

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Project No. 618]

**Alabama Power Company; Notice of Authorization for Continued Project Operation**

August 8, 2007.

On July 28, 2005, Alabama Power Company, licensee for the Jordan Hydroelectric Project, filed an application for a new or subsequent license pursuant to the Federal Power Act (FPA) and the Commission's regulations. The Jordan Project is located on the Coosa River in the state of Alabama.

The license for Project No. 618 was issued for a period ending July 31, 2007. Section 15(a)(1) of the FPA, 16 U.S.C. 808(a)(1), requires the Commission, at the expiration of a license term, to issue from year-to-year an annual license to the then licensee under the terms and conditions of the prior license until a new license is issued, or the project is otherwise disposed of as provided in section 15 or any other applicable section of the FPA. If the project's prior license waived the applicability of section 15 of the FPA, then, based on section 9(b) of the Administrative Procedure Act, 5 U.S.C. 558(c), and as set forth at 18 CFR 16.21(a), if the licensee of such project has filed an application for a subsequent license, the licensee may continue to operate the project in accordance with the terms and conditions of the license after the minor or minor part license expires, until the Commission acts on its application. If the licensee of such a project has not filed an application for a subsequent license, then it may be required, pursuant to 18 CFR 16.21(b), to continue project operations until the Commission issues someone else a license for the project or otherwise orders disposition of the project.

If the project is subject to section 15 of the FPA, notice is hereby given that an annual license for Project No. 618 is issued to Alabama Power Company, for a period effective August 1, 2007 through July 31, 2008, or until the issuance of a new license for the project or other disposition under the FPA, whichever comes first. If issuance of a new license (or other disposition) does not take place on or before July 31, 2008, notice is hereby given that, pursuant to 18 CFR 16.18(c), an annual license under section 15(a)(1) of the FPA is renewed automatically without further order or notice by the Commission, unless the Commission

orders otherwise. If the project is not subject to section 15 of the FPA, notice is hereby given that Alabama Power Company is authorized to continue operation of the Jordan Project until such time as the Commission acts on its application for a subsequent license.

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

[FR Doc. E7-15910 Filed 8-14-07; 8:45 am]

**BILLING CODE 6717-01-P****DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Docket Nos. ER01-2569-005, ER98-4652-005, ER02-1175-004, and ER01-2568-003]

**Boralex Livemore Falls LP, Boralex Stratton Energy LP, Boralex Ft. Fairfield LP, Boralex Ashland LP; Notice of Technical Conference**

August 8, 2007.

Take notice that a technical conference will be held in the above-referenced proceedings on Wednesday, August 29, 2007 from 9 a.m. to 1 p.m. (EST) in the Room 10A-07, at the offices of the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

The conference will address issues raised with regard to Boralex's updated market power analysis.

The conference is open to all interested parties and interested persons.

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.

For further information please contact Marek Smigielski at (202) 502-6818 or e-mail [marek.smigielski@ferc.gov](mailto:marek.smigielski@ferc.gov).

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

[FR Doc. E7-15911 Filed 8-14-07; 8:45 am]

**BILLING CODE 6717-01-P****ENVIRONMENTAL PROTECTION AGENCY**

[EPA-HQ-OPP-2007-0597; FRL-8141-6]

**Pesticide Product Registrations; Conditional Approval****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice.

**SUMMARY:** This notice announces Agency approval of applications submitted by Syngenta Seeds, Monsanto Company, Pioneer Hi-Bred International (A Dupont Company), and Mycogen Seeds (c/o Dow AgroSciences), to conditionally register the pesticide products Agrisure™ RW Rootworm-Protected Corn, MON 88017, MON 88017 x MON 810, Herculex Rootworm Insect Protection, and Herculex RW Insect Protection, containing new active ingredients not included in any previously registered products pursuant to the provisions of section 3(c)(7)(C) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended.

**FOR FURTHER INFORMATION CONTACT:**

Mike Mendelsohn, Biopesticides and Pollution Prevention Division (7511P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8715; e-mail address: [mendelsohn.mike@epa.gov](mailto:mendelsohn.mike@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 under **FOR FURTHER INFORMATION CONTACT**.

*B. How Can I Get Copies of this Document and Other Related Information?*

1. *Docket.* EPA has established a docket for this action under docket identification (ID) number EPA-HQ-OPP-2007-0597. Publicly available docket materials are available either in the electronic docket at <http://>

[www.regulations.gov](http://www.regulations.gov), or, if only available in hard copy, at the Office of Pesticide Programs (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 Facility telephone number is (703) 305-5805.

In accordance with section 3(c)(2) of FIFRA, a copy of the approved label, the list of data references, the data and other scientific information used to support registration, except for material specifically protected by section 10 of FIFRA, are also available for public inspection. Requests for data must be made in accordance with the provisions of the Freedom of Information Act and must be addressed to the Freedom of Information Office (A-101), 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001. Such requests should: Identify the product name and registration number and specify the data or information desired.

Electronic versions of the fact sheets and Biopesticide Regulatory Action Documents are available at [http://www.epa.gov/oppbppd1/biopesticides/pips/pip\\_list.htm](http://www.epa.gov/oppbppd1/biopesticides/pips/pip_list.htm).

