

reclaim the South Hallsville No. 1 Lignite Mine—Rusk Permit Area as proposed by SMC; (2) construct, operate, and reclaim the South Hallsville No. 1 Lignite Mine—Rusk Permit Area with modifications; (3) develop or acquire other lignite supply sources; or (4) no action.

3. *Scoping and Public Involvement Process:* A public scoping meeting to disseminate information about the proposed project and its potential effects to the human environment, and to seek public comments on the proposed project will be conducted (see **DATES & ADDRESSES**). A Public Notice will be issued June 23, 2009, to extend the opportunity for Federal, State, and local agencies and officials, and interested individuals to further comment on the proposed project and the scope of the EIS.

4. *Significant Issues:* Issues to be given significant analysis in the EIS are likely to include, but will not be limited to: The effects to surface water and groundwater resources, including water quantity and quality, effects on the immediate and adjacent property owners and nearby communities, downstream hydraulics and hydrology, geologic resources, vegetation, fish and wildlife, threatened and endangered species, soils, prime farmland, noise, light, aesthetics, historic and pre-historic cultural resources, socioeconomic, land use, public roads, and air quality.

5. *Cooperating Agencies:* At this time, no other Federal or State agencies have been established as cooperating agencies in preparation of the EIS. However, numerous federal and state agencies, including the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, the Texas Commission on Environmental Quality, the Texas Parks and Wildlife Department, the Railroad Commission of Texas, and the Texas Historical Commission are expected to be involved in the preparation of, and provide comments on, the EIS.

6. *Additional Review and Consultation:* Compliance with other Federal and State requirements that will be addressed in the EIS include, but will not be limited to, state water quality certification under Section 401 of the Clean Water Act, protection of water quality under the Texas Pollutant Discharge Elimination System, protection of air quality under the Texas Air Quality Act, protection of endangered and threatened species under Section 7 of the Endangered Species Act, and protection of cultural resources under Section 106 of the National Historic Preservation Act.

7. *Availability of the Draft EIS:* The Draft EIS is projected to be available by August 2009. A public hearing will be conducted following the release of the Draft EIS.

Stephen L. Brooks,
Chief, Regulatory Branch.

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DELAWARE RIVER BASIN COMMISSION

Notice of Revised Methodology for the Delaware River and Bay Integrated List Water Quality Assessment

AGENCY: Delaware River Basin Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the methodology proposed to be used in the 2010 Delaware River and Bay Integrated List Water Quality Assessment is available for review and comment. The proposed methodology is a substantially modified version of the methodology used for the 2008 assessment.

DATES: Comments must be received in writing by close of business on August 14, 2009.

ADDRESSES: Comments will be accepted via e-mail to john.yagecic@drbc.state.nj.us; via fax to 609-883-9522; by U.S. Mail to DRBC, Attn: Integrated Assessment 2010, P.O. Box 7360, West Trenton, NJ 08628-0360; via private carrier to DRBC, Attn: Integrated Assessment 2010, 25 State Police Drive, West Trenton, NJ 08628-0360; or by hand. All submissions should have the phrase "Integrated Assessment 2010" in the subject line and should include the name, address (street address optional) and affiliation, if any, of the commenter.

FOR FURTHER INFORMATION CONTACT: Mr. John Yagecic, Supervisor, Standards and Assessment Section, DRBC Modeling, Monitoring and Assessment Branch, via e-mail to john.yagecic@drbc.state.nj.us or by telephone to 609-883-9500, ext. 271.

SUPPLEMENTARY INFORMATION: The Delaware River Basin Commission ("DRBC" or "Commission") is an interstate and Federal compact agency that was created in 1961 by concurrent legislation of the States of Delaware, New Jersey, and New York, the Commonwealth of Pennsylvania and the United States Government for purpose of jointly managing the water resources of the Delaware River Basin.

DRBC currently is compiling data for the 2010 Delaware River and Bay Integrated List Water Quality Assessment ("2010 Assessment") required by the federal Clean Water Act (CWA). The 2010 Assessment will present the extent to which waters of the Delaware River and Bay are attaining designated uses in accordance with Section 305(b) of the CWA and will identify impaired waters, which consist of waters that exceed surface water quality standards.

Substantial changes from the 2008 methodology have been proposed, including the consideration of biological monitoring results in the assessment process. The assessment methodology to be used in the 2010 Assessment is available for review at the following URL: <http://www.state.nj.us/drbc/10IntegratedList-DraftMethod.htm>.

In the 2008 Assessment DRBC proposes to reduce the number of assessment units from the number used in 2006 by consolidating the units into DRBC's Water Quality Management Zones 1A, 1B, 1C, 1D, 1E, 2, 3, 4, and 5, the boundaries of which are defined in DRBC's Water Quality Regulations (18 CFR Part 410), available on the Web at http://www.state.nj.us/drbc/regs/WQRegs_092607.pdf. The 2008 Assessment will continue, however, to include subunits within Zone 6 that are defined in part by shellfish management directives issued by the States of Delaware and New Jersey. The 2010 Assessment will continue this process and also will include consideration of biological monitoring results.

June 17, 2009.

Pamela M. Bush,

Commission Secretary.

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DEPARTMENT OF EDUCATION

Submission for OMB Review; Comment Request

AGENCY: Department of Education.

SUMMARY: The Acting Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management invites comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995.

DATES: Interested persons are invited to submit comments on or before July 24, 2009.

ADDRESSES: Written comments should be addressed to the Office of Information and Regulatory Affairs,