



US Army Corps  
of Engineers  
Memphis District

# Special Public Notice

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**POSTMASTER PLEASE POST UNTIL:**

**SPECIAL PUBLIC NOTICE NO:**  
**MVM-2009-01**

**PUBLIC NOTICE DATE:**  
**April 21, 2009**

**PUBLIC MEETING DATES:**  
**May 4 and 5, 2009**

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## **Special Public Notice** **Corps of Engineers**

**SUBJECT:** Scoping Analysis Meetings for Development of a Draft Environmental Impact Statement for two proposed hydrokinetic energy projects in the Mississippi River.

**APPLICANT:** Free Flow Power Corporation

**SUMMARY:** The Federal Energy Regulatory Commission (FERC) and the Free Flow Power Corporation will conduct scoping analysis meetings in Memphis, Tennessee, to engage members of the public and other interested parties in the scoping process for the development of an Environmental Impact Statement (EIS) that addresses the proposed installation of turbine-generators at multiple locations within the Mississippi River. Seven lead project sites have been identified, and this public notice is for two project sites located along the Mississippi River in Tennessee, Mississippi, and Arkansas: between Mississippi River miles 679.1 and 695.5 in Tunica County, MS, and Lee County, AR (the Ashley Point Project), and between Mississippi River miles 725.0 and 736.9 in Shelby County, TN, and Crittenden County, AR (the Hope Field Point Project). The EIS will be used to ensure compliance with the National Environmental Policy Act to determine the least damaging yet practicable alternative and to serve as a basis for a permit decision. The U.S. Army Corps of Engineers, Memphis District, has permit authority over these projects under Section 10 of the Rivers and Harbors Act and/or Section 404 of the Clean Water Act. The Corps of Engineers will address permit requirements as well as impacts to Federal interests during project review.

**INFORMATION FOR REVIEW:** The Notice of Intent to File License Application, File a Pre-Application Document, Commence with the Licensing Proceedings and Commence with Scoping a Draft Environmental Impact Statement (EIS) was issued in the Federal Register, Vol. 74, No. 55, on Tuesday, March 24, 2009. Additionally, FERC published a notice of scoping meetings in local newspapers. These documents briefly describe the proposed action and the initial scoping meetings and are included in this public notice. This public notice is for scoping meetings specific to the two projects within the Memphis District that are involved in the Draft EIS process.

**MEETING DATES AND LOCATION:** There will be two public meetings held at the Memphis Cook Convention Center, 225 North Main Street, Memphis, Tennessee 38103. The first will be held at 7:00 PM on Monday, May 4, 2009. The second will be held at 10:00 AM on Tuesday, May 5, 2009.

For general information, please contact Roger Allan at (901) 544-3682 or at the addresses listed above. For information regarding FERC, its process, or specific details regarding each project site, please contact Mr. Stephen Bowler at (202) 502-6861, e-mail at [stephen.bowler@ferc.gov](mailto:stephen.bowler@ferc.gov), or Sarah Florentino at (202) 502-6863, e-mail [sarah.florentino@ferc.gov](mailto:sarah.florentino@ferc.gov).

to this or other pending projects. For assistance, contact FERC Online Support.

Kimberly D. Bose,  
Secretary.

[FR Doc. E9-6282 Filed 3-23-09; 8:45 am]

**BILLING CODE**

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory  
Commission**

**Notice of Intent To File License  
Application, Filing of Pre-Application  
Document, Commencement of  
Licensing Proceeding, and Scoping;  
Request for Comments on the Pad and  
Scoping Document, and Identification  
of Issues and Associated Study  
Requests**

March 16, 2009.

Free Flow Power Corporation.	Project No. 12829-001.
FFP Project 28, LLC.	Project No. 12861-001.
FFP Project 32, LLC.	Project No. 12921-001.
FFP Project 41, LLC.	Project No. 12930-001.
FFP Project 42, LLC.	Project No. 12938-001.
FFP Project 54, LLC.	Project No. 12915-001.
FFP Project 57, LLC.	Project No. 12912-001.

a. *Type of Filing:* Notice of intent to file license application for original licenses and commencing licensing proceedings.

b. *Project Nos.:* P-12829, P-12861, P-12921, P-12930, P-12938, P-12915, P-12912.

c. *Dated Filed:* January 15, 2009.

d. *Submitted By:* Free Flow Power Corporation and its subsidiary limited liability corporations listed above (collectively referred to below as "Free Flow Power").

