

*Risks* (62 FR 19885, April 23, 1997). This final rule does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA), 44 U.S.C. 3501 *et seq.*, nor does it require any special considerations under Executive Order 12898, entitled *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (59 FR 7629, February 16, 1994).

Since tolerances and exemptions that are established on the basis of a petition under section 408(d) of FFDCFA, such as the tolerance in this final rule, do not require the issuance of a proposed rule, the requirements of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*) do not apply.

This final rule directly regulates growers, food processors, food handlers, and food retailers, not States or tribes, nor does this action alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of section 408(n)(4) of FFDCFA. As such, the Agency has determined that this action will not have a substantial direct effect on States or tribal governments, on the relationship between the national government and the States or tribal governments, or on the distribution of power and responsibilities among the

various levels of government or between the Federal Government and Indian tribes. Thus, the Agency has determined that Executive Order 13132, entitled *Federalism* (64 FR 43255, August 10, 1999) and Executive Order 13175, entitled *Consultation and Coordination with Indian Tribal Governments* (65 FR 67249, November 9, 2000) do not apply to this final rule. In addition, this final rule does not impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) (Public Law 104-4).

This action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Public Law 104-113, section 12(d) (15 U.S.C. 272 note).

**VII. Congressional Review Act**

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller

General of the United States prior to publication of this final rule in the **Federal Register**. This final rule is not a “major rule” as defined by 5 U.S.C. 804(2).

**List of Subjects in 40 CFR Part 180**

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: August 15, 2008.

**Lois Rossi,**

*Director, Registration Division, Office of Pesticide Programs.*

■ Therefore, 40 CFR chapter I is amended as follows:

**PART 180—[AMENDED]**

■ 1. The authority citation for part 180 continues to read as follows:

**Authority:** 21 U.S.C. 321(q), 346a and 371.

■ 2. Section 180.231 is amended by removing the commodities Blackberry, Blueberry and Raspberry and alphabetically adding the following commodities to the table in paragraph (a) to read as follows:

**§ 180.231 Dichlobenil; tolerances for residues.**

(a) \* \* \*

Commodity	Parts per million
Bushberry subgroup 13-07B .....	0.15
Caneberry subgroup 13-07A .....	0.10
Rhubarb .....	0.06

\* \* \* \* \*

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**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 27**

[WT Docket No. 02-353; FCC 03-251]

**Service Rules for Advanced Wireless Services**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; correction.

**SUMMARY:** In this document the Federal Communications Commission corrects an inadvertent error that occurred when the Commission adopted final rules for the Advanced Wireless Services in the

1710-1755 MHz and 2110-2155 MHz bands, including provisions for application, licensing, operating and technical rules, and for competitive bidding. These rules were published in the **Federal Register** on Friday, February 6, 2004 (69 FR 5711). Specifically, the error occurred in a table to the rules concerning interference protection at certain Federal Government operations in the 1710-1755 MHz band. As a result of this correction, the table will be amended as intended by the Commission.

**DATES:** Effective August 27, 2008.

**FOR FURTHER INFORMATION CONTACT:** John Spencer at 202-418-2487.

**SUPPLEMENTARY INFORMATION:** This is a correction to a summary of the Commission’s Report and Order in WT Docket No. 02-353, FCC 03-251, adopted on October 16, 2003 and released on November 25, 2003. The

Report and Order adopted licensing, technical, and competitive bidding rules to govern the use of the spectrum at 1710-1755 MHz and 2110-2155 MHz, which had previously been allocated for advanced wireless services, in a manner that would enable service providers to put this spectrum to use for any purpose consistent with its allocation.

**Need for Correction**

As published, the final rules contain an error in § 27.1134 in Table 1. The Commission inadvertently omitted the abbreviation for the word kilometers (km) after the category heading ‘Radius of Operation’ in Table 1: Protected Department of Defense Facilities. This correction restores the information that was inadvertently omitted.

**List of Subjects in 47 CFR Part 27**

Communications common carriers, Radio.

■ Accordingly, 47 CFR part 27 is amended by making the following correcting amendments:

**PART 27—MISCELLANEOUS WIRELESS COMMUNICATIONS SERVICES**

■ 1. The authority citation for part 27 continues to read as follows:

**Authority:** 47 U.S.C. 154, 301, 302, 303, 307, 309, 332, 336 and 337 unless otherwise noted.

■ 2. Section 27.1134 is amended by revising Table 1 to read as follows:

**§ 27.1134 Protection of Federal Government operations.**

\* \* \* \* \*

**TABLE 1—PROTECTED DEPARTMENT OF DEFENSE FACILITIES**

Location	Coordinates	Radius of operation (km)
Cherry Point, NC .....	34°58' N, 076°56' W .....	100
Yuma, AZ .....	32°32' N, 113°58' W .....	120
China Lake, CA .....	35°41' N, 117°41' W .....	120
Eglin AFB, FL .....	30°29' N, 086°31' W .....	120
Pacific Missile Test Range/Point Mugu, CA .....	34°07' N, 119°30' W .....	80
Nellis AFB, NV .....	36°14' N, 115°02' W .....	160
Hill AFB, UT .....	41°07' N, 111°58' W .....	160
Patuxent River, MD .....	38°17' N, 076°25' W .....	80
White Sands Missile Range, NM .....	33°00' N, 106°30' W .....	80
Fort Irwin, CA .....	35°16' N, 116°41' W .....	50
Fort Rucker, AL .....	31°13' N, 085°49' W .....	50
Fort Bragg, NC .....	35°09' N, 079°01' W .....	50
Fort Campbell, KY .....	36°41' N, 087°28' W .....	50
Fort Lewis, WA .....	47°05' N, 122°36' W .....	50
Fort Benning, GA .....	32°22' N, 084°56' W .....	50
Fort Stewart, GA .....	31°52' N, 081°37' W .....	50

\* \* \* \* \*

Federal Communications Commission.  
**Marlene H. Dortch,**  
*Secretary.*  
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**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 76**

[CS Docket No. 00-96; FCC 08-86]

**Carriage of Digital Television Broadcast Signals; Implementation of the Satellite Home Viewer Improvement Act of 1999: Local Broadcast Signal Carriage Issues and Retransmission Consent Issues**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; announcement of effective date.

**SUMMARY:** In this document, the Commission announces that the Office of Management and Budget (OMB) has approved, for a period of three years, the information collections associated with the Commission's 2008 Second Report and Order, concerning *Carriage of Digital Television Broadcast Signals*. This notice is consistent with the Second Report and Order, which stated that the Commission would publish a

document in the **Federal Register** announcing the effective of the rules once OMB approval has been received for the information collection requirements.

**DATES:** Sections 47 CFR 76.66(b)(1), 47 CFR 76.66(d)(2)(vi) and the non-rule requirement at paragraph 16, published at 73 FR 24502, May 5, 2008, are effective August 27, 2008.

**FOR FURTHER INFORMATION CONTACT:** Rosalee Chiara, *Rosalee.Chiara@fcc.gov* or (202) 418-0754.

**SUPPLEMENTARY INFORMATION:** This document announces that, on August 21, 2008, OMB approved, for a period of three years, the information collection requirements contained in the Commission's Second Report and Order concerning *Carriage of Digital Television Broadcast Signals*, FCC 08-86, published at 73 FR 24502, May 5, 2008. The OMB Control Number that is assigned to these information collection requirements is 3060-0980. The Commission publishes this notice as announcement of the effective date of the rules and announcement of OMB approval for information collections. If you have any comments on the burden estimates listed below, or how the Commission can improve the collections and reduce any burdens caused thereby, please contact Cathy Williams, Federal Communications Commission, Room 1-C823, 445 12th

Street, SW., Washington, DC 20554. Please include the OMB Control Number, 3060-0980, in your correspondence. The Commission will also accept your comments via the Internet if you send them to *PRA@fcc.gov*.

**Synopsis**

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the FCC is notifying the public that it received OMB approval on August 21, 2008, for the information collection requirements contained in the Commission's rules at 47 CFR 76.66(b)(1), 47 CFR 76.66(d)(2)(vi) and non-rule requirements contained in paragraph 16 (see 73 FR 24502). The OMB Control Number assigned is 3060-0980 for all of the information collection requirements contained in 47 CFR 76.66(b)(1), 47 CFR 76.66(d)(2)(vi), and non-rule requirements contained in paragraph 16 (see 73 FR 24502). The total annual reporting burden for respondents for the collection is estimated to be: 10,280 respondents; 11,938 responses; and a total annual burden hours of 12,146 hours, and \$16,000 total annual cost burden.

Under 5 CFR 1320, an agency may not conduct or sponsor a collection of information unless it displays a current, valid OMB Control Number.

No person shall be subject to any penalty for failing to comply with a