

• **Mail:** Office of Environmental Information (OEI) Docket (Mail Code: 2822T), U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460. The phone number is 202-566-1752.

• **Hand Delivery:** The OEI Docket is located in the EPA Headquarters Docket Center, Room 3334 EPA West Building, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center's 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. Such deliveries are only accepted during the docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

If you provide comments by mail or hand delivery, please submit three copies of the comments. For attachments, provide an index, number pages consecutively with the comments, and submit an unbound original and three copies.

**Instructions:** Direct your comments to Docket ID No. EPA-HQ-ORD-2009-0934. Please ensure that your comments are submitted within the specified comment period. Comments received after the closing date will be marked "late," and may only be considered if time permits. It is EPA's policy to include all comments it receives in the public docket without change and to make the comments available online at <http://www.regulations.gov>, including any personal information provided, unless a comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov> or e-mail. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through <http://www.regulations.gov>, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. 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. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket, visit the EPA Docket Center homepage at <http://www.epa.gov/epahome/dockets.htm>.

**Docket:** 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 materials, such as copyrighted material, are 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 OEI Docket in the EPA Headquarters Docket Center.

Dated: April 2, 2010.

**Peter W. Preuss,**

*Director, National Center for Environmental Assessment.*

[FR Doc. 2010-8302 Filed 4-9-10; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OW-2010-0315; FRL-9136-4]

### Guidance on Improving EPA Review of Appalachian Surface Coal Mining Operations under the Clean Water Act, National Environmental Policy Act, and the Environmental Justice Executive Order

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

**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency (EPA) is soliciting public comment on the issues addressed in two EPA guidance memoranda released on April 1, 2010, titled *Improving EPA Review of Appalachian Surface Coal Mining Operations under the Clean Water Act, National Environmental Policy Act, and the Environmental Justice Executive Order*. Effective immediately, these memoranda—one labeled "Summary Guidance" and one labeled "Detailed Guidance"—seek to clarify EPA's roles and expectations, in coordinating with its Federal and state partners, with regard to environmental review of Appalachian surface coal mining operations under the Clean Water Act, National Environmental Policy Act, and the Environmental Justice Executive Order (E.O. 12898).

**DATES:** Comments must be received on or before December 1, 2010.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-OW-2010-0315, by one of the following methods:

• <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 [www.regulations.gov](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:

Timothy Landers, U.S. EPA, 1200 Pennsylvania Ave., NW., Washington, DC 20460; (202) 566-2231; [landers.timothy@epa.gov](mailto:landers.timothy@epa.gov).

**SUPPLEMENTARY INFORMATION:** EPA's draft guidance on *Improving EPA Review of Appalachian Surface Coal Mining Operations under the Clean Water Act, National Environmental Policy Act, and the Environmental Justice Executive Order* clarifies how EPA is applying its existing legal authorities in its review of Appalachian surface coal mining operations. The guidance memoranda are available at <http://www.epa.gov/owow/wetlands/guidance/mining.html>. As such, these memoranda do not represent a regulation, and are not subject to the formal provisions of the Administrative Procedure Act. However, EPA recognizes the importance of this guidance to its Federal and state partners, to the regulated community, and to the public, and therefore seeks

public comment on the issues addressed in the two documents and on the guidance's implementation through this **Federal Register** notice. This public comment opportunity will be available until December 1, 2010.

EPA has committed to determining whether any changes are required to the interim guidance by April 1, 2011 and issuing revised final guidance if necessary. EPA's evaluation of comments on this guidance will also be informed by the result of the SAB reviews of EPA's draft science reports, as discussed further below.

