

Dated: November 9, 2009.

**Angela C. Arrington,**

*Director, Information Collection Clearance  
Division, Regulatory Information  
Management Services, Office of Management.*

### Office of Postsecondary Education

*Type of Review:* New.

*Title:* IEPS Language Resource Center (LRC) Customer Surveys.

*Frequency:* On Occasion.

*Affected Public:* Individuals or households.

*Reporting and Recordkeeping Hour Burden:*

Responses: 416.

Burden Hours: 194.

**Abstract:** The purpose of this assessment is to assess the impact of the LRC program in enhancing the foreign language capacity of the United States. Three surveys will be conducted: a survey of LRC Project Directors; a survey of all members of the National Association of District Supervisors of Foreign Languages; and a survey of LRC Summer workshop participants. Results from the three surveys will inform the writing of a final report determining the impact of the LRC program.

Requests for copies of the proposed information collection request may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 4172. When you access the information collection, click on "Download Attachments" to view.

Written requests for information should be addressed to U.S. Department of Education, 400 Maryland Avenue, SW., LBJ, Washington, DC 20202-4537. Requests may also be electronically mailed to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov) or faxed to 202-401-0920. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be electronically mailed to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov). Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

[FR Doc. E9-27410 Filed 11-13-09; 8:45 am]

BILLING CODE 4000-01-P

## DEPARTMENT OF ENERGY

### Notice of Availability of the U.S. Department of Energy Interim Guidance on Packaging, Transportation, Receipt, Management, and Long-Term Storage of Elemental Mercury

**AGENCY:** Department of Energy.

**ACTION:** Notice of availability.

**SUMMARY:** This document provides general guidance with respect to standards and procedures necessary to support the packaging, transportation, receipt, management, and long-term storage of elemental mercury generated in the United States (U.S.) as required by the Mercury Export Ban Act of 2008 (the Act). Section 5 of the Act, *Long-Term Storage*, requires the Department of Energy (DOE) to prepare guidance that "establishes procedures and standards for the receipt, management, and long term storage of elemental mercury."

**ADDRESSES:** Ms. Letitia O'Connor, Elemental Mercury Storage Guidance Document Manager, Office of Environmental Compliance (EM-41), U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585. The guidance document will be available at the DOE Web site at <http://www.em.doe.gov/> and <http://www.mercurystorageeis.com>.

**FOR FURTHER INFORMATION CONTACT:** For further information about the guidance document, please contact Ms. Letitia O'Connor, Office of Environmental Compliance (EM-41), U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585. You can contact Ms. O'Connor at (202) 586-6570 or by e-mail at: [letitia.o'conor@em.doe.gov](mailto:letitia.o'conor@em.doe.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

Mercury exposure can cause a number of adverse effects on human health. In an effort to reduce global mercury use and releases, and in order to eventually achieve reduced contamination levels in the environment, the Act was passed by Congress and signed into law by the President on October 14, 2008 (Pub. L. No. 110-414, enacted October 14, 2008). The Act prohibits the sale, distribution, or transfer of elemental mercury by Federal agencies to any other Federal agency, any State or local government agency, or any private individual or entity that is under the control of a federal agency (with certain limited exceptions). It also prohibits the export of elemental mercury from the U.S. effective January 1, 2013 (subject to certain essential use exceptions). Section 5 of the Act, *Long-Term Storage*, directs DOE to designate a facility or facilities for the long-term management and storage of elemental mercury generated within the U.S. DOE's facility or facilities must be operational by January 1, 2013, and be ready to accept custody of elemental mercury delivered

to such a facility. The Act also requires DOE to assess fees based upon the *pro rata* costs of long-term management and storage.

DOE is developing a capability for the safe and secure long-term management and storage of elemental mercury as required by the Act. Accordingly, DOE needs to identify an appropriate facility or facilities to host this activity. To this end, DOE is preparing an environmental impact statement (EIS) in accordance with the National Environmental Policy Act (NEPA) of 1969, regulations of the President's Council on Environmental Quality (40 CFR parts 1500-1508) and DOE's implementing procedures (10 CFR part 1021). This EIS will evaluate alternatives for such a facility or facilities in order to have the requisite capability operational by January 1, 2013, as stipulated in the Act. The U.S. Environmental Protection Agency (EPA) is a cooperating agency for this EIS. In July, DOE published a Notice of Intent to prepare an EIS for the Long-Term Management and Storage of Elemental Mercury in the **Federal Register** (74 FR 31723, July 2, 2009). DOE expects to issue a Draft EIS in December 2009.

As required by the Act, DOE has prepared the *U.S. Department of Energy Interim Guidance on Packaging, Transportation, Receipt, Management, and Long Term Storage of Elemental Mercury* (the Interim Guidance) in consultation with EPA and state agencies. The Interim Guidance provides a framework for the standards and procedures associated with the long-term management of elemental mercury and the operation of a DOE-designated elemental mercury storage facility with a focus on the federal Resource Conservation and Recovery Act (RCRA) compliance of such a facility. The Interim Guidance may be supplemented and, as appropriate, superseded by the host State's RCRA permitting of the future elemental mercury storage facility.

This Interim Guidance provides standards and procedures to: (1) Generators who will assure the purity of the mercury and the integrity of the containers; (2) transporters who will load, secure, and transfer the mercury to the storage facility; and (3) operators of the storage facility who will be responsible for unloading the mercury from the transport vehicle, verifying that waste acceptance requirements have been met, and operating the storage facility.

This Interim Guidance is intended to be a reference for a wide variety of individual users, industries, and regulatory organizations impacted by the Act. Specifically, potential users of

this guidance document may include the following:

- Past generators, current owners, and custodians of elemental mercury;
- Recyclers of mercury bearing materials, wastes, and products (e.g., companies that recover dental amalgam);
- Major industrial generators of mercury, including the minerals mining industry (especially gold), chlor-alkali (chlorine and caustic soda production) industry, and electrical lighting (e.g., fluorescent lamp) industry;
- Private and government contractors managing stockpiled mercury;
- Shippers of elemental mercury;
- State and Federal regulatory agencies (e.g., EPA); and
- Future operators of an elemental mercury storage facility (or facilities) for DOE.

As required by the Act, this Interim Guidance outlines existing requirements and standards and applicable procedures for the receipt (including acceptance criteria and packaging/transfer/transport requirements), management, and long-term storage of elemental mercury by DOE.

Issued in Washington, DC, on November 9, 2009.

**Frank Marcinowski,**

*Acting Deputy Assistant Secretary for Technical and Regulatory Support, Office of Environmental Management.*

[FR Doc. E9-27395 Filed 11-13-09; 8:45 am]

BILLING CODE 6450-01-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8981-3]

### Good Neighbor Environmental Board

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

**ACTION:** Notification of meeting.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act, Public Law 92-463, notice is hereby given that the Good Neighbor Environmental Board (GNEB) will hold a public teleconference on December 1, 2009 from 1 p.m. to 3 p.m. Eastern Standard Time. The meeting is open to the public. For further information regarding the teleconference and background materials, please contact Dolores Wesson at the number listed below.

*Background:* GNEB is a federal advisory committee chartered under the Federal Advisory Committee Act, Public Law 92463. GNEB provides advice and recommendations to the President and Congress on environmental and

infrastructure issues along the U.S. border with Mexico. *Purpose of Meeting:* The purpose of this teleconference is to discuss and approve the Good Neighbor Environmental Board's draft advice letter to the President on the environmental effects of the U.S.-Mexico border fence and associated infrastructure. The Board will also continue discussion on the Thirteenth Report to the President.

**SUPPLEMENTARY INFORMATION:** If you wish to make oral comments or submit written comments to the Board, please contact Dolores Wesson at least five days prior to the meeting.

*General Information:* Additional information concerning the GNEB can be found on its Web site at <http://www.epa.gov/ocem/gneb>.

*Meeting Access:* For information on access or services for individuals with disabilities, please contact Dolores Wesson at (202) 564-1351 or e-mail her at: [wesson.dolores@epa.gov](mailto:wesson.dolores@epa.gov). To request accommodation of a disability, please contact Dolores Wesson at least 10 days prior to the meeting to give EPA as much time as possible to process your request.

Dated: November 3, 2009.

**Dolores Wesson,**

*Designated Federal Officer.*

[FR Doc. E9-27417 Filed 11-13-09; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8981-2]

### Proposed Consent Decree, Clean Air Act Citizen Suit

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

**ACTION:** Notice of proposed consent decree; 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 consent decree, to address a lawsuit filed by Sierra Club and Valley Watch, Inc. (collectively "Plaintiffs") in the United States District Court for the District of Columbia: *Sierra Club, et al. v. Jackson*, No. 1:09-cv-00312 (D.D.C). Plaintiffs filed suit to compel the Administrator to respond to two administrative petitions seeking EPA's objection to a combined CAA Title V operating permit and Prevention of Significant Deterioration permit No. V-07-017 issued by the Kentucky Department of Environmental Protection for the proposed Cash Creek Generating Station in Cash Creek,

Kentucky. Under the terms of the proposed consent decree, EPA has agreed to respond to the petitions by December 14, 2009.

**DATES:** Written comments on the proposed consent decree must be received by *December 16, 2009*.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2009-0671, 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:

Mark Kataoka, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; *telephone:* (202) 564-5584; *fax number* (202) 564-5603; *e-mail address:* [kataoka.mark@epa.gov](mailto:kataoka.mark@epa.gov).

#### SUPPLEMENTARY INFORMATION:

### I. Additional Information About the Proposed Consent Decree

This proposed consent decree would resolve a lawsuit alleging that the Administrator failed to perform a nondiscretionary duty to grant or deny, within 60 days of submission, two administrative petitions to object to the combined CAA Title V permit and Prevention of Significant Deterioration permit No. V-07-017 issued by the Kentucky Department of Environmental Protection for the proposed Cash Creek Generating Station in Cash Creek, Kentucky. Under the terms of the proposed consent decree, EPA has agreed to respond to the petitions by December 14, 2009, or within 3 days after entry of the consent decree, whichever date is later. In addition, the proposed consent decree states that, after EPA fulfills its obligations under the decree, and the Plaintiffs' claims for costs of litigation have been resolved pursuant to the process described in the decree, the case shall be dismissed with prejudice.

For a period of thirty (30) days following the date of publication of this notice, the Agency will accept written