2. *Electronic access.* You may access this **Federal Register** document electronically through the EPA Internet under the “**Federal Register**” listings at <http://www.epa.gov/fedrgstr>.

## II. Did EPA Conditionally Approve the Application?

A conditional registration may be granted under section 3(c)(7)(C) of FIFRA for a new active ingredient where certain data are lacking, on condition that such data are received by the end of the conditional registration period and do not meet or exceed the risk criteria set forth in 40 CFR 154.7; that use of the pesticide during the conditional registration period will not cause unreasonable adverse effects; and that use of the pesticide is in the public interest. The Agency has considered the available data on the risks associated with the proposed use of Modified Cry3A protein and the genetic material necessary for its production (via elements of pZM26) in event MIR604 corn SYN-IR604-8, *Bacillus thuringiensis* Cry3Bb1 protein and the genetic material necessary for its production (Vector ZMIR39) in Event MON 88017 corn (OECD Unique Identifier: MON-88O17-3), and *Bacillus thuringiensis* Cry34Ab1 and Cry35Ab1 proteins and the genetic material necessary for their production (plasmid insert PHP 17662) in Event DAS-59122-

7 corn, and information on social, economic, and environmental benefits to be derived from such use. Specifically, the Agency has considered the nature and its pattern of use, application methods and rates, and level and extent of potential exposure. Based on these reviews, the Agency was able to make basic health and safety determinations which show that use of Modified Cry3A protein and the genetic material necessary for its production (via elements of pZM26) in event MIR604 corn SYN-IR604-8, *Bacillus thuringiensis* Cry3Bb1 protein and the genetic material necessary for its production (Vector ZMIR39) in Event MON 88017 corn (OECD Unique Identifier: MON-88O17-3), and *Bacillus thuringiensis* Cry34Ab1 and Cry35Ab1 proteins and the genetic material necessary for their production (plasmid insert PHP 17662) in Event DAS-59122-7 corn during the period of conditional registrations will not cause any unreasonable adverse effect on the environment, and that use of the pesticides are, in the public interest.

Consistent with section 3(c)(7)(C) of FIFRA, the Agency has determined that these conditional registrations are in the public interest. Use of the pesticides are of significance to the user community, and appropriate labeling, use directions, and other measures have been taken to ensure that use of the pesticides will not result in unreasonable adverse effects to man and the environment.

## III. Conditional Approval Form

EPA issued a notice, published in the **Federal Register** of October 27, 2004 (69 FR 62678) (FRL-7370-4), which announced that Syngenta Seeds, Inc., Field Crops-NAFTA, P.O. Box 12257, 3054 Cornwallis Rd., Research Triangle Park, NC 27709-2257, had submitted an application to conditionally register the pesticide product, Event MIR604 Rootworm-Protected Corn, Plant-Incorporated Protectant (EPA File Symbol 67979-L), containing Modified Cry3A protein and the genetic material necessary for its production (via elements of pZM26) in event MIR604 corn SYN-IR604-8 an active ingredient not included in any previously registered product. The application was approved on October 3, 2006, as Agrisure<sup>TM</sup> RW Rootworm Protected Corn, (EPA Registration Number 67979-5). This product is a plant-incorporated protectant.

EPA also issued a notice, published in the **Federal Register** of December 22, 2004 (69 FR 76716) (FRL-7370-5), which announced that Monsanto Company, 800 North Lindbergh Blvd., St. Louis, MO 63167, had submitted an

application to conditionally register the pesticide products, MON 88017 and MON 88017 x MON 810, Plant-Incorporated Protectant EPA File Symbols 524-LLR and 524-LLE), containing [*Bacillus thuringiensis* Cry3Bb1 protein and the genetic material necessary for its production (Vector ZMIR39) in Event MON 88017 corn (OECD Unique Identifier: MON-88O17-3) an active ingredient not included in any previously registered product. The applications were approved on December 13, 2005, as MON 88017, (EPA Registration Number 524-551) and MON 88017 x MON 810, (EPA Registration Number 524-552). These products are plant-incorporated protectants.

EPA also issued a notice, published in the **Federal Register** of September 1, 2004 (69 FR 53434) (FRL-7370-2), which announced that Pioneer Hi-Bred International, A Dupont Company, 7250 N.W. 62nd Ave., P.O. Box 552, Johnston, IA 50131-0552 and Mycogen Seeds c/o Dow AgroSciences, had submitted an application to conditionally register the pesticide products, Pioneer Brand B.t. Cry34/35Ab1 Insect Resistant Corn Seed and Mycogen Brand B.t. Cry34/35Ab1 Construct 17662 Corn, Plant-Incorporated Protectants (EPA File Symbols 29964-U and 68467-L), containing *Bacillus thuringiensis* Cry34Ab1 and Cry35Ab1 proteins and the genetic material necessary for their production (plasmid insert PHP 17662) in Event DAS-59122-7 corn an active ingredient not included in any previously registered product. The applications were approved on August 31, 2005, as Herculex Rootworm Insect Protection, (EPA Registration Number 29964-4) and Herculex RW Insect Protection, (EPA Registration Number 68467-5). These products are plant-incorporated protectants.

## List of Subjects

Environmental protection, Chemicals, Pesticides and pests.

Dated: August 2, 2007.

**Janet L. Andersen,**

*Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.*

[FR Doc. E7-16049 Filed 8-14-07; 8:45 am]

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