

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 271**

[EPA-R07-RCRA-2008-0830; FRL-8758-4]

**Nebraska: Final Authorization of State Hazardous Waste Management Program Revisions****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Proposed rule.

**SUMMARY:** Nebraska has applied to EPA for final authorization for the changes to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). EPA proposes to grant final authorization to Nebraska.

**DATES:** Comments on this proposed action must be received in writing by January 29, 2009.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R07-RCRA-2008-0830 by one of the following methods:

1. *http://www.regulations.gov*: Follow the on-line instructions for submitting comments.

2. *E-mail: haugen.lisa@epa.gov*.

3. *Mail or hand delivery:* Lisa Haugen, Environmental Protection Agency, RCRA Enforcement and State Programs Branch, 901 North 5th Street, Kansas City, Kansas 66101. Such deliveries are only accepted during the Regional Office's normal hours of operation. The Regional Office's official hours of business are Monday through Friday, 8 to 4:30, excluding legal holidays.

Please see the immediate final rule which is located in the Rules section of this **Federal Register** for detailed instructions on how to submit comments.

**FOR FURTHER INFORMATION CONTACT:** Lisa Haugen at (913) 551-7877, or by e-mail at *haugen.lisa@epa.gov*.

**SUPPLEMENTARY INFORMATION:** In the final rules section of the **Federal Register**, EPA is authorizing the changes by an immediate final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no relevant adverse comments to this action. A detailed rationale for the approval is set forth in the immediate final rule. If no relevant adverse comments are received in response to this action, no further activity is contemplated in relation to this action. If EPA receives relevant adverse comments, the immediate final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed action. EPA will not institute

a second comment period on this action. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on part of this rule and if that part can be severed from the remainder of the rule, EPA may adopt as final those parts of the rule that are not the subject of an adverse comment. For additional information, see the immediate final rule which is located in the rules section of this **Federal Register**.

Dated: December 19, 2008.

**John B. Askew,**

*Regional Administrator, Region 7.*

[FR Doc. E8-30977 Filed 12-29-08; 8:45 am]

**BILLING CODE 6560-50-P**

**NATIONAL SCIENCE FOUNDATION****45 CFR Part 681**

RIN 3145-AA50

**Program Fraud Civil Remedies Act****AGENCY:** National Science Foundation.**ACTION:** Proposed rule with request for comments.

**SUMMARY:** The National Science Foundation (NSF) is proposing to issue regulations to implement the Program Fraud Civil Remedies Act of 1986 (PFCRA). PFCRA authorizes certain Federal agencies, including NSF, to impose, through administrative adjudication, civil penalties and assessments against any person who makes, submits, or presents, or causes to be made, submitted, or presented, a false, fictitious, or fraudulent claim or written statement to the agency. The proposed regulations establish the procedures that NSF will follow in implementing PFCRA, and specify the hearing and appeal rights of persons subject to penalties and assessments under PFCRA.

**DATES:** Comments must be submitted by January 29, 2009.

**ADDRESSES:** Send written comments to the Office of the General Counsel, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. You also may send comments by facsimile transmission to (703) 292-9041, or send them electronically through the Federal Government's one-stop rulemaking Web site at *http://www.regulations.gov*.

**FOR FURTHER INFORMATION CONTACT:** Eric S. Gold, Assistant General Counsel, Office of the General Counsel, National Science Foundation, telephone (703) 292-8060 and e-mail *egold@nsf.gov*.

**SUPPLEMENTARY INFORMATION:****Background**

In October 1986, Congress enacted the Program Fraud Civil Remedies Act, Public Law 99-509 (codified at 31 U.S.C. 3801-3812) to establish an administrative remedy against any person who makes, or causes to be made, a false claim or written statement to any of certain Federal agencies. When PFCRA was enacted, its coverage did not extend to NSF. However, pursuant to section 7017 of the America COMPETES Act (Pub. L. No. 110-69), the scope of PFCRA's coverage has been expanded to include NSF. Following PFCRA's enactment, at the request of the President's Council on Integrity and Efficiency (PCIE), an inter-agency task force was established under the leadership of the Department of Health and Human Services to develop model regulations for implementation of the Act by all affected agencies. This action was in keeping with the stated desire of the Senate Governmental Affairs Committee that "the regulations would be substantially similar throughout the government." (S. Rep. No. 99-212, 99th Cong., 1st Sess. 12 (1985)). The PCIE recommended adoption of the model rules by all affected agencies.

NSF proposes the following regulations, which are patterned after the aforementioned model regulations, to establish procedures enabling NSF to recover penalties (up to \$5,000 per claim) and assessments (up to double the amount falsely claimed) against persons who file, or cause to have filed, false claims or statements with NSF for which the liability is \$150,000 or less.

**Executive Order 12866**

OMB has determined this proposed rule to be nonsignificant.

**Regulatory Flexibility Act of 1980 (5 U.S.C. 605(b))**

This proposed regulatory action will not have a significant adverse impact on a substantial number of small entities.

**Unfunded Mandates Act of 1995 (Sec. 202, Pub. L. 104-4)**

This proposed regulatory action does not contain a Federal mandate that will result in the expenditure by State, local, and tribal governments, in aggregate, or by the private sector of \$100 million or more in any one year.

**Paperwork Reduction Act of 1995 (44 U.S.C., Chapter 35)**

This proposed regulatory action will not impose any additional reporting or recordkeeping requirements under the Paperwork Reduction Act.