

Dated: July 21, 2009.

**Jim Willis,**

*Director, Chemical Control Division, Office of Prevention, Pesticides and Toxic Substances.*

[FR Doc. E9-18195 Filed 7-29-09; 8:45 am]

**BILLING CODE 6560-50-S**

## **ENVIRONMENTAL PROTECTION AGENCY**

[FRL-8937-3]

### **Proposed Consent Decree and Proposed Settlement Agreement, Clean Air Act Citizen Suit**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of proposed consent decree and proposed settlement agreement; request for public comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("CAA" or "Act"), 42 U.S.C. 7413(g), notice is hereby given of a proposed consent decree and proposed settlement agreement to address a lawsuit filed by the Business Coalition for Clean Air (BCCA) Appeal Group, Texas Association of Business, and Texas Oil and Gas Association in the United States District Court for the Northern District of Texas, Dallas Division in *BCCA Appeal Group, et al. v. EPA, No. 3-08CV1491-G (N.D. Tex.)*. Plaintiffs filed a complaint in this action on August 25, 2008, which alleges that EPA has failed to perform nondiscretionary duties pursuant to section 110(k)(1)(B) and (k)(2) of the Federal CAA, 42 U.S.C. 7410(k)(1)(B) and (k)(2), to take final action on numerous Texas State Implementation Plan ("SIP") air quality revisions by the statutory deadline. The SIP revisions are related to Texas New Source Review (NSR) air permitting and banking and trading rules. The proposed consent decree and proposed settlement agreement, if finalized, will collectively resolve plaintiffs' claims in this matter. A schedule for acting on the SIP revisions is attached to the proposed consent decree and proposed settlement agreement.

**DATES:** Written comments on the proposed consent decree and proposed settlement agreement must be received by August 31, 2009.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2009-0560, online at <http://www.regulations.gov> (EPA's preferred method); by e-mail to [oei.docket@epa.gov](mailto:oei.docket@epa.gov); by mail to EPA Docket Center, Environmental Protection Agency, Mailcode: 2822T,

1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; or by hand delivery or courier to EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC, between 8:30 a.m. and 4:30 p.m. Monday through Friday, excluding legal holidays. Comments on a disk or CD-ROM should be formatted in Word or ASCII file, avoiding the use of special characters and any form of encryption, and may be mailed to the mailing address above.

#### **FOR FURTHER INFORMATION CONTACT:**

Victoria L. Johnson, Office of Regional Counsel, U.S. Environmental Protection Agency, Region 6 (6RC-M), 1445 Ross Ave., Dallas, TX 75202-2733; telephone: (214) 665-7569; fax number (214) 665-2182; e-mail address: [johnson.victoria@epa.gov](mailto:johnson.victoria@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

#### **I. Additional Information About the Proposed Consent Decree and Proposed Settlement Agreement**

The proposed consent decree and proposed settlement agreement resolve a lawsuit filed by BCCA seeking to compel action by the EPA under section 110(k) of the CAA on identified SIP revisions submitted by the Texas Commission on Environmental Quality (TCEQ). The SIP revisions involve Texas NSR air permitting and banking and trading rules. The proposed consent decree and proposed settlement agreement provide that EPA shall sign for publication in the **Federal Register** a notice of final rulemaking to approve or disapprove, in whole or in part, the SIP revisions identified by the deadline specified in the Exhibit attached to each document and to deliver the notice promptly to the Office of the Federal Register. If EPA has discharged its obligations under the consent decree, the case will be dismissed with prejudice. Plaintiffs have agreed to stay this case in its entirety pending completion of, and subject to the terms of, the consent decree and settlement agreement.

For a period of thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the proposed consent decree and proposed settlement agreement from persons who were not named as parties or intervenors to the litigation in question. EPA or the Department of Justice may withdraw or withhold consent to the proposed consent decree and proposed settlement agreement if comments disclose facts or circumstances indicating that such consent is inappropriate, improper, inadequate, or inconsistent with the

requirements of the Act. Unless EPA or the Department of Justice determines, based on any comment which may be submitted, that consent to the consent decree and settlement agreement should be withdrawn, the terms of the decree and agreement will be affirmed.

#### **II. Additional Information About Commenting on the Proposed Consent Decree and Proposed Settlement Agreement**

*A. How Can I Get A Copy of the Proposed Consent Decree and Proposed Settlement Agreement?*

The official public docket for this action (identified by Docket ID No. EPA-HQ-OGC-2009-0560) contains a copy of the proposed consent decree and proposed settlement agreement. The official public docket is available for public viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OEI Docket is (202) 566-1752.

An electronic version of the public docket is available through <http://www.regulations.gov>. You may use <http://www.regulations.gov> to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Once in the system, select "search," then key in the appropriate docket identification number.

