

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 one unbound original with pages numbered consecutively, and 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-2009-0791. 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:** 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 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 OEI Docket in the EPA Headquarters Docket Center.

Dated: October 20, 2009.

**Rebecca Clark,**

*Acting Director, National Center for Environmental Assessment.*

[FR Doc. E9-26411 Filed 11-2-09; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[MN88; FRL-8975-1]

### Notice of Issuance Federal Operating Permit to Grand Casino Mille Lacs

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

**ACTION:** Notice.

**SUMMARY:** This notice announces that, on August 27, 2009, pursuant to Title V of the Clean Air Act, EPA issued a Title V Permit to Operate (Title V permit) to Mille Lacs Band Corporate Commission (Grand Casino Mille Lacs). This permit authorizes Grand Casino Mille Lacs to operate its four diesel-fired generator sets (generators) at its facility (Facility) in Onamia, Minnesota. The electricity produced from the generators can be used for peak load management, as well as backup power for the Grand Casino Mille Lacs Resort and Hotel, which is located on lands held in trust for the Mille Lacs Band of Ojibwe Indians, and which is located within the boundaries of the Mille Lacs Indian Reservation.

**DATES:** During the public comment period, which ended August 12, 2009, EPA received no comments on the draft Title V permit. Therefore, in accordance with 40 CFR 71.11(i)(2)(iii), this permit became effective immediately upon permit issuance, August 27, 2009.

**ADDRESSES:** The final signed permit is available for public inspection online at <http://yosemite.epa.gov/r5/r5ard.nsf/Tribal+Permits!OpenView>, or during normal business hours at the following address: EPA, Region 5, 77 West Jackson Boulevard (AR-18J), Chicago, Illinois 60604.

**FOR FURTHER INFORMATION CONTACT:** Richard Angelbeck, Environmental Scientist, EPA, Region 5, 77 W. Jackson Boulevard (AR-18J), Chicago, Illinois

60604, (312) 886-9698, or [angelbeck.richard@epa.gov](mailto:angelbeck.richard@epa.gov).

**SUPPLEMENTARY INFORMATION:** This supplementary information is organized as follows:

- A. What Is the Background Information?
- B. What Is the Purpose of this Notice?

### A. What Is the Background Information?

The four diesel-fired generators are owned by Grand Casino Mille Lacs. The total generation capacity of the generators is 6.6 megawatts. The electricity produced from the generators can be used for peak load management, as well as backup power, and is not sold for distribution.

Since the potential emissions from the existing three generators were estimated to be greater than 250 tons per year (tpy) for nitrogen oxides (NO<sub>x</sub>), in accordance with 40 CFR 52.21(b)(1), the Facility is considered a major stationary source and subject to the Prevention of Significant Deterioration (PSD) permitting requirements. As required by 40 CFR part 52, Grand Casino Mille Lacs applied to EPA for a PSD permit for the original three generators and conducted a Best Available Control Technology (BACT) analysis, an air quality analysis, and the additional impact analyses. EPA received the permit application on October 13, 2006. The Federal PSD construction permit (No. PSD-ML-R50007-05-01) that EPA issued to the Facility contained all applicable part 52 requirements. Within this permit, the Facility also chose to accept a 300-hour per year operating limit per generator, restricting the Facility's potential to emit (PTE) emissions.

Since Grand Casino Mille Lacs is considered a major source, was issued a PSD permit, and is located on tribal land, in accordance with 40 CFR 71.3(a), the Facility is subject to Title V permitting requirements of 40 CFR part 71.

The construction of the fourth generator did not trigger PSD for two reasons. First, the 2005 PSD permit established a facility-wide PTE for all regulated pollutants, before the fourth generator was installed, of less than 250 tpy (*i.e.*, not a major source), so that the addition of the fourth generator did not constitute a modification to a major stationary source. In addition, the PTE of the fourth generator is 209 tpy which is also below the 250-ton PSD threshold for a major source. In its part 71 permit application, Grand Casino Mille Lacs requested that EPA incorporate the original three generator sets, as well as the fourth generator, into this Title V permit. As noted above, the original

three generators each have an annual operating restriction of 300 hours per year. The fourth generator does not have any legal restriction on hours of operation. The maximum, unrestricted emissions for the fourth generator is 209 tpy of NO<sub>x</sub>.

On July 12, 2009, EPA made available for public comment a draft Federal Title V Permit to Operate (No. V-ML-2709500005-2009-01). This Title V permit incorporated all applicable air quality requirements for the four generators, including the monitoring necessary to ensure compliance with these requirements. In accordance with the requirements of 40 CFR 71.11(d), EPA provided the public with 30 days to comment on the draft permit. Since EPA did not receive any written comments, EPA finalized the permit and provided copies to the applicant pursuant to 40 CFR 71.11(i).

EPA is not aware of any outstanding enforcement actions against Grand Casino Mille Lacs and believes the issuance of this permit is non-controversial.

