

### F. Alternative Approaches to Disaggregation

Generally, TMDL load allocations are identified very broadly, covering entire sectors, or even having a single load allocation for all nonpoint sources in the watershed. The EPA recommends that states, tribes, and territories consider whether it is appropriate to apply these broad load allocations uniformly across the watershed or, instead, apply it differentially to nonpoint sources on a geographic basis or some other basis within the watershed to maximize water quality improvements. Examples of options that policy makers and permitting authorities may consider include:

- Reductions of nonpoint source pollution at certain locations within the watershed will result in reductions sufficient to meet the TMDL load allocation (e.g., at the headwaters of streams or along the shoreline of the impaired waterbody). Under this scenario, because the entire load allocation would be met by reductions in a certain segment of the watershed, nonpoint sources in other areas of the watershed could be free to generate credits immediately because reductions from those sources are not needed to meet the load allocation.

- A group of nonpoint source pollutant reduction practices will meet the load allocation and any pollutant reduction activities beyond those practices are eligible to generate credits. This option addresses equity concerns that might prevent early actors from making early reductions.

- Specific nonpoint source sectors (e.g. agriculture, silviculture, rangeland) may need different levels of reductions to meet the overall load allocation.

- A treatment facility installed on a polluted waterway segment (as was done in Idaho on the Dixie Drain) may make sufficient reductions through wastewater treatment to achieve the load allocation.

The EPA recommends that any alternate approaches that states decide to adopt should be clear, transparent, and demonstrate that the overall planned reductions in the watershed are sufficient to meet the overall TMDL allocations for the watershed. The EPA solicits comment on whether these are viable and appropriate options and whether additional or alternate approaches may also be appropriate.

### G. In-Lieu Fee Program

An in-lieu fee program might allow NPDES permitted facilities to meet their WQBELs by paying into a state, territorial, or tribal fund specifically

allocated for nonpoint source pollutant loading reductions. The state, territory, or tribe might use this funding, possibly combined with other state, territorial, tribal, or federal funds, to implement nonpoint source BMPs in the relevant geographic area. In-lieu fee programs might be based on a payment of a uniform fee, or payment of varying fees (established in increasing tiers) to:

- Incentivize onsite as well as offsite reductions;
- Provide equity for early actors;
- Address affordability;
- Address geographic disparities; or
- Address any relevant environmental justice concerns.

The in-lieu fee could be set at a level slightly higher than necessary for the state, territory, or tribe to fund the BMPs needed to generate the required credits to cover the administrative costs of running the program, insure against risk, and enhance overall environmental benefit.

To ensure water quality protection and progress towards meeting TMDL goals, the state, territory, or tribe could use these funds to pay nonpoint sources to implement pollutant reductions or to support other activities that would reduce overall nutrient loading in the TMDL watershed. A reverse auction model could maximize reductions per dollar. In a reverse auction, the buyer (the state, territory, or tribe) could offer a price it would pay for a specified pollutant reduction, and whomever is willing to produce that reduction (the credit) accepts the offer. If the offer is not sufficient to cover credit generation costs, generally no one would make a bid, and the buyer would offer a higher bid until it has found a willing generator of a sufficient amount of credits. This approach could keep costs down and offer flexibility if the true cost of credit generation rises.

The EPA solicits comment on the concept of an in-lieu fee program and whether it could be a useful tool for policy makers and permitting authorities to implement market-based programs, including water quality trading. The EPA also solicits comment on examples of existing in-lieu fee programs that are used to achieve environmental improvements and if there are specific programmatic components that may enhance water quality improvements.

### IV. Request for Comment

The EPA is considering modifying or clarifying existing EPA policy and guidance on water quality trading to remove unnecessary barriers and better support market-based mechanisms, including water quality trading,

consistent with the 2019 Memorandum. The EPA is requesting comment from states, tribes, stakeholders and other members of the public on all aspects of this document. In particular, the Agency is requesting comment on:

- The proposed approaches described in Section III of this document, including preferences between the approaches and the recommended mechanisms to implement those approaches;

- Other policy ideas or enhancements that could help promote or facilitate market-based programs to improve water quality; and

- Other aspects of the 2003 Policy and the 2019 Memorandum (including potential conflicting or ambiguous policy advice) that may benefit from additional policy or clarification from the EPA.

Dated: September 4, 2019.

**David P. Ross,**

*Assistant Administrator, Office of Water.*

[FR Doc. 2019-20324 Filed 9-18-19; 8:45 am]

**BILLING CODE 6560-50-P**

---

## EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

### SES Performance Review Board; Appointment of Members

**AGENCY:** U.S. Equal Employment Opportunity Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given of the appointment of members to the Performance Review Board (PRB) of the U.S. Equal Employment Opportunity Commission (EEOC).

**FOR FURTHER INFORMATION CONTACT:** Kevin L. Richardson, Chief Human Capital Officer, U.S. Equal Employment Opportunity Commission, 131 M Street NE, Washington, DC 20507, (202) 663-4306.

**SUPPLEMENTARY INFORMATION:**

Publication of the PRB membership is required by 5 U.S.C. 4314(c)(4). The PRB reviews and evaluates the initial appraisal of a Senior Executive's performance by the supervisor, and makes recommendations to the Chair, EEOC, with respect to performance ratings, pay level adjustments, and performance awards.

