

(866) 208-3676 (toll free). For TTY, call (202) 502-8659.

*Comment Date:* 5 p.m. Eastern Time on September 19, 2008.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E8-21389 Filed 9-12-08; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EL08-87-000]

#### Electric Power Supply Association; Notice of Petition

September 8, 2008.

Take notice that on September 2, 2008, the Electric Power Supply Association filed a petition pursuant to Rule 207 of the Commission's Rules of Practice and Procedure (18 CFR 385.207) requesting guidance with respect to the question of when investments in publicly-held companies will be deemed to convey "control" or to result in "affiliation" for purposes of the Commission's market-based rate requirements under section 205 of the Federal Power Act (16 U.S.C. 824d) and the requirements of section 203 of the Federal Power Act (16 U.S.C. 824b) and the Commission's regulations thereunder.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Motions to intervene and protests must be served on the petitioner.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the

Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

*Comment Date:* 5 p.m. Eastern Time on September 30, 2008.

**Kimberly D. Bose,**

*Secretary.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8715-5]

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

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

**ACTION:** Notice of Availability.

**SUMMARY:** This notice announces the availability of EPA's Responsiveness Summary Concerning EPA's June 17, 2008 Public Notice of Final Decisions To Add Waters and Pollutants to Arkansas' 2006 Section 303(d) List.

On June 17, 2008, EPA published a notice in the **Federal Register** at Volume 73, Number 117, pages 34295-34296 providing the public the opportunity to review its final decisions to add waters and pollutants to Arkansas' 2006 Section 303(d) List as required by EPA's Public Participation regulations (40 CFR Part 25). Based on the Responsiveness Summary, EPA has decided to remove six waterbody pollutant combinations identified in EPA's Final Action on Arkansas' 2006 Section 303(d) list based on additional information provided by the Arkansas Department of Environmental Quality. Therefore, EPA has revised its decision to disapprove Arkansas' decisions not to list 73 water body-pollutant combinations instead of 79 waterbody pollutant combinations. A listing of these 73 water body pollutant-combinations along with priority rankings for inclusion on the 2006 Section 303(d) List can be found in Table 2 of EPA's Responsiveness Summary.

**ADDRESSES:** Copies of EPA's Responsiveness Summary Concerning EPA's June 17, 2008 Public Notice of Final Decisions to Add Waters and Pollutants to Arkansas; 2006 Section 303(d) List and the list of 73 waterbody-pollutant pairs can be obtained at EPA Region 6's Web site at <http://www.epa.gov/region06/water/npdes/tmdl/index.htm>, or by writing or calling Ms. Diane Smith at Water Quality Protection Division, U.S. Environmental Protection Agency Region 6, 1445 Ross Ave., Dallas, TX 75202-2733, telephone (214) 665-2145, facsimile (214) 665-6490, or e-mail: [smith.diane@epa.gov](mailto:smith.diane@epa.gov). Underlying documents from the administrative record for these decisions are available for public inspection at the above address. Please contact Ms. Smith to schedule an inspection.

[www.epa.gov/region06/water/npdes/tmdl/index.htm](http://www.epa.gov/region06/water/npdes/tmdl/index.htm), or by writing or calling Ms. Diane Smith at Water Quality Protection Division, U.S. Environmental Protection Agency Region 6, 1445 Ross Ave., Dallas, TX 75202-2733, telephone (214) 665-2145, facsimile (214) 665-6490, or e-mail: [smith.diane@epa.gov](mailto:smith.diane@epa.gov). Underlying documents from the administrative record for these decisions are available for public inspection at the above address. Please contact Ms. Smith to schedule an inspection.

#### FOR FURTHER INFORMATION CONTACT:

Diane Smith at (214) 665-2145.

**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 Total Maximum Daily Loads (TMDLs) according to a priority ranking.

Consistent with EPA's regulations, Arkansas submitted to EPA its listing decisions under Section 303(d) on April 28, 2008. On June 6, 2008, EPA approved Arkansas' listing of 321 water body-pollutant combinations and associated priority rankings. EPA took neither an approval or disapproval action on 36 waters listed for beryllium. EPA disapproved Arkansas' decisions not to list 79 water body-pollutant combinations. Based on the public comments, EPA has revised its decision to disapprove Arkansas's decision not to list 73 water body-pollutant combinations. A listing of these 73 water body pollutant-combinations along with priority rankings for inclusion on the 2006 Section 303(d) List can be found in Table 2 of EPA's Responsiveness Summary.

Dated: September 5, 2008.

**William K. Honker,**

*Deputy Director, Water Quality Protection Division, Region 6.*

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OW-2006-0771; FRL-8715-4]

RIN 2040-AE89

### Notice of Final 2008 Effluent Guidelines Program Plan

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

**ACTION:** Notice of Final 2008 Effluent Guidelines Program Plan.