

are generally caused by exposure to a harmful substance or condition. If the individual claims compensation for an occupational illness or infection, the date of injury is the date the illness becomes "manifest" to the individual. The injury is "manifest" when the individual learns, or reasonably should have learned, that he or she is suffering from the illness, that the illness is related to his or her work with the responsible employer, and that he or she is disabled as a result of the illness.

(3) *Hearing loss.* If the individual claims compensation for hearing loss, the date of injury is the date the individual receives an audiogram with an accompanying report which indicates the individual has suffered a loss of hearing that is related to employment.

(4) *Death-benefit claims.* If the individual claims compensation for an employee's death, the date of injury is the date of the employee's death, even if his or her death was the result of an event or incident that happened on an earlier date.

(b) If the date of injury is before February 17, 2009, the individual's entitlement is governed by section 2(3)(F) as it existed prior to the 2009 amendment.

(c) If the date of injury is on or after February 17, 2009, the employee's eligibility is governed by the 2009 amendment to section 2(3)(F).

9. Add § 701.505 to read as follows:

**§ 701.505 May an employer stop paying benefits awarded prior to the effective date of the recreational vessel exclusion amendment if the employee would now fall within the exclusion?**

No. If an individual was awarded compensation for an injury occurring before February 17, 2009, the employer must still pay all benefits awarded, including disability compensation and medical benefits, even if the employee would be excluded from coverage under the amended exclusion.

Signed at Washington, DC, this 9th day of August 2010.

**Shelby Hallmark,**

*Director, Office of Workers' Compensation Programs.*

[FR Doc. 2010-20080 Filed 8-16-10; 8:45 am]

**BILLING CODE 4510-CF-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA-R05-OAR-2010-0529; FRL-9189-9]

**Approval and Promulgation of Air Quality Implementation Plans; Indiana; Transportation Conformity Consultation Requirement**

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve a revision to the Indiana State Implementation Plan (SIP) submitted on June 4, 2010. This revision consists of transportation conformity criteria and procedures related to interagency consultation and enforceability of certain transportation related control measures and mitigation measures. This approval will meet a requirement of the Clean Air Act and Transportation Conformity regulations.

**DATES:** Comments must be received on or before September 16, 2010.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R05-OAR-2010-0529, by one of the following methods:

1. *www.regulations.gov:* Follow the on-line instructions for submitting comments.
2. *E-mail:* [bortzer.jay@epa.gov](mailto:bortzer.jay@epa.gov).
3. *Fax:* (312) 692-2054.
4. *Mail:* Jay Elmer Bortzer, Chief, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

5. *Hand Delivery:* Jay Elmer Bortzer, Chief, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604. Such deliveries are only accepted during the Regional Office normal hours of operation, and special arrangements should be made for deliveries of boxed information. The Regional Office official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

Please see the direct 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:**

Patricia Morris, Environmental Scientist, Criteria Pollutant Section, Air Programs Branch (AR-18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353-8656, [morris.patricia@epa.gov](mailto:morris.patricia@epa.gov).

**SUPPLEMENTARY INFORMATION:** In the Final Rules section of this **Federal Register**, EPA is approving the State's SIP submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this rule, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should 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. For additional information, see the direct final rule which is located in the Rules section of this **Federal Register**.

Dated: August 5, 2010.

**Bharat Mathur,**

*Acting Regional Administrator, Region 5.*

[FR Doc. 2010-20183 Filed 8-16-10; 8:45 am]

**BILLING CODE 6560-50-P**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**42 CFR Part 73**

**RIN 0920-AA34**

**Public Health Security and Bioterrorism Preparedness and Response Act of 2002: Biennial Review and Republication of the Select Agent and Toxin List**

**AGENCY:** Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

**ACTION:** Extension of public comment period.

**SUMMARY:** On July 21, 2010, the Department of Health and Human Services (HHS) published an Advanced Notice of Proposed Rulemaking (ANPRM) requesting public comment on the current HHS list of select agents and toxins. This document is extending the comment period for that ANPRM in order to align the comment period with the comment period of a related document published by the Animal and Plant Health Inspection Service (APHIS)

in the Department of Agriculture (USDA).

**DATES:** Written comments in response to the Advanced Notice of Proposed Rulemaking published on July 21, 2010 (75 FR 42363) must be received on or before August 30, 2010. Comments received after August 30, 2010 will be considered to the extent possible.