e. *Name of Projects:* Greenville Bend Hydrokinetic Project, Scotlandville Bend Hydrokinetic Project, Kempe Bend Hydrokinetic Project, Ashley Point Hydrokinetic Project, Hope Field Point Hydrokinetic Project, Flora Creek Light Hydrokinetic Project, and McKinley Crossing Hydrokinetic Project (Lead Projects).

f. *Locations:* On the Mississippi River, in Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee. No Federal lands are occupied by the project works or located within the project boundary.

g. *Filed Pursuant to:* 18 CFR Part 5 of the Commission's Regulations.

h. *Potential Applicant Contact:* Ms. Ramya Swaminathan, Vice President of Project Development, Free Flow Power, 33 Commercial Street, Gloucester, MA 01930, (978) 226-1531, [rswaminathan@free-flow-power.com](mailto:rswaminathan@free-flow-power.com).

i. *FERC Contact:* Stephen Bowler at (202) 502-6861 or e-mail at [stephen.bowler@ferc.gov](mailto:stephen.bowler@ferc.gov) and Sarah Florentino at (202) 502-6863 or e-mail at [sarah.florentino@ferc.gov](mailto:sarah.florentino@ferc.gov).

j. We are asking Federal, State, local, and Tribal agencies with jurisdiction and/or special expertise with respect to environmental issues to cooperate with us in the preparation of the environmental document. Agencies who would like to request cooperating status should follow the instructions for filing comments described in paragraph o below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of the environmental document cannot also intervene. See, 94 FERC ¶ 61,076 (2001).

k. With this notice, we are initiating informal consultation with: (a) The U.S. Fish and Wildlife Service and/or NOAA Fisheries under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR, Part 402 and (b) the 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 Free Flow Power as the Commission's non-Federal representative for carrying out informal consultation pursuant to section 106 of the National Historic Preservation Act.

m. Free Flow Power 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.

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.

o. With this notice, we are soliciting comments on the PAD and Scoping Document 1 (SD1), as well as study requests. All comments on the PAD and SD1, and study requests should be sent to the address above in paragraph h. In addition, all comments on the PAD and SD1, study requests, requests for cooperating agency status, and all communications to and from Commission staff related to the merits of the potential application (original and eight copies) must be filed with the Commission at the following address: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. All filings with the Commission must include on the first page, the project names (Greenville Bend Hydrokinetic Project, Scotlandville Bend Hydrokinetic Project, Kempe Bend Hydrokinetic Project, Ashley Point Hydrokinetic Project, Hope Field Point Hydrokinetic Project, Flora Creek Light Hydrokinetic Project, and McKinley Crossing Hydrokinetic Project) and numbers (V12829-001, P-12861-001, P-12921-001, P-12930-001, P-12938-001, P-12915-001, and P-12912-001 respectively), and bear the heading "Comments on Pre-Application Document," "Study Requests," "Comments on Scoping Document 1," "Request for Cooperating Agency Status," or "Communications to and from Commission Staff." Any individual or entity interested in submitting study requests, commenting on the PAD or SD1, and any agency requesting cooperating status must do so by May 15, 2009.

Comments on the PAD and SD1, study requests, requests for cooperating agency status, and other permissible forms of communications with the Commission may be filed electronically via the Internet in lieu of paper. The Commission strongly encourages electronic filings. 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 "e-filing" link. For a simpler method of submitting text only comments, click on "Quick Comment."

p. Our current intent is to prepare an Environmental Impact Statement (EIS).

**Scoping Meetings**

Commission staff will hold two initial scoping meetings in the vicinity of the projects at the time and place noted below. The daytime meeting will focus on resource agency, Indian Tribes, and non-governmental organization concerns, while the evening meeting is

primarily for receiving input from the public. We invite all interested individuals, organizations, and agencies to attend one or both of the meetings, and to assist staff in identifying particular study needs, as well as the scope of environmental issues to be addressed in the environmental document. The times and locations of these meetings are as follows:

#### Daytime Scoping Meeting

*Date:* Tuesday, April 14, 2009.

*Time:* 2 p.m.

*Location:* Vicksburg Convention Center, 1600 Mulberry Street, Vicksburg, MS 39180.

*Phone:* Toll free (866) 822-6338.

#### Evening Scoping Meeting

*Date:* Tuesday, April 14, 2009.

*Time:* 7 p.m.

*Location:* Vicksburg Convention Center, 1600 Mulberry Street, Vicksburg, MS 39180.

*Phone:* Toll free (866) 822-6338.

Scoping Document 1 (SD1), which outlines the subject areas to be addressed in the environmental document, was mailed to the individuals and entities on the Commission's mailing list. Copies of SD1 will be available at the scoping meetings, or may be viewed on the Web at <http://www.ferc.gov>, using the "eLibrary" link. Follow the directions for accessing information in paragraph n. Based on all oral and written comments, a Scoping Document 2 (SD2) may be issued. SD2 may include a revised process plan and schedule, as well as a list of issues, identified through the scoping process. We will announce additional scoping meetings at locations near the proposed Lead Projects and site visits at a later date.

#### Meeting Objectives

At the scoping meetings, staff will: (1) Initiate scoping of the issues; (2) review and discuss existing conditions and resource management objectives; (3) review and discuss existing information and identify preliminary information and study needs; (4) review and discuss the process plan and schedule for pre-filing activity that incorporates the time frames provided for in Part 5 of the Commission's regulations and, to the extent possible, maximizes coordination of Federal, State, and Tribal permitting and certification processes; and (5) discuss the appropriateness of any Federal or State agency or Indian Tribe acting as a cooperating agency for development of an environmental document.

Meeting participants should come prepared to discuss their issues and/or

concerns. Please review the PAD in preparation for the scoping meetings. Directions on how to obtain a copy of the PAD and SD1 are included in item n. of this document.

#### Meeting Procedures

The meetings will be recorded by a stenographer and will become part of the formal record of the Commission proceedings on the projects.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E9-6283 Filed 3-23-09; 8:45 am]

**BILLING CODE**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. QF09-261-000]

#### Lafarge Midwest, Inc.; Notice of Filing of Notice of Self-Certification of Qualifying Status of a Cogeneration Facility

March 17, 2009.

Take notice that on March 11, 2009, Lafarge Midwest, Inc., of 1435 Ford Avenue, Alpena, MI 49707 filed with the Federal Energy Regulatory Commission (Commission) a notice of self-certification of a facility as a qualifying cogeneration facility, pursuant to 18 CFR 292.207(a) of the Commission's regulations.

The facility produces cement as its primary activity. Waste heat from this process is used to create steam, which serves as the primary energy source for the production of electricity. Five turbines are driven by the steam; each turbine is linked to a generator. The combined nameplate capacity of the cogeneration facility is 48.75 MW.

Excess power results from the aforesaid cogeneration process will be sold to Alpena Power Company, which is interconnected with the Qualifying Facility.

A notice of self-certification does not institute a proceeding regarding qualifying facility status; a notice of self-certification provides notice that the entity making the filing has determined the Facility meets the applicable criteria to be a qualifying facility. Any person seeking to challenge such qualifying facility status may do so by filing a motion pursuant to 18 CFR 292.207(d)(iii).

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.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E9-6284 Filed 3-23-09; 8:45 am]

**BILLING CODE**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OARM-2005-0001; FRL-8786-1]

### Agency Information Collection Activities; Submission to OMB for Review and Approval; Comment Request; General Administrative Requirements for Assistance Programs; EPA ICR No. 0938.16, OMB Control Number 2030-0020

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 et seq.), this document announces that an Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval. This is a request to renew an existing approved collection. The ICR, which is abstracted below, describes the nature of the information collection and its estimated burden and cost.

**DATES:** Additional comments may be submitted on or before April 23, 2009.

**ADDRESSES:** Submit your comments, referencing Docket ID No. EPA-HQ-OARM-2005-0001, to (1) EPA online using <http://www.regulations.gov> (our preferred method), by e-mail to [oei.docket@epa.gov](mailto:oei.docket@epa.gov), or by mail to: EPA Docket Center, Environmental Protection Agency, Office of Environmental Information Docket, Mail Code: 2822T, 1200 Pennsylvania Ave., NW., Washington, DC 20460, and (2) OMB by mail to: Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Attention: Desk Officer for EPA, 725 17th Street, NW., Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:** Alexandra Raver, Office of Grants and Debarment, National Policy, Training and Compliance Division, Mail Code: 3903R, Environmental Protection

On January 15, 2009, Free Flow Power Corp and its subsidiary LLCs (collectively, "FFP"), filed a Notice of Intent to File License Application and a Pre-Application Document (PAD) with the Federal Energy Regulatory Commission (Commission) proposing to develop hydrokinetic energy projects in the Mississippi River in MO, IL, TN, KY, AR, MS, and LA. FFP proposes 51 projects consisting of multiple arrays of 10-kilowatt, in-stream turbine-generators. Underwater cables would transmit generated power to substations located on shore.