The following are the names and titles of executives appointed to serve as members of the SES PRB. Designated members will serve a 12-month term, which begins on November 1, 2019.

PRB Chair

Mr. Robbie Dix, Associate Director, Appellate Review Programs, U.S.

Equal Employment Opportunity Commission

Members

- Dr. Chris Haffer, Chief Data Officer, U.S. Equal Employment Opportunity Commission
- Ms. Carol Miaskoff, Associate Legal Counsel, U.S. Equal Employment Opportunity Commission
- Ms. Rosa Viramontes, Program Manager, U.S. Equal Employment Opportunity Commission
- Mr. Richard Toscano, Director, Equal Employment Opportunity Staff, U.S. Department of Justice

By the direction of the Commission.  
Dated: September 13, 2019.

**Reuben Daniels,**

*Acting Chief Operating Officer.*

[FR Doc. 2019-20204 Filed 9-18-19; 8:45 am]

**BILLING CODE 6570-01-P**

**FEDERAL DEPOSIT INSURANCE CORPORATION**

**Sunshine Act Meeting**

**TIME AND DATE:** Pursuant to the provisions of the “Government in the Sunshine Act” (5 U.S.C. 552b), notice is hereby given that at 1:49 p.m. on Tuesday, September 17, 2019, the Board of Directors of the Federal Deposit Insurance Corporation met in closed session to consider matters related to the Corporation’s supervision, corporate, and resolution activities.

**PLACE:** The meeting was held in the Board Room located on the sixth floor of the FDIC Building located at 550 17th Street NW, Washington, DC.

**STATUS:** The meeting was closed to the public.

**MATTERS CONSIDERED:** In calling the meeting, the Board determined, on motion of Director Martin J. Gruenberg, seconded by Director Joseph M. Otting (Comptroller of the Currency), and concurred in by Kathleen L. Kraninger (Director, Consumer Financial Protection Bureau) and Chairman Jelena McWilliams, 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).

**CONTACT PERSON FOR MORE INFORMATION:** Requests for further information concerning the meeting may be directed to Robert E. Feldman, Executive Secretary of the Corporation, at 202-898-7043.

Dated at Washington, DC, on September 17, 2019.

Federal Deposit Insurance Corporation.

**Robert E. Feldman,**

*Executive Secretary.*

[FR Doc. 2019-20453 Filed 9-17-19; 4:15 pm]

**BILLING CODE 6714-01-P**

**FEDERAL DEPOSIT INSURANCE CORPORATION**

**Agency Information Collection Activities: Submission for OMB Review; Comment Request (OMB No. 3064-0046; -0113; -0169; -0174; and -0191)**

**AGENCY:** Federal Deposit Insurance Corporation (FDIC).

**ACTION:** Agency information collection activities: Submission for OMB review; comment request.

**SUMMARY:** The FDIC, as part of its obligations under the Paperwork Reduction Act of 1995, invites the general public and other Federal agencies to take this opportunity to comment on the renewal of the existing information collections described below. On July 12, 2019, the FDIC requested comment for 60 days on a proposal to renew these information collections. No comments were received. The FDIC hereby gives notice of its plan to submit to OMB a request to approve the renewal of these information collections, and again invites comment on their renewal.

**DATES:** Comments must be submitted on or before October 21, 2019.

**ADDRESSES:** Interested parties are invited to submit written comments to the FDIC by any of the following methods:

- <https://www.FDIC.gov/regulations/laws/federal>.
- *Email:* [comments@fdic.gov](mailto:comments@fdic.gov). Include the name and number of the collection in the subject line of the message.
- *Mail:* Manny Cabeza (202-898-3767), Regulatory Counsel, MB-3128, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.
- *Hand Delivery:* Comments may be hand-delivered to the guard station at the rear of the 17th Street Building (located on F Street), on business days between 7:00 a.m. and 5:00 p.m.

All comments should refer to the relevant OMB control number. A copy of the comments may also be submitted to the OMB desk officer for the FDIC: Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:** Manny Cabeza, Regulatory Counsel, 202-898-3767, [mcabeza@fdic.gov](mailto:mcabeza@fdic.gov), MB-3128, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.

**SUPPLEMENTARY INFORMATION:** On July 12, 2019, the FDIC requested comment for 60 days on a proposal to renew the information collections described below. No comments were received. The FDIC hereby gives notice of its plan to submit to OMB a request to approve the renewal of these collection, and again invites<sup>1</sup> comment on their renewal.

**Proposal To Renew the Following Currently Approved Collections of Information**

1. *Title:* Home Mortgage Disclosure (HMDA).  
*OMB Control Number:* 3064-0046.  
*Form Number:* None.  
*Affected Public:* Insured state nonmember banks.  
*Burden Estimate:*

**SUMMARY OF ANNUAL BURDEN**

Information collection (IC) description	Type of burden	Obligation to respond	Estimated number of respondents	Estimated number of responses	Estimated time per response (minutes)	Frequency of response	Total estimated annual burden (hours)
<b>Full Data Set</b>							
Home Mortgage Disclosure .....	Reporting .....	Mandatory .....	650	1,400	5	On Occasion .....	75,833
	Recordkeeping ...	Mandatory .....	650	1,400	5	On Occasion .....	75,833