**ADDRESSES:** Comments in response to the Advanced Notice of Proposed Rulemaking (75 FR 42363) should be marked "Comments on the changes to the list of select agents and toxins" and mailed to: Centers for Disease Control and Prevention, Division of Select Agents and Toxins, 1600 Clifton Road, NE., MS A-46, Atlanta, Georgia 30333. Comments may be e-mailed to: [SAPcomments@cdc.gov](mailto:SAPcomments@cdc.gov).

**FOR FURTHER INFORMATION CONTACT:**

Robbin Weyant, Director, Division of Select Agents and Toxins, Centers for Disease Control and Prevention, 1600 Clifton Road, NE., MS A-46, Atlanta, Georgia 30333. Telephone: (404) 718-2000.

**SUPPLEMENTARY INFORMATION:** On July 21, 2010, the Department of Health and Human Services (HHS) published an Advanced Notice of Proposed Rulemaking (ANPRM) in the **Federal Register** (75 FR 42363) requesting public comment on the current HHS list of select agents and toxins. The purpose of the ANPRM is to seek public comment on (1) the appropriateness of the current HHS list of select agents and toxins, (2) whether there are other agents or toxins that should be added to the HHS list, (3) whether agents or toxins currently on the HHS list should be deleted from the list, (4) whether the HHS select agent list should be tiered based on the relative bioterrorism risk of each agent or toxin, and (5) whether the security requirements for agents in the highest tier should be further stratified based on type of use or other factors. The comment period was scheduled to end on August 22, 2010.

On July 29, 2010, the Animal and Plant Health Inspection Service (APHIS) within the U.S. Department of Agriculture (USDA) published an Advanced Notice of Proposed Rulemaking (ANPRM) in the **Federal Register** (75 FR 44724) requesting public comment on the USDA/APHIS list of select agents and toxins. The comment period for the USDA/APHIS ANPRM is scheduled to close on August 30, 2010. Since the select agents and toxins listed in § 73.4 (Overlap select agents and toxins) are those regulated by both HHS/CDC and USDA/APHIS, HHS/CDC is extending the comment

period for its ANPRM to August 30, 2010 to coincide with that of USDA/APHIS.

After the close of the comment period, we will carefully consider all comments received and plan to publish another notice in the **Federal Register** either proposing that the select agent and toxin list remain the same, or that specific biological agents or toxins be added to or deleted from the list. If appropriate, we will also propose any changes to the Select Agent regulations (42 CFR part 73) to implement a tiering and/or stratification schema along with any corresponding amendments to the current security requirements in the Select Agent regulations that might be required for higher-risk agents and toxins.

Dated: August 10, 2010.

**Kathleen Sebelius,**

Secretary, Department of Health and Human Services.

[FR Doc. 2010-20169 Filed 8-16-10; 8:45 am]

**BILLING CODE 4163-18-P**

## DEPARTMENT OF DEFENSE

### GENERAL SERVICES ADMINISTRATION

### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

#### 48 CFR Part 4

[FAR Case 2009-023; Docket 2010-0094; Sequence 1]

RIN 9000-AL70

#### Federal Acquisition Regulation; Unique Procurement Instrument Identifiers (PIID)

**AGENCY:** Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Proposed rule.

**SUMMARY:** The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) are proposing to amend the Federal Acquisition Regulation (FAR) to standardize use of Unique Procurement Instrument Identifiers (PIID) throughout the Government. This case defines the requirement for agency unique procurement instrument identifiers and extends the requirement for using PIIDs to all solicitations, contracts, and related procurement instruments across the Federal Government.

**DATES:** Interested parties should submit written comments to the Regulatory

Secretariat on or before October 18, 2010 to be considered in the formulation of a final rule.

**ADDRESSES:** Submit comments identified by FAR case 2009-023 by any of the following methods:

- *Regulations.gov:* <http://www.regulations.gov>. Submit comments via the Federal eRulemaking portal by inputting "FAR Case 2009-023" under the heading "Enter Keyword or ID" and selecting "Search". Select the link "Submit a Comment" that corresponds with "FAR Case 2009-023". Follow the instructions provided at the "Submit a Comment" screen. Please include your name, company name (if any), and "FAR Case 2009-023" on your attached document.

- *Fax:* 202-501-4067.

- *Mail:* General Services Administration, Regulatory Secretariat (MVCB), 1800 F Street, NW., Room 4041, Attn: Hada Flowers, