

from 9 to 11:30 a.m. (open house from 9 until 9:30 a.m., scoping meeting to begin promptly at 9:30 a.m.); the second meeting will be held at Boothville Elementary School, #1 Oiler Drive, Boothville, Louisiana, from 3 to 5:30 p.m. (open house from 3 until 3:30 p.m., scoping meeting to begin promptly at 3:30).

**Significant Issues.** The tentative list of resources and issues to be evaluated in the SEIS includes aquatic resources, essential fish habitat, fisheries and wildlife resources, wetlands, water quality, air quality, threatened or endangered species, recreation resources, and cultural resources. Socioeconomic items to be evaluated in the SEIS include residential housing and business activity, tax revenues, population, community and regional growth, transportation, and community cohesion.

**Environmental Consultation and Review.** The U.S. Fish and Wildlife Service (FWS) will be asked to assist in the documentation of existing conditions, impact analysis of alternatives, and overall study review through the Fish and Wildlife Coordination Act (FWCA) consultation procedures. The FWS would provide an FWCA report to be incorporated into the SEIS. The FWS and National Marine Fisheries Service will be asked to be cooperating agencies. The draft SEIS or a Notice of Availability will be distributed to all interested agencies, organizations, individuals, congressionals, and Indian tribes.

**Estimated Date of Availability.** The draft SEIS is expected to be available in November 2010.

**Daniel A. Johnson,**

*Acting Chief, Planning, Programs, and Project Management Division.*

[FR Doc. E9-19230 Filed 8-10-09; 8:45 am]

**BILLING CODE 3720-58-P**

## DEPARTMENT OF EDUCATION

### Arbitration Panel Decision Under the Randolph-Sheppard Act

**AGENCY:** Department of Education.

**ACTION:** Notice of arbitration panel decision under the Randolph-Sheppard Act.

**SUMMARY:** The Department of Education (Department) gives notice that on March 1, 2009, an arbitration panel rendered a decision in the matter of *Bernard R. Werwie, Sr. v. Pennsylvania Office of Vocational Rehabilitation, Case No. R-S/07-9*. This panel was convened by the Department under 20 U.S.C. 107d-1(a),

after the Department received a complaint filed by the petitioner, Bernard R. Werwie, Sr.

**FOR FURTHER INFORMATION CONTACT:** You may obtain a copy of the full text of the arbitration panel decision from Suzette E. Haynes, U.S. Department of Education, 400 Maryland Avenue, SW., Room 5022, Potomac Center Plaza, Washington, DC 20202-2800. Telephone: (202) 245-7374. If you use a telecommunications device for the deaf (TDD), you may call the Federal Relay Service (FRS), toll-free, at 1-800-877-8339.

Individuals with disabilities may obtain this document in an accessible format (e.g., braille, large print, audiotape, or computer diskette) on request to the contact person listed under **FOR FURTHER INFORMATION CONTACT**.

**SUPPLEMENTARY INFORMATION:** Under section 6(c) of the Randolph-Sheppard Act (the Act), 20 U.S.C. 107d-2(c), the Secretary publishes in the **Federal Register** a synopsis of each arbitration panel decision affecting the administration of vending facilities on Federal and other property.

### Background

Mr. Bernard R. Werwie, Sr., (Complainant) alleged violations by the Pennsylvania Office of Vocational Rehabilitation, the State licensing agency (SLA) of the Randolph-Sheppard Act (Act) and the implementing regulations in 34 CFR part 395. Specifically, Complainant alleged that the SLA improperly administered the Randolph-Sheppard Vending Facility Program in violation of the Act, implementing regulations under the Act, and State rules and regulations, when the SLA denied Complainant's bid to manage Facility #804 at the U.S. Post Office in Pittsburgh, Pennsylvania.

On or about June 2006, Facility #804 became available due to the death of the previous vending facility manager. At that time, the SLA placed the facility out for bid on a regional satellite basis rather than on a Statewide or permanent basis. According to section 2430.91 of the SLA's rules and regulations governing the Randolph-Sheppard vending program, a satellite facility is one operated by a vendor at the same time the vendor is operating another assigned facility. The SLA is authorized to establish a satellite facility only on a temporary basis when the SLA can demonstrate that it does not have a qualified blind vendor to place on a permanent basis.

The SLA alleged that, because there was a crisis situation at Facility #804, its

decision to place the facility out for bid on a regional satellite basis rather than on a Statewide or permanent basis was within its discretion under its State rules and regulations. Further, the SLA contended that its decision was sanctioned by the Elected Committee of Blind Vendors (ECBV), which pursuant to the Act and 34 CFR part 395, is an elected body fully representative of all blind vendors in a State.

A State fair hearing on this matter was held on March 19, 2007. On April 18, 2007, the hearing officer issued a decision denying Complainant's grievance. It was this decision that Complainant sought review of by a Federal arbitration panel.

According to the arbitration panel, the issues to be resolved were: (i) Whether the Pennsylvania Office of Vocational Rehabilitation's decision to bid Facility #804 on a regional basis violated the Randolph-Sheppard Act, the implementing regulations, and State program rules and regulations; and (ii) if there was a violation, what is the remedy.

### Arbitration Panel Decision

After hearing testimony and reviewing all of the evidence, the panel majority ruled that the Pennsylvania Office of Vocational Rehabilitation's decision was a reasonable, good faith attempt to remedy a bad situation, and was done in the best interest of all licensed blind vendors in the State of Pennsylvania. The panel denied Complainant's request to be placed without delay to Facility #804. Additionally, the panel denied his request for monetary relief.

One panel member dissented. Specifically, this panel member believed that the SLA unlawfully designated Facility #804 as a satellite facility and that the Complainant should have been compensated for loss of revenue had he been the successful bidder as well as for attorney's fees incurred in his seeking Federal arbitration.

