

Section 1605(c), for waivers “based on a finding under subsection (b).”

**Authority:** Public Law 111–5, section 1605.

Dated: December 9, 2009.

**Al Armendariz,**

*Regional Administrator, U.S. Environmental Protection Agency, Region 6.*

[FR Doc. E9–30046 Filed 12–16–09; 8:45 am]

**BILLING CODE 6560–50–P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL–9093–3]

### 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 (“CAA” or the “Act”), 42 U.S.C. 7413(g), notice is hereby given of a proposed consent decree to address a lawsuit filed by WildEarth Guardians and San Juan Citizens Alliance in the United States District Court for the District of Columbia: *WildEarth Guardians, et al. v. Jackson*, No. 1:09–CV–00089–CKK (D. D.C.). On January 14, 2009, Plaintiffs filed a complaint alleging that EPA failed to meet its obligations under sections 111(b)(1)(B), 112(d)(6) and 112(f)(2) of the Clean Air Act (“CAA”) to take actions relative to the review/revision of the New Source Performance Standards and the National Emission Standards for Hazardous Air Pollutants with respect to the Oil and Natural Gas production source category. The proposed consent decree establishes deadlines for EPA’s proposed and final actions for meeting these obligations.

**DATES:** Written comments on the proposed consent decree must be received January 19, 2010.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA–HQ–OGC–2009–0918, 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:

Amy Branning, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone: (202) 564–1744; fax number (202) 564–5603; e-mail address: [branning.amy@epa.gov](mailto:branning.amy@epa.gov).

#### SUPPLEMENTARY INFORMATION:

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

Under sections 111(b)(1)(B), 112(d)(6) and 112(f)(2) of the CAA, EPA has a mandatory duty to take actions relative to the review/revision of new source performance standards (“NSPS”) and national emission standards for hazardous air pollutants (“NESHAP”) within eight years of the issuance of the standards. The proposed consent decree would resolve a deadline suit filed by Plaintiffs for EPA’s failure to take the above actions within eight years of issuing NSPS and NESHAP for the Oil and Natural Gas production source category. The proposed Consent Decree requires that EPA sign by January 31, 2011 proposed standards and/or determinations not to issue standards pursuant to sections 111(b)(1)(B), 112(d)(6) and 112(f)(2), and that EPA finalize its proposals by November 30, 2011. The proposed Consent Decree authorizes EPA to sign by January 31, 2011 a final determination not to review the NSPS pursuant to section 111(b)(1)(B) without issuing a proposal for such determination. The approach of determining not to review is not available for actions under section 112. The proposed Consent Decree further requires that, within 15 business days following signature, EPA shall deliver a notice of such action to the Office of the Federal Register for prompt publication. The proposed consent decree states that, after EPA fulfills its obligations under 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 comments relating to the proposed consent decree 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 consent decree 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 consent decree should be withdrawn, the terms of the decree will be affirmed.

##### II. Additional Information About Commenting on the Proposed Consent Decree

###### A. How Can I Get A Copy of the Consent Decree?

The official public docket for this action (identified by Docket ID No. EPA–HQ–OGC–2009–0918) contains a copy of the proposed consent decree. 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 <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, key in the appropriate docket identification number then select “search”.

It is important to note that EPA’s policy is that public comments, whether submitted electronically or on 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: December 10, 2009.  
**Richard B. Ossias**,  
*Associate General Counsel.*  
 [FR Doc. E9-30044 Filed 12-16-09; 8:45 am]  
**BILLING CODE 6560-50-P**

**FEDERAL DEPOSIT INSURANCE CORPORATION**

**Notice of Agency Meeting**

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 11:53 a.m. on Tuesday, December 15, 2009, the Board of Directors of the Federal Deposit Insurance Corporation met in closed session to consider matters related to the Corporation's supervision, resolution, and corporate activities.

In calling the meeting, the Board determined, on motion of Vice Chairman Martin J. Gruenberg, seconded by Director John C. Dugan (Comptroller of the Currency), concurred in by Director John E. Bowman (Acting Director, Office of Thrift Supervision), Director Thomas J. Curry (Appointive), and Chairman Sheila C. Bair, that Corporation business required its consideration of the matters which were to be the subject of this meeting on less than seven days' notice to the public; that no earlier notice of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(2), (c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), (c)(9)(B), and (c)(10) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(2), (c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), (c)(9)(B), and (c)(10)).

The meeting was held in the Board Room of the FDIC Building located at 550 17th Street, NW., Washington, DC.

Dated: December 15, 2009.  
 Federal Deposit Insurance Corporation.  
**Robert E. Feldman**,  
*Executive Secretary.*  
 [FR Doc. E9-30160 Filed 12-15-09; 4:15 pm]  
**BILLING CODE P**

**FEDERAL MARITIME COMMISSION**

**Ocean Transportation Intermediary License: Rescission of Order of Revocation**

Notice is hereby given that the Order revoking the following license is being rescinded by the Federal Maritime Commission pursuant to section 19 of the Shipping Act of 1984 (46 U.S.C. Chapter 409) and the regulations of the Commission pertaining to the licensing of Ocean Transportation Intermediaries, 46 CFR part 515.

*License Number:* 020208F.  
*Name:* Ghanem Forwarding, LLC.  
*Address:* 1 N. Charles Street, Baltimore, MD 21218.  
*Order Published:* FR: 12/1/09 (Volume 229, No. 74, Pg. 627778).

**Sandra L. Kusumoto**,  
*Director, Bureau of Certification and Licensing.*  
 [FR Doc. E9-29995 Filed 12-16-09; 8:45 am]  
**BILLING CODE P**

**FEDERAL MARITIME COMMISSION**

**Ocean Transportation Intermediary License Reissuances**

Notice is hereby given that the following Ocean Transportation Intermediary licenses have been reissued by the Federal Maritime Commission pursuant to section 19 of the Shipping Act of 1984 (46 U.S.C. Chapter 409) and the regulations of the Commission pertaining to the licensing of Ocean Transportation Intermediaries, 46 CFR part 515.

License no.	Name/Address	Date reissued
019748N .....	Newskin Express, Inc., 400 Crenshaw Blvd., Suite 109, Torrance, CA 90503 .....	November 18, 2009.
019791N .....	Ruky International Company, 149 Isabelle Street, Metuchen, NJ 08840 .....	September 14, 2009.
003081N .....	SMS Express Company, Inc., dba DYNA Freight Inc., 2415 So. Sequoia Drive, Compton, CA 90220.	October 29, 2009.

**Sandra L. Kusumoto**,  
*Director, Bureau of Certification and Licensing.*  
 [FR Doc. E9-29993 Filed 12-16-09; 8:45 am]  
**BILLING CODE P**

**FEDERAL MARITIME COMMISSION**  
**Ocean Transportation Intermediary License Revocations**

The Federal Maritime Commission hereby gives notice that the following Ocean Transportation Intermediary

licenses have been revoked pursuant to section 19 of the Shipping Act of 1984 (46 U.S.C. Chapter 409) and the regulations of the Commission pertaining to the licensing of Ocean Transportation Intermediaries, 46 CFR part 515, effective on the corresponding date shown below: