

this guidance document may include the following:

- Past generators, current owners, and custodians of elemental mercury;
- Recyclers of mercury bearing materials, wastes, and products (e.g., companies that recover dental amalgam);
- Major industrial generators of mercury, including the minerals mining industry (especially gold), chlor-alkali (chlorine and caustic soda production) industry, and electrical lighting (e.g., fluorescent lamp) industry;
- Private and government contractors managing stockpiled mercury;
- Shippers of elemental mercury;
- State and Federal regulatory agencies (e.g., EPA); and
- Future operators of an elemental mercury storage facility (or facilities) for DOE.

As required by the Act, this Interim Guidance outlines existing requirements and standards and applicable procedures for the receipt (including acceptance criteria and packaging/transfer/transport requirements), management, and long-term storage of elemental mercury by DOE.

Issued in Washington, DC, on November 9, 2009.

**Frank Marcinowski,**

*Acting Deputy Assistant Secretary for Technical and Regulatory Support, Office of Environmental Management.*

[FR Doc. E9-27395 Filed 11-13-09; 8:45 am]

BILLING CODE 6450-01-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8981-3]

### Good Neighbor Environmental Board

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

**ACTION:** Notification of meeting.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act, Public Law 92-463, notice is hereby given that the Good Neighbor Environmental Board (GNEB) will hold a public teleconference on December 1, 2009 from 1 p.m. to 3 p.m. Eastern Standard Time. The meeting is open to the public. For further information regarding the teleconference and background materials, please contact Dolores Wesson at the number listed below.

*Background:* GNEB is a federal advisory committee chartered under the Federal Advisory Committee Act, Public Law 92463. GNEB provides advice and recommendations to the President and Congress on environmental and

infrastructure issues along the U.S. border with Mexico. *Purpose of Meeting:* The purpose of this teleconference is to discuss and approve the Good Neighbor Environmental Board's draft advice letter to the President on the environmental effects of the U.S.-Mexico border fence and associated infrastructure. The Board will also continue discussion on the Thirteenth Report to the President.

**SUPPLEMENTARY INFORMATION:** If you wish to make oral comments or submit written comments to the Board, please contact Dolores Wesson at least five days prior to the meeting.

*General Information:* Additional information concerning the GNEB can be found on its Web site at <http://www.epa.gov/ocem/gneb>.

*Meeting Access:* For information on access or services for individuals with disabilities, please contact Dolores Wesson at (202) 564-1351 or e-mail her at: [wesson.dolores@epa.gov](mailto:wesson.dolores@epa.gov). To request accommodation of a disability, please contact Dolores Wesson at least 10 days prior to the meeting to give EPA as much time as possible to process your request.

Dated: November 3, 2009.

**Dolores Wesson,**

*Designated Federal Officer.*

[FR Doc. E9-27417 Filed 11-13-09; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8981-2]

### Proposed Consent Decree, Clean Air Act Citizen Suit

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

**ACTION:** Notice of proposed consent decree; request for public comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("Act"), 42 U.S.C. 7413(g), notice is hereby given of a proposed consent decree, to address a lawsuit filed by Sierra Club and Valley Watch, Inc. (collectively "Plaintiffs") in the United States District Court for the District of Columbia: *Sierra Club, et al. v. Jackson*, No. 1:09-cv-00312 (D.D.C.). Plaintiffs filed suit to compel the Administrator to respond to two administrative petitions seeking EPA's objection to a combined CAA Title V operating permit and Prevention of Significant Deterioration permit No. V-07-017 issued by the Kentucky Department of Environmental Protection for the proposed Cash Creek Generating Station in Cash Creek,

Kentucky. Under the terms of the proposed consent decree, EPA has agreed to respond to the petitions by December 14, 2009.

**DATES:** Written comments on the proposed consent decree must be received by *December 16, 2009*.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2009-0671, online at <http://www.regulations.gov> (EPA's preferred method); by e-mail to [oei.docket@epa.gov](mailto:oei.docket@epa.gov); by mail to EPA Docket Center, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; or by hand delivery or courier to EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC, between 8:30 a.m. and 4:30 p.m. Monday through Friday, excluding legal holidays. Comments on a disk or CD-ROM should be formatted in Word or ASCII file, avoiding the use of special characters and any form of encryption, and may be mailed to the mailing address above.

#### FOR FURTHER INFORMATION CONTACT:

Mark Kataoka, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; *telephone:* (202) 564-5584; *fax number* (202) 564-5603; *e-mail address:* [kataoka.mark@epa.gov](mailto:kataoka.mark@epa.gov).

#### SUPPLEMENTARY INFORMATION:

### I. Additional Information About the Proposed Consent Decree

This proposed consent decree would resolve a lawsuit alleging that the Administrator failed to perform a nondiscretionary duty to grant or deny, within 60 days of submission, two administrative petitions to object to the combined CAA Title V permit and Prevention of Significant Deterioration permit No. V-07-017 issued by the Kentucky Department of Environmental Protection for the proposed Cash Creek Generating Station in Cash Creek, Kentucky. Under the terms of the proposed consent decree, EPA has agreed to respond to the petitions by December 14, 2009, or within 3 days after entry of the consent decree, whichever date is later. In addition, the proposed consent decree states that, after EPA fulfills its obligations under the decree, and the Plaintiffs' claims for costs of litigation have been resolved pursuant to the process described in the decree, the case shall be dismissed with prejudice.

For a period of thirty (30) days following the date of publication of this notice, the Agency will accept written