EPA is committed to ensuring that its decisions are based on the best available science. To further this commitment, the guidance incorporates independently reviewed scientific information on the impacts of Appalachian surface coal mining on the aquatic environment. In addition to the existing peer-reviewed science outlined in the memoranda, EPA also references two draft reports produced by EPA's Office of Research and Development. The first draft report, *The Effects of Mountaintop Mines and Valley Fills on Aquatic Ecosystems of the Central Appalachian Coalfields*, assesses the state of the science on the environmental impacts of mountaintop mines and valley fills on streams in the Central Appalachian Coalfields. The second draft report, *A Field-based Aquatic Life Benchmark for Conductivity in Central Appalachian Streams*, adapts the standard U.S. EPA methodology for deriving ambient water quality criteria to field data, and derives benchmarks for dissolved salts as measured by conductivity in Central Appalachian streams using data from West Virginia and Kentucky. These scientific reports, publicly released on April 1 and described in a separate **Federal Register** notice also published today, are available for public comment for 60 days. The drafts can be accessed at <http://www.epa.gov/ncea> and are available for public comment through EPA Docket ID No. EPA-HQ-ORD-2009-0934. As outlined in that notice, comments provided on the two draft scientific reports will be forwarded to an expert panel convened by EPA's Science Advisory Board (SAB) in advance of the SAB's independent peer review of these reports during the summer of 2010.

For purposes of this **Federal Register** notice, EPA in particular seeks comment on the following elements of its guidance memoranda, as well as on the implementation of this guidance between now and December 1, 2010:

- Whether the guidance achieves its objective of providing further clarity

and improved protection for the environment and human health through EPA's review of draft or proposed permits under Section 402 of the Clean Water Act and permit applications under Section 404 of the Clean Water Act for Appalachian surface coal mining operations.

- Whether additional scientific information is available to inform EPA's authorities under the Clean Water Act, National Environmental Policy Act, and Environmental Justice Executive Order (E.O. 12898).

- Whether EPA's implementation of its guidance in reviewing state Section 402 permits and permit applications under Section 404 of the Clean Water Act has been effective in achieving the goals of providing additional clarity and enhanced environmental and human health protection.

- Whether there are additional examples of best practices in terms of mine design, site and materials management, or water treatment systems, consistent with the objectives of improved environmental protection, greater clarity, and the best-available science, that should be considered.

- Whether additional relevant and appropriate data, studies, knowledge of studies, or informal observations should be considered as part of EPA's application of best-available science and its authorities under the Clean Water Act, National Environmental Policy Act, and the Environmental Justice Executive Order (E.O. 12898), to Appalachian surface coal mining.

The record will remain open for comment on the guidance until December 1, 2010. All public comments will be fully considered along with the results of the SAB review in reaching a decision on whether changes are required to the current guidance by April 1, 2011.

Dated: April 6, 2010.

**Peter S. Silva,**

*Assistant Administrator for Water.*

Dated: April 6, 2010.

**Cynthia Giles,**

*Assistant Administrator for Enforcement and Compliance Assurance.*

[FR Doc. 2010-8303 Filed 4-9-10; 8:45 am]

**BILLING CODE 6560-50-P**

## FEDERAL ELECTION COMMISSION

### Sunshine Act Notices

**DATE AND TIME:** Tuesday, April 13, 2010, at 10 a.m.

**PLACE:** 999 E Street, NW., Washington, DC.

**STATUS:** This meeting will be closed to the public.

**ITEMS TO BE DISCUSSED:** Compliance matters pursuant to 2 U.S.C. 437g.

Audits conducted pursuant to 2 U.S.C. 437g, 438(b), and Title 26, U.S.C. Matters concerning participation in civil actions or proceedings or arbitration. Internal personnel rules and procedures or matters affecting a particular employee.

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**DATE AND TIME:** Wednesday, April 14, 2010, at 11 a.m.

**PLACE:** 999 E Street, NW., Washington, DC (Ninth Floor)

**STATUS:** This hearing will be open to the public.

**AUDIT HEARING:** Biden for President, Inc.

Individuals who plan to attend and require special assistance, such as sign language interpretation or other reasonable accommodations, should contact Darlene Harris, Acting Commission Secretary, at (202) 694-1040, at least 72 hours prior to the hearing date.

**PERSON TO CONTACT FOR INFORMATION:**

Judith Ingram, Press Officer, *Telephone:* (202) 694-1220.

**Darlene Harris,**

*Acting Secretary of the Commission.*

[FR Doc. 2010-8185 Filed 4-9-10; 8:45 am]

**BILLING CODE 6715-01-M**

## 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 owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The applications also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also