Seven projects, the Greenville Bend (P-12829), Scotlandville Bend (P-12861), Kempe Bend (P-12921), Ashley Point (P-12930), Hope Field Point (P-12938), Flora Creek Light (P-12915), and McKinley Crossing (P-12912) are being processed using the Commission's Integrated Licensing Process (ILP). On March 16, 2009, the Commission issued notice of Commencement of Proceeding and a Scoping Document for these seven projects. We request "Comments on Pre-Application Document," "Study Requests," "Comments on Scoping Document 1," and "Request for Cooperating Agency Status." These comments are due by May 15, 2009, and must include on the first page, the project name(s) and numbers (see above), and the topic heading (e.g., "Study Requests"). All such communications to Commission staff related to the merits of the potential application (original and eight copies) must be filed with the Commission at the following address: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426. Information may be filed electronically via the Internet using the instructions on the Commission's website (<http://www.ferc.gov/docs-filing/ferconline.asp>) under the "e-filing" link.

We invite all parties to assist staff in identifying potential issues by participating in the following public meetings: Vicksburg Convention Center (MS) on April 14, 2009, at 2:00 and 7:00 PM; Embassy Suites New Orleans Convention Center (LA) on April 28, 2009, at 2:00 and 7:00 PM; Scotlandville Branch Library (near Baton Rouge, LA) on April 29, 2009, at 5:30 PM and on April 30, 2009, at 10:00 AM; Memphis Cook Convention Center (TN) on May 4, 2009, at 7:00 PM and on May 5, 2009, at 10:00 AM; and Holiday Inn Select, St. Louis Downtown Convention Center (MO) on May 7, 2009, at 2:00 and 7:00 PM. Additional information is available in our March 27, 2009 "Notice of Scoping Meetings and Site Visit and Soliciting of Scoping Comments," accessible in e-library using a Lead Project docket number.

FFP will host site visits for the following projects: Greenville Bend on April 27, 2009, at 2:00 PM; Scotlandville Bend on April 29, 2009, at 2:00 PM; Ashley Point on May 4, 2009, at 10:00 AM; Hope Field Point on May 4, 2009, at 2:00 PM; Flora Creek Light on May 6, 2009, at 9:00 AM; and McKinley Crossing on May 6, 2009, at 3:00 PM. To sign up for a site visit, contact Erin Miller, FFP's office manager at (978) 252-7110 or [emiller@free-flow-power.com](mailto:emiller@free-flow-power.com) by April 21, 2009.

Staff granted FFP's request to use the Traditional Licensing Process (TLP) in lieu of the ILP for 44 proposed project sites. Under the TLP, we will solicit scoping comments regarding these projects at a later date. The 44 project docket numbers are P-12856, P-12849, P-12862, P-12848, P-12851, P-12833, P-12866, P-12855, P-12853, P-12854, P-12845, P-12864, P-12858, P-12865, P-12857, P-12842, P-12869, P-12863, P-12860, P-12843, P-12844, P-12828, P-12822, P-12817, P-12918, P-12927, P-12928, P-12926, P-12925, P-12929, P-12931, P-12942, P-12937, P-12936, P-12932, P-12934, P-12933, P-12941, P-12940, P-12939, P-12914, P-12917, P-12913, and P-12916. Project names and additional information can be found in the PAD as well as our March 16, 2009 "Notice of Intent to File License Application, Filing of Pre-Application Document, and Approving Use of The Traditional Licensing Process Procedures," accessible in e-library using one of the 44 docket numbers.

For the 7 ILP Lead Projects and the 44 TLP projects, we initiated informal consultation with: (a) the U.S. Fish and Wildlife Service and/or NOAA Fisheries under the Endangered Species Act and (b) the State Historic Preservation Officer, as required by the National Historical Preservation Act. Finally, we designated FFP as the Commission's non-federal representative for carrying out informal consultation.

For more information, register online at <http://ferc.gov/esubscribenow.htm> to be notified via e-mail of new filing and issuances. You may also contact Stephen Bowler at (202) 502-6861 or e-mail at [stephen.bowler@ferc.gov](mailto:stephen.bowler@ferc.gov) and Sarah Florentino at (202) 502-6863 or email at [sarah.florentino@ferc.gov](mailto:sarah.florentino@ferc.gov).