

water supply, recreational use, industrial use). EPA's recommended water quality criteria do not substitute for the CWA or regulations, nor are they regulations themselves. Thus, EPA's recommended criteria do not impose legally binding requirements. States and authorized Tribes have the discretion to adopt, where appropriate, other scientifically defensible water quality standards that differ from these recommendations.

## II. What Are the Acrolein Criteria?

Today, EPA is publishing final national recommended water quality criteria (NRWQC) for protecting aquatic life for acrolein. These final criteria are based on EPA's *Guidelines for Deriving Numerical National Water Quality Criteria for the Protection of Aquatic Organisms and Their Uses* (1985), (EPA/R-85-100). These Guidelines describe the Agency's current approach for deriving national recommended water quality criteria to protect aquatic life. Reliable sources provided toxicity data and other information on the effects of acrolein, which were subjected to both internal and external peer review. Scientific views were also received from the public on the draft acrolein criteria. The comments received did not warrant modification of the draft criteria for acrolein. The comments and EPA responses can be found in the docket.

**Freshwater:** Freshwater aquatic organisms and their uses should not be affected unacceptably if the acute (one-hour average) concentration of acrolein does not exceed 3.0 µg/l more than once every three years on the average, and if the chronic (four-day average) concentration of acrolein does not exceed 3.0 µg/l more than once every three years on the average.

**Saltwater:** Saltwater criteria cannot be derived for acrolein at this time because of a lack of acute and chronic toxicity data.

## III. What Is the Relationship Between the Water Quality Criteria and State or Tribal Water Quality Standards?

As part of the water quality standards triennial review process defined in Section 303(c)(1) of the CWA, the States and authorized Tribes are responsible for maintaining and revising water quality standards. Water quality standards consist of designated uses, water quality criteria to protect those uses, a policy for antidegradation, and general policies for application and implementation. Section 303(c)(1) requires States and authorized Tribes to review and modify, if appropriate, their water quality standards at least once every three years.

States and authorized Tribes must adopt water quality criteria that protect designated uses. Protective criteria are based on a sound scientific rationale and contain sufficient parameters or constituents to protect the designated uses.

Consistent with 40 CFR 131.21 (*see: EPA Review and Approval of State and Tribal Water Quality Standards* (65 FR 24641, April 27, 2000)), water quality criteria adopted by law or regulation by States and authorized Tribes prior to May 30, 2000, are in effect for CWA purposes unless superseded by Federal regulations (*see, for example, the National Toxics Rule*, 40 CFR 131.36; *Water Quality Standards for Idaho*, 40 CFR 131.33). New or revised water quality criteria adopted into law or regulation by States and authorized Tribes on or after May 30, 2000 are in effect for CWA purposes only after EPA approval.

## IV. Where Can I Find More Information About Water Quality Criteria and Water Quality Standards?

For more information about water quality criteria and Water Quality Standards refer to the following: *Water Quality Standards Handbook* (EPA 823-B94-005a); *Advanced Notice of Proposed Rule Making (ANPRM)*, (63FR36742); *Water Quality Criteria and Standards Plan—Priorities for the Future* (EPA 822-R-98-003); *Guidelines and Methodologies Used in the Preparation of Health Effects Assessment Chapters of the Consent Decree Water Criteria Documents* (45FR79347); *Methodology for Deriving Ambient Water Quality Criteria for the Protection of Human Health* (2000), (EPA-822-B-00-004); *Guidelines for Deriving Numerical National Water Quality Criteria for the Protection of Aquatic Organisms and Their Uses* (EPA 822/R-85-100); *National Strategy for the Development of Regional Nutrient Criteria* (EPA 822-R-98-002); and *EPA Review and Approval of State and Tribal Water Quality Standards* (65 FR 24641).

You can find these publications through EPA's National Service Center for Environmental Publications (NSCEP, previously NCEPI) or on the Office of Science and Technology's Home-page (<http://www.epa.gov/waterscience>).

Dated: August 12, 2009.

**Peter S. Silva,**

*Assistant Administrator for Water.*

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**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8955-7]

### National Environmental Justice Advisory Council; Notification of Public Teleconference and Public Comment

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notification of Public Teleconference and Public Comment.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act (FACA), Public Law 92-463, the U.S. Environmental Protection Agency (EPA) hereby provides notice that the National Environmental Justice Advisory Council (NEJAC) will host a public teleconference call on Thursday, September 24, 2009. The primary topic of discussion on the September 24 call will be EPA's national enforcement priorities. This call, as well as all NEJAC meetings, is open to the public. There will be a public comment period from 2:30 p.m. to 4 p.m. Eastern Time. Members of the public are encouraged to provide comments relevant to this topic. For additional information about registering to participate on the call or to provide public comment during the call, *please see SUPPLEMENTARY INFORMATION*. Due to a limited number of telephone lines, participation will be on a first-come basis.

**DATES:** The NEJAC teleconference call will begin promptly at 1 p.m. Eastern Time on Thursday, September 24, 2009. The call will include a discussion of EPA's national enforcement priorities and a public comment session relevant to this topic (*see SUPPLEMENTARY INFORMATION*). Members of the public who wish to participate on the call, or to provide public comment must pre-register by 11 a.m. Eastern Time Wednesday, September 23.

