

delegation of authority actions, to allow the Virginia to implement and enforce the federal NSPS, NESHAP and MACT standards which Virginia has adopted by reference as specified in Virginia's revised regulations 9 VAC 5-50 and 9 VAC 5-60, both effective on February 20, 2019.

Please note that on December 19, 2008, in *Sierra Club v. EPA*,<sup>1</sup> the United States Court of Appeals for the District of Columbia Circuit vacated certain provisions of the General Provisions of 40 CFR part 63 relating to exemptions for startup, shutdown, and malfunction (SSM). On October 16, 2009, the Court issued a mandate vacating these SSM exemption provisions, which are found at 40 CFR 63.6(f)(1) and (h)(1).

Accordingly, EPA no longer allows sources the SSM exemption as provided for in the vacated provisions at 40 CFR 63.6(f)(1) and (h)(1), even though EPA has not yet formally removed these SSM exemption provisions from the General Provisions of 40 CFR part 63. Because Virginia incorporated 40 CFR part 63 by reference, Virginia should also no longer allow sources to use the former SSM exemption from the General Provisions of 40 CFR part 63 due to the Court's ruling in *Sierra Club vs. EPA*.

EPA appreciates Virginia's continuing NSPS, NESHAP and MACT standards enforcement efforts, and also Virginia's decision to take automatic delegation of additional or updated NSPS, NESHAP and MACT standards by adopting them by reference.

Sincerely,

Cristina Fernandez, Director,  
Air and Radiation Division."

This notice acknowledges the update of Virginia's delegation of authority to implement and enforce NESHAP, NSPS, and MACT.

Dated: September 25, 2019.

**Cristina Fernandez,**

*Director, Air and Radiation Division, Region III.*

[FR Doc. 2019-21830 Filed 10-4-19; 8:45 am]

**BILLING CODE 6560-50-P**

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## FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

### Sunshine Act Notice

**TIME AND DATE:** 10:00 a.m., Thursday, November 21, 2019.

**PLACE:** The Richard V. Backley Hearing Room, Room 511N, 1331 Pennsylvania Avenue NW, Washington, DC 20004 (enter from F Street entrance).

**STATUS:** Open.

**MATTERS TO BE CONSIDERED:** The Commission will hear oral argument in the matter *Secretary of Labor v. Peabody Midwest Mining, LLC*, Docket No. LAKE 2017-450. (Issues include whether the

Judge erred in concluding that a violation of the mine's emergency response plan was "significant and substantial.")

Any person attending this oral argument who requires special accessibility features and/or auxiliary aids, such as sign language interpreters, must inform the Commission in advance of those needs. Subject to 29 CFR 2706.150(a)(3) and § 2706.160(d).

**CONTACT PERSON FOR MORE INFO:**

Emogene Johnson (202) 434-9935/(202) 708-9300 for TDD Relay/1-800-877-8339 for toll free.

**PHONE NUMBER FOR LISTENING TO**

**MEETING:** 1-(866) 867-4769, Passcode: 678-100.

**Authority:** 5 U.S.C. 552b.

Dated: October 3, 2019.

**Sarah L. Stewart,**

*Deputy General Counsel.*

[FR Doc. 2019-22005 Filed 10-3-19; 4:15 pm]

**BILLING CODE 6735-01-P**

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## FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

### Sunshine Act Notice

**TIME AND DATE:** 10:00 a.m., Thursday, November 21, 2019.

**PLACE:** The Richard V. Backley Hearing Room, Room 511N, 1331 Pennsylvania Avenue NW, Washington, DC 20004 (enter from F Street entrance).

**STATUS:** Open.

**MATTERS TO BE CONSIDERED:** The Commission will hear oral argument in the matter *Secretary of Labor v. Peabody Midwest Mining, LLC*, Docket No. LAKE 2017-450. (Issues include whether the Judge erred in concluding that a violation of the mine's emergency response plan was "significant and substantial.")

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**MEETING:** 1-(866) 867-4769, Passcode: 678-100.

**Authority:** 5 U.S.C. 552b.

Dated: October 3, 2019.

**Sarah L. Stewart,**

*Deputy General Counsel.*

[FR Doc. 2019-21992 Filed 10-3-19; 4:15 pm]

**BILLING CODE 6735-01-P**

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## FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

### Sunshine Act Notice

**TIME AND DATE:** 10:00 a.m., Friday, November 22, 2019.

**PLACE:** The Richard V. Backley Hearing Room, Room 511N, 1331 Pennsylvania Avenue NW, Washington, DC 20004 (enter from F Street entrance).

**STATUS:** Open.

**MATTERS TO BE CONSIDERED:** The Commission will consider and act upon the following in open session: *Secretary of Labor v. Peabody Midwest Mining, LLC*, Docket No. LAKE 2017-450. (Issues include whether the Judge erred in concluding that a violation of the mine's emergency response plan was "significant and substantial.")

Any person attending this meeting who requires special accessibility features and/or auxiliary aids, such as sign language interpreters, must inform the Commission in advance of those needs. Subject to 29 CFR 2706.150(a)(3) and § 2706.160(d).

**CONTACT PERSON FOR MORE INFO:**

Emogene Johnson (202) 434-9935/(202) 708-9300 for TDD Relay/1-800-877-8339 for toll free.

**PHONE NUMBER FOR LISTENING TO**

**MEETING:** 1-(866) 867-4769, Passcode: 678-100.

**Authority:** 5 U.S.C. 552b.

Dated: October 3, 2019.

**Sarah L. Stewart,**

*Deputy General Counsel.*

[FR Doc. 2019-21995 Filed 10-3-19; 4:15 pm]

**BILLING CODE 6735-01-P**

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## FEDERAL RESERVE SYSTEM

### Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies

<sup>1</sup> *Sierra Club v. EPA*, 551 F.3d 1019 (D.C. Cir. 2008).