

registered products containing 20% picaridin.

- The report of a completed laboratory study conducted by ICR, Inc., to evaluate the repellent efficacy to stable flies of two registered products containing 20% picaridin.

- A new scenario design and associated protocol for field studies at five sites from the Agricultural Handlers Exposure Task Force (AHETF), describing proposed research to monitor exposure of professional pesticide handlers who mix and load pesticides formulated as wettable powders in water-soluble packaging.

In addition, the Board will be reviewing its draft February 17, 2009 meeting report for subsequent Board approval. Finally, the HSRB may also discuss planning for future HSRB meetings.

#### B. Meeting Minutes and Reports

Minutes of the meeting, summarizing the matters discussed and recommendations, if any, made by the advisory committee regarding such matters will be released within 90 calendar days of the meeting. Such minutes will be available at <http://www.epa.gov/osa/hsrb/> and <http://www.regulations.gov>. In addition, information concerning a Board meeting report, if applicable, can be found at <http://www.epa.gov/osa/hsrb/> or from the person listed under **FOR FURTHER INFORMATION**.

Dated: May 29, 2009.

**Kevin Teichman,**

*EPA Acting Science Advisor.*

[FR Doc. E9-13061 Filed 6-3-09; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8913-4]

### Proposed Settlement Agreement

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

**ACTION:** Notice of proposed settlement agreement; request for public comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("Act"), 42 U.S.C. 7413(g), notice is hereby given of a proposed settlement agreement to address a lawsuit filed by American Petroleum Institute (API) in the United States Court of Appeals for the District of Columbia Circuit: *American Petroleum Institute v. EPA*, No. 06-1321 (D.C. Cir.). API filed a petition for review of an EPA rule promulgating regulations requiring new

source performance standards for new stationary compression ignition internal combustion engines. Under the terms of the proposed settlement agreement, EPA agrees to propose revisions to the new source performance standards and to issue guidance specifying particular standards applicable under the regulations.

**DATES:** Written comments on the proposed settlement agreement must be received by *July 6, 2009*.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2009-0354, Online at <http://www.regulations.gov> (EPA's preferred method); by e-mail to [oei.docket@epa.gov](mailto:oei.docket@epa.gov); by mail to EPA Docket Center, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; or by hand delivery or courier to EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC, between 8:30 a.m. and 4:30 p.m. Monday through Friday, excluding legal holidays. Comments on a disk or CD-ROM should be formatted in Word or ASCII file, avoiding the use of special characters and any form of encryption, and may be mailed to the mailing address above.

**FOR FURTHER INFORMATION CONTACT:** Michael Horowitz, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone: (202) 564-5583; fax number (202) 564-5603; e-mail address: [horowitz.michael@epa.gov](mailto:horowitz.michael@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Additional Information About the Proposed Settlement Agreement

This proposed settlement agreement would potentially resolve a petition for judicial review filed by API for review of a rule promulgating new source performance standards for new stationary compression ignition internal combustion engines. Under the terms of the proposed settlement agreement, EPA agrees to propose, no later than one year after execution of the settlement agreement, revisions to the new source performance standards. The proposed revisions would allow owners and operators more options in operating and maintaining their engines, but would require more testing for sources using the additional options. The proposal would also clarify certain provisions of the existing regulations and make minor modifications unrelated to the stringency of the standards. After considering any comment reviewed,

EPA agrees to sign a final rule within one year of the publication of the proposal. If the relevant provisions of the final rule are in substantial conformance with the revisions in the draft agreement, then API agrees to the dismissal of its petition for review. Additionally, based on API concerns that the regulations are not sufficiently clear regarding the not-to-exceed standards and multiples applicable to engines subject to the regulations, EPA agrees to issue guidance specifying the not-to-exceed standards and multiples applicable to such engines.

For a period of thirty (30) days following the date of publication of this notice, the Agency will accept written comments relating to the proposed settlement agreement from persons who were not named as parties or intervenors to the litigation in question. EPA or the Department of Justice may withdraw or withhold consent to the proposed settlement agreement if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless EPA or the Department of Justice determines, based on any comment submitted, that consent to this settlement agreement should be withdrawn, the terms of the agreement will be affirmed.

##### II. Additional Information About Commenting on the Proposed Settlement Agreement

###### A. How Can I Get a Copy of the Settlement Agreement?

The official public docket for this action (identified by Docket ID No. EPA-HQ-OGC-2009-0354) contains a copy of the proposed settlement agreement. The official public docket is available for public viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OEI Docket is (202) 566-1752.

An electronic version of the public docket is available through <http://www.regulations.gov>. You may use the <http://www.regulations.gov> to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Once in the

system, select "search," then key in the appropriate docket identification number.

It is important to note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing Online at <http://www.regulations.gov> without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. Information claimed as CBI and other information whose disclosure is restricted by statute is not included in the official public docket or in the electronic public docket. EPA's policy is that copyrighted material, including copyrighted material contained in a public comment, will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the EPA Docket Center.

#### *B. How and To Whom Do I Submit Comments?*

You may submit comments as provided in the **ADDRESSES** section. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

If you submit an electronic comment, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment and with any disk or CD-ROM you submit. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. Any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. 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.

Use of the <http://www.regulations.gov> Web site to submit comments to EPA electronically is EPA's preferred method for receiving comments. The electronic public docket system is an "anonymous access" system, which means EPA will not know your identity, e-mail address,

or other contact information unless you provide it in the body of your comment. In contrast to EPA's electronic public docket, EPA's electronic mail (e-mail) system is not an "anonymous access" system. If you send an e-mail comment directly to the Docket without going through <http://www.regulations.gov>, your e-mail address is automatically captured and included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

Dated: May 28, 2009.

**Richard B. Ossias,**

*Associate General Counsel.*

[FR Doc. E9-13060 Filed 6-3-09; 8:45 am]

**BILLING CODE 6560-50-P**

## **FEDERAL COMMUNICATIONS COMMISSION**

### **Sunshine Act Meeting; Revised Sunshine Notice**

June 1, 2009.

### **FCC To Hold Open Commission Meeting Wednesday, June 3, 2009**

The Federal Communications Commission will hold an Open Meeting on Wednesday, June 3, 2009, which is scheduled to commence at 9:30 a.m. in Room TW-C305, at 445 12th Street, SW., Washington, DC (*See Sunshine Notice dated May 27, 2009*).

The meeting will include presentations and discussion by senior agency officials as well as industry, consumer groups and others involved in the Digital Television Transition.

#### *Agenda and Witness List*

9:30 a.m. Opening Statements by Chairman and Commissioners.

9:45 a.m. Overview:

William Lake, DTV Coordinator.

10 a.m. Panel 1: FCC and NTIA Reports on the Status of the DTV Transition and Prospects for June 12, 2009.

Eloise Gore, Associate Bureau Chief, Media Bureau, Federal Communications Commission;

Cathy Seidel, Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission;

Andrew Martin, Chief Information Officer, Federal Communications Commission;

Julius Knapp, Chief, Office of Engineering and Technology, Federal Communications Commission;

Dr. Bernadette McGuire-Rivera, Associate Administrator, Office of Telecommunications and

Information Applications, National Telecommunications and Information Administration.

10:45 a.m. Break.

11 a.m. Panel 2: Industry and Consumer Group Reports on the Status of the DTV Transition and Prospects for June 12, 2009.

Jane Mago, Executive Vice President & General Counsel, National Association of Broadcasters;

Larry Sidman, President and CEO, Association of Public Television Stations;

David Donovan, President, MSTV; Kyle McSlarrow, President and CEO, National Cable &

Telecommunications Association; Joel Kelsey, Policy Analyst, Consumers Union;

Christopher A. McLean, Executive Director, Consumer Electronics Retailers Coalition;

Shawn DuBravac, Economist,

Consumer Electronics Association;

Erica Swanson, Deputy Director for Field Operations & Director, LCCREF DTV Assistance Campaign Leadership Conference on Civil Rights Education Fund.

11:45 a.m. Closing Statements/Adjournment.

The meeting site is fully accessible to people using wheelchairs or other mobility aids. Sign language interpreters, open captioning, and assistive listening devices will be provided on site. Other reasonable accommodations for people with disabilities are available upon request. Include a description of the accommodation you will need and a way we can contact you if we need more information. Last minute requests will be accepted, but may be impossible to fill. Send an e-mail to: [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

Additional information concerning this meeting may be obtained from Audrey Spivack or David Fiske, Office of Media Relations, (202) 418-0500; TTY 1-888-835-5322. Audio/Video coverage of the meeting will be broadcast live with open captioning over the Internet from the FCC's Audio/Video Events Web page at <http://www.fcc.gov/realaudio>.

For a fee this meeting can be viewed live over George Mason University's Capitol Connection. The Capitol Connection also will carry the meeting live via the Internet. To purchase these services call (703) 993-3100 or go to <http://www.capitolconnection.gmu.edu>.

Copies of materials adopted at this meeting can be purchased from the