**FOR FURTHER INFORMATION CONTACT:** Questions concerning the teleconference call should be directed to Aaron Bell, U.S. Environmental Protection Agency, at 1200 Pennsylvania Avenue, NW., (MC2201A), Washington, DC 20460; by telephone at (202) 564-1044, via e-mail at [bell.aaron@epa.gov](mailto:bell.aaron@epa.gov); or by FAX at (202) 564-1624. Additional information about the meeting is available on the following Web site: <http://www.epa.gov/compliance/environmentaljustice/nejac/meetings.html>.

*Advanced registration for all participants is needed due to a limited number of telephone lines.* To register online, visit the Web site above. If unable to register online, requests for

advance-registration forms should be sent to Ms. Joi Ross, APEX Direct Inc., by phone at (630) 372-8080, by fax at (630) 372-4394, or by e-mail at [jjross@alwayspursuingexcellence.com](mailto:jjross@alwayspursuingexcellence.com). Please provide name, organization, and telephone number for follow-up as necessary. Non-English speaking attendees wishing to arrange for a foreign language interpreter also may make appropriate arrangements using these numbers.

Correspondence concerning the meeting should be sent to Ms. Victoria Robinson, NEJAC NEJAC Designated Federal Officer, U.S. Environmental Protection Agency, at 1200 Pennsylvania Avenue, NW., (MC2201A), Washington, DC 20460; via e-mail at [Robinson.Victoria@epa.gov](mailto:Robinson.Victoria@epa.gov); by telephone at (202) 564-6349; or by FAX at (202) 564-1624. Additional information about the meeting is available at the Internet Web site: <http://www.epa.gov/compliance/environmentaljustice/nejac/meetings.html>.

**SUPPLEMENTARY INFORMATION:** The Charter of the NEJAC states that the advisory committee shall provide independent advice to the Administrator on areas that may include, among other things, "advice about broad, cross-cutting issues related to environmental justice, including environment-related strategic, scientific, technological, regulatory and economic issues related to environmental justice. The teleconference call shall be used to receive comments, discuss and provide recommendations primarily regarding EPA's national enforcement priorities.

*A. Public Comment:* Individuals or groups making remarks during the public comment period will be limited to a total time of five minutes. Only one representative of a community, organization or group will be allowed to speak. Written comments can also be submitted for the record. The suggested format for individuals providing public comments is as follows: Name of Speaker, Name of Organization/Community, Address/Telephone/E-mail, Description of Concern and its Relationship to a Specific Policy Issue(s), and Recommendations or desired outcome. Written comments received by 11 a.m. Eastern Time Wednesday, September 23, 2009 will be included in the materials distributed to the members of the NEJAC. Written comments received after that time will be provided to the NEJAC as logistics allow. All information should be sent Ms. Joi Ross listed in the CONTACT section above.

*B. Information about Services for Individuals with Disabilities:* For information about access or services for individuals with disabilities, please contact Ms. Joi Ross listed in the **FOR FURTHER INFORMATION CONTACT** section above. To request special accommodations for a disability, please contact Ms. Hammond, at least 10 days prior to the call, to give EPA sufficient time to process your request. All requests should be sent to the address, e-mail, or fax number listed in the **FOR FURTHER INFORMATION CONTACT** section above.

Dated: September 9, 2009.

**Victoria Robinson,**

*Designated Federal Officer, National Environmental Justice Advisory Council.*

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OAR-2007-0492; FRL-8955-2]

### Release of Draft Documents Related to the Review of the National Ambient Air Quality Standards for Particulate Matter

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

**ACTION:** Availability of draft documents for public comment.

**SUMMARY:** On or about September 4, 2009, the Office of Air Quality Planning and Standards (OAQPS) of EPA is making available for public comment two draft assessment documents: *Risk Assessment to Support the Review of the PM Primary National Ambient Air Quality Standards—External Review Draft and Particulate Matter Urban-Focused Visibility Assessment—External Review Draft*. These draft documents describe the quantitative analyses that are being conducted as part of the review of the National Ambient Air Quality Standards (NAAQS) for particulate matter (PM).

**DATES:** Comments should be submitted on or before October 15, 2009.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-OAR-2007-0492, by one of the following methods:

- <http://www.regulations.gov>: Follow the on-line instructions for submitting comments.

- *E-mail:* Comments may be sent by electronic mail (e-mail) to [a-and-r-docket@epa.gov](mailto:a-and-r-docket@epa.gov), Attention Docket ID No. EPA-HQ-OAR-2007-0492.

- *Fax:* Fax your comments to 202-566-9744, Attention Docket ID No. EPA-HQ-OAR-2007-0492.

- *Mail:* Send your comments to: Air and Radiation Docket and Information Center, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave., NW., Washington, DC 20460, Attention Docket ID No. EPA-HQ-OAR-2007-0492.

- *Hand Delivery or Courier:* Deliver your comments to: EPA Docket Center, 1301 Constitution Ave., NW., Room 3334, Washington, DC. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

*Instructions:* Direct your comments to Docket ID No. EPA-HQ-OAR-2007-0492. The EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the 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:* All 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