

(EPA), Region 8, Mailcode 8P-AR, 1595 Wynkoop Street, Denver, Colorado 80202-1129.

- *Hand Delivery:* Director, Air Program, Environmental Protection Agency (EPA), Region 8, Mailcode 8P-AR, 1595 Wynkoop Street, Denver, Colorado 80202-1129. Such deliveries are only accepted Monday through Friday, 8 a.m. to 4:30 p.m., excluding Federal holidays. Special arrangements should be made for deliveries of boxed information.

Please see the direct final rule which is located in the Rules Section of this **Federal Register** for detailed instruction on how to submit comments.

**FOR FURTHER INFORMATION CONTACT:**

Kathy Dolan, Air Program, U.S. Environmental Protection Agency (EPA), Region 8, Mailcode 8P-AR, 1595 Wynkoop Street, Denver, Colorado 80202-1129, 303-312-6142, [dolan.kathy@epa.gov](mailto:dolan.kathy@epa.gov).

**SUPPLEMENTARY INFORMATION:** In the “Rules and Regulations” section of this **Federal Register**, EPA is approving the State’s SIP revisions as a direct final rule without prior proposal because the Agency views these noncontroversial SIP revisions and anticipates no adverse comments. A detailed rationale for the approval is set forth in the preamble to the direct final rule. If EPA receives no adverse comments, EPA will not take further action on this proposed rule. If EPA receives adverse comments, EPA will withdraw the direct final rule and it will not take effect. EPA will address all public comments in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting must do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment. See the information provided in the Direct Final action of the same title which is located in the Rules and Regulations Section of this **Federal Register**.

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

Dated: January 5, 2010.

**Carol Rushin,**

*Acting Regional Administrator, Region 8.*  
[FR Doc. 2010-1746 Filed 1-28-10; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA-R09-OAR-2007-0122; FRL-9107-7]

**Withdrawal of Proposed Rule Revising the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District**

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

**ACTION:** Withdrawal of proposed rule.

**SUMMARY:** On February 20, 2008 (73 FR 9260), EPA published a rule proposing to correct EPA’s May 2004 final approval of revisions to the San Joaquin Valley Unified Air Pollution Control District portion of the California State Implementation Plan (SIP) and to approve revisions to certain District rules. EPA’s proposed correction, and proposed approval of District rules submitted in December 2006, would conform the SIP to a State law generally known as Senate Bill 700 by explicitly exempting certain minor agricultural sources from new source review permitting requirements and by limiting the applicability of offset requirements for all minor agricultural sources consistent with criteria identified in state law. EPA is withdrawing this previously published proposed rule, and in this **Federal Register**, EPA is publishing a proposed rule that replaces the February 20, 2008 proposed rule.

**DATES:** The proposed rule published on February 20, 2008 (73 FR 9260) is withdrawn as of January 29, 2010.

**FOR FURTHER INFORMATION CONTACT:**

Laura Yannayon, Permits Office (AIR-3), U.S. Environmental Protection Agency, Region IX, (415) 972-3534, [yannayon.laura@epa.gov](mailto:yannayon.laura@epa.gov).

**SUPPLEMENTARY INFORMATION:**

Throughout this document, “we,” “us” and “our” refer to EPA.

On February 20, 2008 (73 FR 9260), EPA proposed to correct our May 2004 final approval of revisions to the San Joaquin Valley Unified Air Pollution Control District (“District”) portion of the California State Implementation Plan (“SIP”). EPA also proposed to approve revisions to two District rules submitted to EPA by the California Air Resources Board (CARB) on December 29, 2006. The subject rules included District Rule 2020 and District Rule 2201 (paragraph 4.6.9 only). The proposed correction and proposed approval that were the subject of our February 20, 2008 proposed rule relate to review and permitting of new or modified stationary sources (“NSR”) specifically in connection with agricultural sources. EPA received substantive comments on the February 2008 proposed rule, and, since publication of the February 2008 proposed rule, the District has adopted revisions to Rules 2020 and 2201, and CARB has submitted the amended rules in their entirety to EPA as revisions to the California SIP. In light of the comments on our February 2008 proposed rule, and the more recent submittals of District Rules 2020 and 2201, we have decided to withdraw the rule proposed on February 20, 2008, and in this **Federal Register**, EPA is publishing a new proposed rule. The rule being proposed in this **Federal Register** replaces the following rule published on February 20, 2008:

*Title:* Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District (Proposed rule, 73 FR 9260, EPA-R09-OAR-2007-0122).

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

Environmental protection, Air pollution control, Intergovernmental relations, Ozone, Particulate matter, Reporting and recordkeeping requirements.

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

Dated: January 21, 2010.

**Jared Blumenfeld,**

*Regional Administrator, Region IX.*

[FR Doc. 2010-1840 Filed 1-28-10; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 761**

[EPA-HQ-RCRA-2008-0123; FRL-9108-1]

**RIN 2050-AG42**

**Polychlorinated Biphenyls: Manufacturing (Import) Exemption for Veolia ES Technical Solutions, LLC**

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

**ACTION:** Withdrawal of proposed rule.

**SUMMARY:** On November 14, 2006, Veolia ES Technical Solutions, LLC, (Veolia) submitted a rulemaking petition to the U.S. Environmental Protection Agency (EPA) requesting to import up to 20,000 tons of polychlorinated biphenyl (PCB) waste from Mexico for disposal at Veolia’s TSCA-approved facility in Port Arthur, Texas. Based on the information available at that time, EPA proposed to grant Veolia’s request in the proposed rule, Polychlorinated Biphenyls: Manufacturing (Import) Exemption for Veolia ES Technical Solutions, LLC.

Since that time, Veolia submitted a request to withdraw its petition from the rulemaking process. Due to this request, EPA is withdrawing this proposed rule.

**DATES:** The proposed rule is withdrawn as of January 29, 2010.

**FOR FURTHER INFORMATION CONTACT:**

William Noggle, Office of Resource Conservation and Recovery, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 347-8769; e-mail address: [noggle.william@epa.gov](mailto:noggle.william@epa.gov). Mail inquiries may be directed to the Office of Resource Conservation and Recovery (ORCR), (5304W), 1200 Pennsylvania Avenue, NW., Washington, DC 20460.

**SUPPLEMENTARY INFORMATION:** With certain exceptions, section 6(e)(3) of the Toxic Substances Control Act (TSCA) bans the manufacture, processing, and distribution in commerce of polychlorinated biphenyls (PCBs). Under TSCA section 3(7), "manufacture" is defined to include import into the Customs Territory of the United States. However, TSCA section 6(e)(3)(B) gives EPA the authority to grant petitions to perform these activities for a period of up to 12 months, provided EPA can make certain findings by rule. To issue such a rule, EPA must issue a proposed rule and provide the public an opportunity for an informal public hearing, if requested.

On November 14, 2006, Veolia submitted a rulemaking petition to EPA requesting to import up to 20,000 tons of PCB waste from various locations in Mexico for disposal at Veolia's TSCA-approved facility in Port Arthur, Texas. Based on the information available at that time, EPA proposed to grant Veolia's request in the proposed rule, Polychlorinated Biphenyls: Manufacturing (Import) Exemption for Veolia ES Technical Solutions, LLC, which was published in the **Federal Register** on March 6, 2008 (73 FR 12053). In addition to receiving written public comment, EPA held a public hearing on June 19, 2008, in Port Arthur, Texas, to receive additional written and oral comments and presentations regarding the proposed rule.

The details of the procedure for participating in the hearing pursuant to 40 CFR 750.18-750.21 are documented in the **Federal Register** notice for the hearing (73 FR 28786, May 19, 2008). In addition to all of the pre-registered speakers, EPA permitted any hearing attendee to state his or her comments and/or to make a presentation, if desired. EPA posted all the hearing presentations and the verbatim

transcript of the hearing to the rulemaking docket. EPA also conducted post-hearing proceedings herein referred to as the "question and answer" process. The "question and answer" process was designed to allow the public to question the factual nature of material presented at the hearing. The process also granted the public two more opportunities to submit comments and/or questions to all hearing participants, including EPA. All the documents for the "question and answer" process are in the docket. These post-hearing proceedings were completed on October 18, 2009.

Subsequently, on November 17, 2009, Veolia submitted a request to withdraw its petition from the rulemaking process (docket entry EPA-HQ-RCRA-2008-0123-86). Due to this request, EPA is withdrawing this proposed rule. Withdrawing the proposed rule is the Agency's final action on this rulemaking. EPA will not issue a final rule on the proposal and will not respond further to comments that were filed for this rulemaking.

**Lists of Subjects in 40 CFR Part 761**

Environmental protection, Hazardous substances, Labeling, Polychlorinated biphenyls, Reporting and recordkeeping requirements.

Dated: January 22, 2010.

**Mathy Stanislaus,**

*Assistant Administrator, Office of Solid Waste and Emergency Response.*

[FR Doc. 2010-1943 Filed 1-28-10; 8:45 am]

**BILLING CODE 6560-50-P**

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 11**

[**EB Docket No. 04-296; FCC 10-11**]

**Review of the Emergency Alert System**

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** In this document, the Commission adopted a document seeking comment on its proposal to amend the Commission's rules governing the Emergency Alert System (EAS) rules to provide for national EAS testing and collection of data from such tests. The purpose of this testing and data collection is to determine whether the EAS will function as required should the President issue a national alert.

**DATES:** Comments are due on or before March 1, 2010 and reply comments are due on or before March 30, 2010.

**ADDRESSES:** You may submit comments, identified by EB Docket No. 04-296 by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Federal Communications Commission's Web site:* <http://www.fcc.gov/cgb/ecfs/>. Follow the instructions for submitting comments.

- *Mail:* Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although the Commission continues to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- *People with Disabilities:* Contact the Commission to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by e-mail: [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or phone: 202-418-0530 or TTY: 202-418-0432.

For detailed instructions for submitting comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:** Lisa Fowlkes, Deputy Bureau Chief, Public Safety and Homeland Security Bureau, at (202) 418-7452, or by e-mail at [Lisa.Fowlkes@fcc.gov](mailto:Lisa.Fowlkes@fcc.gov). For additional information concerning the Paperwork Reduction Act information collection requirements contained in this document, contact Judy Boley Hermann at (202) 418-0214 or send an e-mail to [PRA@fcc.gov](mailto:PRA@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Federal Communication Commission's Second Further Notice of Proposed Rulemaking (*Second FNPRM*) in EB Docket No. 04-296, FCC 10-11, adopted on January 12, 2010, and released on January 14, 2010. This document is available to the public at [http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/FCC-10-11A1.doc](http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-10-11A1.doc).

**Initial Paperwork Reduction Act of 1995 Analysis**

This document contains proposed information collection requirements. It will be submitted to the Office of Management and Budget (OMB) for review under section 3507(d) of the Paperwork Reduction Act of 1995 (PRA), Public Law 104-13, 109 Stat. 163 (1995). The Commission, as part of its continuing effort to reduce paperwork burdens, invites the general public and OMB to comment on the information collection requirements contained in