http://www.ferc.gov>) under the "e-Filing" link.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E8-31109 Filed 12-30-08; 8:45 am]

BILLING CODE 6717-01-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8759-3]

### Notice of Availability of Preliminary Residual Designation of Certain Storm Water Discharges in the State of Maine Under the National Pollutant Discharge Elimination System of the Clean Water Act

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice and request for public comment.

**SUMMARY:** The Regional Administrator of the Environmental Protection Agency's (EPA) New England Regional Office is providing notice of availability of a preliminary determination that certain storm water discharges in the Long Creek watershed located in South Portland, Westbrook, Scarborough, and Portland, Maine will be required to obtain permit coverage under the National Pollutant Discharge Elimination System (NPDES) permits under the Clean Water Act. EPA is seeking public comment on the nature and scope of this preliminary residual designation. The period for comment on this preliminary residual designation will remain open until the close of the public comment period on any NPDES general or individual permit related to this preliminary residual designation. However, EPA strongly encourages interested parties to submit their comments within 45 days of the commencement of the comment period, after which EPA intends to review this preliminary residual designation and to decide whether to make any changes to it. It is EPA's intention to make a final residual designation following the close of the comment period on any associated NPDES permit. Copies of the preliminary residual designation are available for inspection online and in hardcopy as described elsewhere in this notice document.

**DATES:** Comments must be submitted on or before February 17, 2009.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R01-OW-2008-0910 by one of the following methods:

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

- E-mail: [bridge.jennie@epa.gov](mailto:bridge.jennie@epa.gov).

- Mail and hand delivery: U.S.

Environmental Protection Agency, New England Region, One Congress Street, Suite 1100, Mail code CWQ, Boston, MA 02114-2023. Deliveries are only accepted during the Regional Office's normal hours of operation (8 a.m. to 5 p.m., Monday through Friday, excluding legal holidays), and special arrangements should be made for deliveries of boxed information.

**Instructions:** Direct your comments to Docket ID No. EPA-R01-OW-2008-0910. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov>, or e-mail. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through <http://www.regulations.gov> your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

**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 either electronically in <http://www.regulations.gov> or in hard copy at the U.S. Environmental Protection Agency, New England Region, One Congress Street, Suite 1100, Boston, Massachusetts. To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in the **FOR FURTHER INFORMATION CONTACT** section.

**FOR FURTHER INFORMATION CONTACT:**

Jennie Bridge, EPA New England Region, One Congress Street, Suite 1100, Mail code CWQ, (617) 918-1685, [bridge.jennie@epa.gov](mailto:bridge.jennie@epa.gov).

**SUPPLEMENTARY INFORMATION:** The Regional Administrator of EPA's New England Regional Office is providing notice of availability of a preliminary determination that certain storm water discharges in the Long Creek watershed located in South Portland, Westbrook, Scarborough, and Portland, Maine will be required to obtain NPDES permits. Under Clean Water Act (CWA) Section 402(p), 33 U.S.C. 1342(p), Congress required the EPA to establish permitting requirements for certain storm water discharges. In addition, CWA Sections 402(p)(2)(E) and 402(p)(6) and implementing regulations at 40 CFR 122.26 (a)(9)(i)(D) provide that the EPA Regional Administrator may designate additional storm water discharges as requiring NPDES permits where he determines that the discharge, or category of discharges within a geographic area, contributes to a violation of a water quality standard or is a significant contributor of pollutants to waters of the United States.

The EPA Regional Administrator for the New England Region has made a preliminary determination pursuant to Section 402(p) of the Clean Water Act and 40 CFR 122.26 (9)(i)(D) that storm water controls and NPDES permits are needed for discharges to waters of the United States from impervious surfaces equal to or greater than one acre in the Long Creek watershed located in South Portland, Westbrook, Scarborough, and Portland, Maine. Details of the preliminary determination are available in the preliminary residual designation document. This document may be viewed on the EPA New England Regional Office's Web page <http://www.epa.gov/region01/npdes/stormwater/assets/pdfs/LongCreekRD.pdf> and at <http://www.regulations.gov>. Ancillary materials may be viewed at the EPA New England Regional Office's Web page <http://www.epa.gov/region01/npdes/stormwater/index.html>.

Dated: December 16, 2008.

**Robert W. Varney,**

*Regional Administrator, New England Region.*

[FR Doc. E8-31178 Filed 12-30-08; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2008-0533; FRL-8392-1]

### Notice of Filing of Pesticide Petition on Food Contact Surfaces

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the initial filing of pesticide petitions proposing the amendment of regulations 40 CFR 180.940(a) for residues of antimicrobial pesticide formulation containing n-Alkyl(C12-C14) dimethyl ethylbenzyl ammonium chlorides applied to food contact surfaces in public eating places, dairy processing equipment, and food processing equipment and utensils.

**DATES:** Comments must be received on or before January 30, 2009.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2008-0533 and pesticide petition number (PP), by one of the following methods:

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

- **Mail:** Office of Pesticide Programs (OPP) Regulatory Public Docket (7502P), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

- **Delivery:** OPP Regulatory Public Docket (7502P), Environmental Protection Agency, Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. Deliveries are only accepted during the Docket's normal hours of operation (8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays). Special arrangements should be made for deliveries of boxed information. The Docket telephone number is (703) 305-5805.

**Instructions:** Direct your comments to docket ID number EPA-HQ-OPP-2008-0533. EPA's policy is that all comments received will be included in the docket without change and may be made available on-line at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information

whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through [regulations.gov](http://regulations.gov) or e-mail. The Federal [regulations.gov](http://regulations.gov) website is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through [regulations.gov](http://regulations.gov), your e-mail address will be automatically captured and included as part of the comment that is placed in the docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

**Docket:** All documents in the docket are listed in the docket 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, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either in the electronic docket at <http://www.regulations.gov>, or, if only available in hard copy, at the OPP Regulatory Public Docket in Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. The hours of operation of this Docket Facility are from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Docket telephone number is (703) 305-5805.

#### FOR FURTHER INFORMATION CONTACT:

Velma Noble, Antimicrobials Division (7510 P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (703) 308-6233, email: [noble.velma@epa.gov](mailto:noble.velma@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

###### A. Does this Action Apply to Me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected entities may include, but are not limited to:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in this unit could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed at the end of the pesticide petition summary of interest.

##### B. What Should I Consider as I Prepare My Comments for EPA?

1. **Submitting CBI.** Do not submit this information to EPA through [regulations.gov](http://regulations.gov) or e-mail. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD ROM that you mail to EPA, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. **Tips for preparing your comments.** When submitting comments, remember to:

- i. Identify the document by docket number and other identifying information (subject heading, **Federal Register** date and page number).
- ii. Follow directions. The Agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.
- iii. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.
- iv. Describe any assumptions and provide any technical information and/or data that you used.
- v. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.