

the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by December 23, 2008. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements (see section 307(b)(2)).

**List of Subjects in 40 CFR Part 52**

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: September 2, 2008.

**Jane Diamond,**

*Acting Regional Administrator, Region IX.*

■ Part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

**PART 52—[AMENDED]**

■ 1. The authority citation for Part 52 continues to read as follows:

**Authority:** 42 U.S.C. 7401 *et seq.*

**Subpart F—California**

■ 2. Section 52.220 is amended by adding paragraphs (c)(197)(i)(C)(6), (241)(i)(A)(6), and (345)(i)(C) to read as follows:

**§ 52.220 Identification of plan.**

\* \* \* \* \*

- (c) \* \* \*
- (197) \* \* \*
- (i) \* \* \*
- (C) \* \* \*

(6) Rule 2050, "Cancellation of Application," adopted on May 21, 1992 and amended on December 16, 1993.

\* \* \* \* \*

- (241) \* \* \*
- (i) \* \* \*
- (A) \* \* \*

(6) Rule 24, "Temporary Permit to Operate," adopted on March 20, 1996.

\* \* \* \* \*

- (345) \* \* \*

(i) \* \* \*

(C) Ventura County Air Pollution Control District.

(1) Rule 11, "Definitions for Regulation II," and Rule 29, "Conditions on Permits," adopted on June 13, 1995 and May 23, 1972, respectively, and revised on March 14, 2006.

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**BILLING CODE 6560-50-P**

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 73**

[DA 08-2257; MB Docket No. 07-226; RM-11406]

**Radio Broadcasting Service; Tecopa, CA**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This *Report and Order* grants a petition for rulemaking filed by Shamrock Communications, Inc. ("Petitioner") to allot Channel 288A at Tecopa, California. Petitioner proposed the foregoing channel allotment to maintain a first local service allotment at Tecopa and to accommodate its construction permit application to substitute Channel 290C1 for Channel 291A at Tecopa, and change the community of license from Tecopa, California, to Amargosa Valley, Nevada. Channel 288A can be allotted at Tecopa, California, in compliance with the Commission's technical engineering requirements, at geographical coordinates of 35-50-48 North Latitude and 116-13-24 West Longitude with a site restriction of 0.3 kilometers (0.2 miles) southeast of Tecopa.

**DATES:** Effective November 24, 2008.

**ADDRESSES:** Secretary, Federal Communications Commission, 445 Twelfth Street, SW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** R. Barthen Gorman, Media Bureau, (202) 418-2187.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Report and Order*, MB Docket No. 07-226, adopted October 8, 2008, and released October 10, 2008. The full text of this Commission decision is available for inspection and copying during regular business hours at the FCC's Reference Information Center, Portals II, 445 Twelfth Street, SW., Room CY-A257, Washington, DC 20554. The complete

text of this decision may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 1-800-378-3160 or <http://www.BCPIWEB.com>. The Commission will send a copy of this *Report and Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A).

**List of Subjects in 47 CFR Part 73**

Radio, Radio broadcasting.  
■ As stated in the preamble, the Federal Communications Commission amends 47 CFR part 73 as follows:

**PART 73—RADIO BROADCAST SERVICES**

■ 1. The authority citation for part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334, 336.

**§ 73.202 [Amended]**

■ 2. Section 73.202(b), the Table of FM Allotments under California, is amended by adding Tecopa, Channel 288A.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

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**BILLING CODE 6712-01-P**

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 73**

[DA 08-2272; MB Docket No. 07-210; RM-11399]

**Radio Broadcasting Services; Butte Falls and Netarts, OR**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Audio Division grants a Petition for Rule Making issued at the request of Oregon Radio Partners, proposing the allotments of Channel 290A at Butte Falls, Oregon and Channel 232C3 at Netarts, Oregon, as first local services. Channel 290A at Butte Falls can be allotted, consistent with the minimum distance separation requirements of the Commission's Rules, at reference coordinates 42-36-19 NL and 122-24-38 WL with a site restriction of 14.7 kilometers (9.1 miles) northeast of Butte Falls. Moreover, Channel 232C3 can be allotted to Netarts, consistent with the minimum