

November 12, 2009 teleconference. The *Integrated Science Assessment for Particulate Matter: Second External Review Draft* (July 2009) is available at [http://www.epa.gov/ttn/naaqs/standards/pm/s\\_pm\\_2007\\_isa.html](http://www.epa.gov/ttn/naaqs/standards/pm/s_pm_2007_isa.html). The *Risk Assessment to Support the Review of the PM Primary National Ambient Air Quality Standards: External Review Draft* (September 2009) and the *Particulate Matter Urban-Focused Visibility Assessment: External Review Draft* (September 2009) will be available on or before September 4, 2009 and the *Policy Assessment for the Review of Particulate Matter National Ambient Air Quality Standards: Preliminary Draft* (September 2009) will be available on or about September 15, 2009 at [http://www.epa.gov/ttn/naaqs/standards/pm/s\\_pm\\_index.html](http://www.epa.gov/ttn/naaqs/standards/pm/s_pm_index.html).

**Procedures for Providing Public Input:**

Interested members of the public may submit relevant written or oral information for consideration on the topics included in this advisory activity. **Oral Statements:** To be placed on the public speaker list for the October 5–6, 2009 meeting, interested parties should notify Dr. Holly Stallworth, DFO, by e-mail no later than September 28, 2009. Individuals making oral statements will be limited to five minutes per speaker. To be placed on the public speaker list for the November 12, 2009

teleconference, interested parties should notify Dr. Stallworth, DFO, by e-mail no later than November 9, 2009.

Individuals making oral statements on the teleconference will be limited to three minutes per speaker. **Written Statements:** Written statements for the October 5–6, 2009 meeting should be received in the SAB Staff Office by September 28, 2009, so that the information may be made available to the CASAC Panel for its consideration prior to this meeting. Written statements for the November 12, 2009 meeting should be received in the SAB Staff Office by November 9, 2009. Written statements should be supplied to the DFO in the following formats: one hard copy with original signature and one electronic copy via e-mail (acceptable file format: Adobe Acrobat PDF, MS Word, WordPerfect, MS PowerPoint, or Rich Text files in IBM-PC/Windows 98/2000/XP format). Submitters are asked to provide versions of each document submitted with and without signatures, because the SAB Staff Office does not publish documents with signatures on its Web sites.

**Accessibility:** For information on access or services for individuals with disabilities, please contact Dr. Stallworth at the phone number or e-mail address noted above, preferably at

least ten days prior to the teleconference, to give EPA as much time as possible to process your request.

Dated: September 2, 2009.

**Vanessa T. Vu,**

*Director, EPA Science Advisory Board Staff Office.*

[FR Doc. E9-21821 Filed 9-9-09; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8946-8]

### National Recommended Final Water Quality Criteria for Acrolein

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

**ACTION:** Notice of availability of final criteria.

**SUMMARY:** Pursuant to section 304(a) of the Clean Water Act (CWA), the Environmental Protection Agency (EPA) is announcing the availability of final national recommended water quality criteria for the protection of aquatic life for acrolein. Draft national recommended water quality criteria for acrolein were published for scientific views from the public on December 17, 2008 at 73 FR 76644. The final criteria published today are based on EPA's *Guidelines for Deriving Numerical National Water Quality Criteria for the Protection of Aquatic Organisms and Their Uses* (1985), (EPA/R-85-100). EPA's recommended section 304(a) water quality criteria provide guidance to States and authorized Tribes in adopting water quality standards for protecting aquatic life and human health and provide guidance to EPA for promulgating Federal regulations under CWA section 303(c), when such action is necessary.

**ADDRESSES:** Scientific views received from the public on the draft acrolein criteria are available from the EPA Docket Center and are identified by Docket ID No. EPA-HQ-OW-2008-0795. They may be accessed online at:

- <http://www.regulations.gov>: Follow the on-line instructions for reviewing comments.
- *E-mail:* [OW-Docket@epa.gov](mailto:OW-Docket@epa.gov).
- *Mail:* U.S. Environmental Protection Agency; EPA Docket Center (EPA/DC) Water Docket, MC 2822T; 1200 Pennsylvania Avenue, NW., Washington, DC 20460.
- *On Site:* EPA Docket Center, 1301 Constitution Ave, NW., EPA West, Room 3334, Washington DC 20460.