#### B. What Is the Purpose of This Notice?

EPA is notifying the public of the issuance of the Title V permit to Grand Casino Mille Lacs on August 27, 2009. Because EPA received no comments on the draft Title V permit, it became effective immediately upon issuance, pursuant to 40 CFR 71.11(i)(2)(iii).

Dated: October 19, 2009.

**Walter W. Kovalick Jr.,**

*Acting Regional Administrator, Region 5.*

[FR Doc. E9-26413 Filed 11-2-09; 8:45 am]

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#### ENVIRONMENTAL PROTECTION AGENCY

[FRL-8977-4]

#### Science Advisory Board Staff Office; Notification of a Public Teleconference of the Science Advisory Board Ecological Processes and Effects Committee

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

**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency (EPA or Agency) Science Advisory Board (SAB) Staff Office announces a public teleconference of the SAB Ecological Processes and Effects Committee Augmented for the Review of Nutrient Criteria Guidance. The Committee will discuss its draft advisory report.

**DATES:** The public teleconference will be held on December 3, 2009 from 12 (noon) to 2 p.m. (Eastern Time).

**ADDRESSES:** The public teleconference will be conducted by telephone only.

**FOR FURTHER INFORMATION CONTACT:** Members of the public who wish to obtain the call-in number and access code to participate in the teleconference may contact Dr. Thomas Armitage, Designated Federal Officer (DFO), EPA Science Advisory Board (1400F), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; *telephone/voice mail:* (202) 343-9995; fax (202) 233-0643; or via e-mail at: *armitage.thomas@epa.gov*. General information about the EPA SAB, as well as any updates concerning the teleconference announced in this notice, may be found on the SAB Web site at *http://www.epa.gov/sab*.

**SUPPLEMENTARY INFORMATION:** Pursuant to the Federal Advisory Committee Act, 5 U.S.C., App. 2 (FACA), notice is hereby given that the SAB Ecological Processes and Effects Committee Augmented for the Review of Nutrient Criteria Guidance will hold a public teleconference to discuss its draft advisory report. The SAB was established pursuant to 42 U.S.C. 4365 to provide independent scientific and technical advice to the Administrator on the technical basis for Agency positions and regulations. The SAB is a Federal Advisory Committee chartered under FACA. The SAB will comply with the provisions of FACA and all appropriate SAB Staff Office procedural policies.

*Background:* EPA's Office of Water has requested that the SAB review the draft guidance document, *Empirical Approaches for Nutrient Criteria Derivation*. This document provides information on the use of empirical approaches to describe stressor-response relationships for deriving numeric nutrient criteria. The SAB Ecological Processes and Effects Committee, augmented with additional experts, held a meeting on September 9-11, 2009 to review the EPA guidance document. A **Federal Register** notice dated August 18, 2009 (74 FR 41696-41697) announced the meeting and provided background information on this advisory activity. Information on the process of augmenting the expertise on the SAB Ecological Processes and Effects Committee was provided in a **Federal Register** notice dated April 27, 2009 (74 FR 19084-19085). The purpose of this upcoming teleconference is for the Committee to discuss its draft advisory report. Additional information about this advisory activity can be

found on the SAB Web site at *http://www.epa.gov/sab*.

*Availability of Meeting Materials:* The teleconference agenda and other materials including the SAB Committee's draft report will be placed on the SAB Web site at *http://www.epa.gov/sab/* in advance of the teleconference.

*Procedures for Providing Public Input:* Interested members of the public may submit relevant written or oral information for the SAB Panel to consider during the advisory process.

*Oral Statements:* In general, individuals or groups requesting an oral presentation at a public teleconference will be limited to three minutes per speaker, with no more than a total of 30 minutes for all speakers. Interested parties should contact Dr. Armitage, DFO, in writing (preferably via e-mail) at the contact information noted above, by November 24, 2009 to be placed on the list of public speakers for the teleconference. *Written Statements:* Written statements should be received in the SAB Staff Office no later than November 30, 2009 so that the information may be made available to the SAB Panel members for their consideration. Written statements should be supplied to the DFO in the following formats: one hard copy with original signature, and one electronic copy via e-mail (acceptable file format: Adobe Acrobat PDF, WordPerfect, MS Word, MS PowerPoint, or Rich Text files in IBM-PC/Windows 98/2000/XP format). Submitters are requested to provide two versions of each document submitted with and without signatures, because the SAB Staff Office does not publish documents with signatures on its Web sites.

*Accessibility:* For information on access or services for individuals with disabilities, please contact Dr. Armitage at the phone number or e-mail address noted above, preferably at least ten days prior to the meeting to give EPA as much time as possible to process your request.

Dated: October 28, 2009.

**Anthony F. Maciorowski,**

*Deputy Director, EPA Science Advisory Board Staff Office.*

[FR Doc. E9-26418 Filed 11-2-09; 8:45 am]

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