The views and opinions expressed by the panel do not necessarily represent the views and opinions of the Department.

### Electronic Access to This Document

You may view this document, as well as all other Department of Education documents published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: <http://www.ed.gov/news/fedregister>.

To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about

using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1-888-293-6498; or in the Washington, DC, area at (202) 512-1530.

**Note:** The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: <http://www.gpoaccess.gov/nara/index.html>.

**Delegation of Authority:** The Secretary of Education has delegated authority to Andrew J. Pepin, Executive Administrator for the Office of Special Education and Rehabilitative Services, to perform the functions of the Assistant Secretary for Special Education and Rehabilitative Services.

Dated: August 6, 2009.

**Andrew J. Pepin,**

*Acting Assistant Secretary for Special Education and Rehabilitative Services.*

[FR Doc. E9-19235 Filed 8-10-09; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF ENERGY

### Ultra-Deepwater Advisory Committee; Open Meeting

**AGENCY:** Department of Energy, Office of Fossil Energy.

**ACTION:** Notice of open meeting.

**SUMMARY:** This notice announces a meeting of the Ultra-Deepwater Advisory Committee. The Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770) requires that public notice of this meeting be announced in the **Federal Register**.

**DATES:** Wednesday, September 16, 2009, 1:30 p.m.–5 p.m. (CDT), and Thursday, September 17, 2009, 8 a.m.–12 p.m. (CDT).

**ADDRESSES:** Crowne Plaza Riverwalk, 111 E. Pecan Street, San Antonio, TX 78205.

**FOR FURTHER INFORMATION CONTACT:** Elena Melchert, U.S. Department of Energy, Office of Oil and Natural Gas, Washington, DC 20585. Phone: 202-586-5600.

#### **SUPPLEMENTARY INFORMATION:**

**Purpose of the Committee:** The purpose of the Ultra-Deepwater Advisory Committee is to provide advice on development and implementation of programs related to ultra-deepwater architecture and technology to the Secretary of Energy and provide comments and recommendations and priorities for the Department of Energy Annual Plan per requirements of the Energy Policy Act of 2005, Title IX, Subtitle J, Section 999D.

## Tentative Agenda

### September 16

1 p.m.–1:30 p.m.—Registration

1:30 p.m.—Call to Order and Welcome, Introductions, Opening Remarks, Standing Subcommittee Reports, Status Updates as of Last Meeting, Topical Presentations such as: Legislative Update; Ocean Task Force Update; DOE Response to Comments from Ocean Conservation Research; Benefits Assessment Program; the Technology Transfer Program and Knowledge Management Database demo; and Overview of the *2010 Annual Plan*.

5 p.m.—Suspend meeting until September 17

### September 17

7:30 a.m.–8 a.m.—Registration

8 a.m.—Continue Overview of the *2010 Annual Plan* and Deadlines, and Ad Hoc Review Committees

11:45 a.m.—Public Comments

12 p.m.—Adjourn

**Public Participation:** The meeting is open to the public. The Designated Federal Officer and the Chairman of the Committee will lead the meeting for the orderly conduct of business. If you would like to file a written statement with the Committee, you may do so either before or after the meeting. If you would like to make oral statements regarding any of the items on the agenda, you should contact Elena Melchert at the address or telephone number listed above. You must make your request for an oral statement at least five business days prior to the meeting, and reasonable provisions will be made to include the presentation on the agenda. Public comment will follow the 5 minute rule.

**Minutes:** The minutes of this meeting will be available for public review and copying within 60 days at the Freedom of Information Public Reading Room, Room 1G-033, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC, between 9 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

Issued at Washington, DC, on August 5, 2009.

**Rachel Samuel,**

*Deputy Committee Management Officer.*

[FR Doc. E9-19226 Filed 8-10-09; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Unconventional Resources Technology Advisory Committee

**AGENCY:** Department of Energy, Office of Fossil Energy.

**ACTION:** Notice of open meeting.

**SUMMARY:** This notice announces a meeting of the Unconventional Resources Technology Advisory Committee. The Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770) requires that public notice of this meeting be announced in the **Federal Register**.

**DATES:** Tuesday, September 15, 2009, 1:30 p.m.–5 p.m. (CDT) and Wednesday, September 16, 2009, 8 a.m.–12 p.m. (CDT).

**ADDRESSES:** Crowne Plaza Riverwalk, 111 E. Pecan Street, San Antonio, TX 78205.

**FOR FURTHER INFORMATION CONTACT:** Elena Melchert, U.S. Department of Energy, Office of Oil and Natural Gas, Washington, DC 20585. Phone: 202-586-5600.

#### **SUPPLEMENTARY INFORMATION:**

**Purpose of the Committee:** The purpose of the Unconventional Resources Technology Advisory Committee is to provide advice on development and implementation of programs related to onshore unconventional natural gas and other petroleum resources to the Secretary of Energy; and provide comments and recommendations and priorities for the Department of Energy Annual Plan per requirements of the Energy Policy Act of 2005, Title IX, Subtitle J, Section 999D.

## Tentative Agenda

### September 15

1 p.m.–1:30 p.m.—Registration

1:30 p.m.—Call to Order and Welcome, Introductions, Opening Remarks, Standing Subcommittee Reports, Status Updates as of Last Meeting, Topical Presentations such as: Legislative Update; Benefits Assessment Program; the Technology Transfer Program and Knowledge Management Database demo; and Overview of the *2010 Annual Plan*.

5 p.m.—Suspend meeting until September 16

### September 16

7:30 a.m.–8 a.m.—Registration

8 a.m.—Continue Overview of the *2010 Annual Plan* and Deadlines and Ad Hoc Review Committees

11:45 a.m.—Public Comments

12 p.m.—Adjourn