For additional information about EPA's public docket visit the EPA

Docket Center homepage at <http://www.epa.gov/epahome/dockets.htm>.

**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 Office of Water Docket/EPA/DC, 1301 Constitution Ave, NW., EPA West, Room 3334, Washington DC 20460. This Docket Facility is open from 8:30 a.m. until 4:30 p.m., EST, Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the Office of Water is (202) 566-2426.

**FOR FURTHER INFORMATION CONTACT:** Dr. Frank Gostomski, Health and Ecological Criteria Division (4304T), U.S. EPA, 1200 Pennsylvania Ave., NW., Washington, DC 20460; (202) 566-1105; [gostomski.frank@epa.gov](mailto:gostomski.frank@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. What Are Water Quality Criteria?

Water quality criteria are scientifically derived numeric values that protect aquatic life or human health from the deleterious effects of pollutants in ambient water.

Section 304(a)(1) of the Clean Water Act requires EPA to develop and publish and, from time to time, revise, criteria for water quality accurately reflecting the latest scientific knowledge. Water quality criteria developed under section 304(a) are based solely on data and scientific judgments on the relationship between pollutant concentrations and environmental and human health effects. Section 304(a) criteria do not reflect consideration of economic impacts or the technological feasibility of meeting the chemical concentrations in ambient water.

Section 304(a) criteria provide guidance to States and authorized Tribes in adopting water quality standards that ultimately provide a basis for controlling discharges or releases of pollutants. The criteria also provide guidance to EPA when promulgating Federal regulations under section 303(c) when such action is necessary. Under the CWA and its implementing regulations, States and authorized Tribes are to adopt water quality criteria to protect designated uses (e.g., public

water supply, recreational use, industrial use). EPA's recommended water quality criteria do not substitute for the CWA or regulations, nor are they regulations themselves. Thus, EPA's recommended criteria do not impose legally binding requirements. States and authorized Tribes have the discretion to adopt, where appropriate, other scientifically defensible water quality standards that differ from these recommendations.

## II. What Are the Acrolein Criteria?

Today, EPA is publishing final national recommended water quality criteria (NRWQC) for protecting aquatic life for acrolein. These final criteria are based on EPA's *Guidelines for Deriving Numerical National Water Quality Criteria for the Protection of Aquatic Organisms and Their Uses* (1985), (EPA/R-85-100). These Guidelines describe the Agency's current approach for deriving national recommended water quality criteria to protect aquatic life. Reliable sources provided toxicity data and other information on the effects of acrolein, which were subjected to both internal and external peer review. Scientific views were also received from the public on the draft acrolein criteria. The comments received did not warrant modification of the draft criteria for acrolein. The comments and EPA responses can be found in the docket.

**Freshwater:** Freshwater aquatic organisms and their uses should not be affected unacceptably if the acute (one-hour average) concentration of acrolein does not exceed 3.0 µg/l more than once every three years on the average, and if the chronic (four-day average) concentration of acrolein does not exceed 3.0 µg/l more than once every three years on the average.

**Saltwater:** Saltwater criteria cannot be derived for acrolein at this time because of a lack of acute and chronic toxicity data.

## III. What Is the Relationship Between the Water Quality Criteria and State or Tribal Water Quality Standards?

As part of the water quality standards triennial review process defined in Section 303(c)(1) of the CWA, the States and authorized Tribes are responsible for maintaining and revising water quality standards. Water quality standards consist of designated uses, water quality criteria to protect those uses, a policy for antidegradation, and general policies for application and implementation. Section 303(c)(1) requires States and authorized Tribes to review and modify, if appropriate, their water quality standards at least once every three years.

States and authorized Tribes must adopt water quality criteria that protect designated uses. Protective criteria are based on a sound scientific rationale and contain sufficient parameters or constituents to protect the designated uses.

Consistent with 40 CFR 131.21 (*see: EPA Review and Approval of State and Tribal Water Quality Standards* (65 FR 24641, April 27, 2000)), water quality criteria adopted by law or regulation by States and authorized Tribes prior to May 30, 2000, are in effect for CWA purposes unless superseded by Federal regulations (*see, for example, the National Toxics Rule*, 40 CFR 131.36; *Water Quality Standards for Idaho*, 40 CFR 131.33). New or revised water quality criteria adopted into law or regulation by States and authorized Tribes on or after May 30, 2000 are in effect for CWA purposes only after EPA approval.

## IV. Where Can I Find More Information About Water Quality Criteria and Water Quality Standards?

For more information about water quality criteria and Water Quality Standards refer to the following: *Water Quality Standards Handbook* (EPA 823-B94-005a); *Advanced Notice of Proposed Rule Making (ANPRM)*, (63FR36742); *Water Quality Criteria and Standards Plan—Priorities for the Future* (EPA 822-R-98-003); *Guidelines and Methodologies Used in the Preparation of Health Effects Assessment Chapters of the Consent Decree Water Criteria Documents* (45FR79347); *Methodology for Deriving Ambient Water Quality Criteria for the Protection of Human Health* (2000), (EPA-822-B-00-004); *Guidelines for Deriving Numerical National Water Quality Criteria for the Protection of Aquatic Organisms and Their Uses* (EPA 822/R-85-100); *National Strategy for the Development of Regional Nutrient Criteria* (EPA 822-R-98-002); and *EPA Review and Approval of State and Tribal Water Quality Standards* (65 FR 24641).

You can find these publications through EPA's National Service Center for Environmental Publications (NSCEP, previously NCEPI) or on the Office of Science and Technology's Home-page (<http://www.epa.gov/waterscience>).

Dated: August 12, 2009.

**Peter S. Silva,**

*Assistant Administrator for Water.*

[FR Doc. E9-21820 Filed 9-9-09; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8955-7]

### National Environmental Justice Advisory Council; Notification of Public Teleconference and Public Comment

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notification of Public Teleconference and Public Comment.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act (FACA), Public Law 92-463, the U.S. Environmental Protection Agency (EPA) hereby provides notice that the National Environmental Justice Advisory Council (NEJAC) will host a public teleconference call on Thursday, September 24, 2009. The primary topic of discussion on the September 24 call will be EPA's national enforcement priorities. This call, as well as all NEJAC meetings, is open to the public. There will be a public comment period from 2:30 p.m. to 4 p.m. Eastern Time. Members of the public are encouraged to provide comments relevant to this topic. For additional information about registering to participate on the call or to provide public comment during the call, *please see SUPPLEMENTARY INFORMATION*. Due to a limited number of telephone lines, participation will be on a first-come basis.

**DATES:** The NEJAC teleconference call will begin promptly at 1 p.m. Eastern Time on Thursday, September 24, 2009. The call will include a discussion of EPA's national enforcement priorities and a public comment session relevant to this topic (*see SUPPLEMENTARY INFORMATION*). Members of the public who wish to participate on the call, or to provide public comment must pre-register by 11 a.m. Eastern Time Wednesday, September 23.

#### FOR FURTHER INFORMATION CONTACT:

Questions concerning the teleconference call should be directed to Aaron Bell, U.S. Environmental Protection Agency, at 1200 Pennsylvania Avenue, NW., (MC2201A), Washington, DC 20460; by telephone at (202) 564-1044, via e-mail at [bell.aaron@epa.gov](mailto:bell.aaron@epa.gov); or by FAX at (202) 564-1624. Additional information about the meeting is available on the following Web site: <http://www.epa.gov/compliance/environmentaljustice/nejac/meetings.html>.

*Advanced registration for all participants is needed due to a limited number of telephone lines.* To register online, visit the Web site above. If unable to register online, requests for