It is important to note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing online at <http://www.regulations.gov> without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. Information claimed as CBI and other information whose disclosure is restricted by statute is not included in the official public docket or in the electronic public docket. EPA's policy is that copyrighted material, including copyrighted material contained in a public comment, will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. Although not all docket materials may be available electronically, you may still access any

of the publicly available docket materials through the EPA Docket Center.

*B. How and To Whom Do I Submit Comments?*

You may submit comments as provided in the **ADDRESSES** section. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

If you submit an electronic comment, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment and with any disk or CD-ROM you submit. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. Any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

Use of the <http://www.regulations.gov> Web site to submit comments to EPA electronically is EPA's preferred method for receiving comments. The electronic public docket system is an "anonymous access" system, which means EPA will not know your identity, e-mail address, or other contact information unless you provide it in the body of your comment. In contrast to EPA's electronic public docket, EPA's electronic mail (e-mail) system is not an "anonymous access" system. If you send an e-mail comment directly to the Docket without going through <http://www.regulations.gov>, your e-mail address is automatically captured and included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

Dated: July 23, 2009.

**Richard B. Ossias,**

*Associate General Counsel.*

[FR Doc. E9-18197 Filed 7-29-09; 8:45 am]

**BILLING CODE 6560-50-P**

**FEDERAL COMMUNICATIONS COMMISSION**

**Notice of Public Information Collections Being Reviewed by the Federal Communications Commission, Comments Requested**

July 27, 2009.

**SUMMARY:** The Federal Communications Commission, as part of its continuing effort to reduce paperwork burdens, invites the general public and other Federal agencies to take this opportunity to comment on the following information collection, as required by the Paperwork Reduction Act of 1995 (PRA), Public Law No. 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. Pursuant to the PRA, no person shall be subject to any penalty for failing to comply with a collection of information that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

**DATES:** Written PRA comments should be submitted on or before September 28, 2009. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Interested parties may submit all PRA comments by e-mail or U.S. post mail. To submit your comments by e-mail, send them to [PRA@fcc.gov](mailto:PRA@fcc.gov) and/or [Cathy.Williams@fcc.gov](mailto:Cathy.Williams@fcc.gov). To submit your comments by U.S. mail, mark them to the attention of: Cathy Williams, Federal Communications Commission, Room 1-C823, 445 12th Street, SW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** For additional information about the information collection, contact Cathy Williams at (202) 418-2918 or send an e-mail to [PRA@fcc.gov](mailto:PRA@fcc.gov) and/or [Cathy.Williams@fcc.gov](mailto:Cathy.Williams@fcc.gov).

**SUPPLEMENTARY INFORMATION:** *OMB Control Number:* 3060-1089.

*Title:* Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; E911 Requirements for IP-Enabled Service Providers, CG Docket No. 03-123 and WC Docket No. 05-196, FCC 08-151 and FCC 08-275.

*Form Number:* Not Applicable.

*Type of Review:* Revision of a currently approved collection.

*Respondents:* Business or other for-profit entities; Individuals or households; Not-for-profit institutions; State, local or tribal government.

*Number of Respondents and Responses:* 12 respondents; 5,608,692 responses.

*Estimated Time per Response:* 3 minutes (.05 hours) to 1 hour.

*Frequency of Response:* One-time, quarterly and on occasion reporting requirements; Recordkeeping requirement; Third party disclosure requirement.

*Total Annual Burden:* 206,061.

*Total Annual Cost:* \$4,251,635.

*Obligation To Respond:* Required to obtain or retain benefits. The statutory authority for this information collection is contained in sections 1, 2, 4(i), (4)(j), 225, 251, and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 151, 152, 154(i), 154(j), 225, 251, and 303(r).

*Nature and Extent of Confidentiality:* An assurance of confidentiality is not offered because the Commission has no direct involvement in the collection of personally identifiable information (PII) from individuals and/or households.

*Privacy Impact Assessment:* No impact(s).

*Needs and Uses:* On November 30, 2005, the Commission released *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Access to Emergency Services*, Notice of Proposed Rulemaking (*VRS/IP Relay 911 NPRM*), CG Docket No. 03-123, FCC 05-196, published at 71 FR 5221 (February 1, 2006), which addressed the issue of access to emergency services for Internet-based forms of Telecommunications Relay Services (TRS), namely Video Relay Service (VRS) and Internet Protocol (IP) Relay. The Commission sought to adopt means to ensure that such calls promptly reach the appropriate emergency service provider.

On May 8, 2006, the Commission released *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Misuse of IP Relay Service and Video Relay Service*, Further Notice of Proposed Rulemaking (*IP Relay/VRS*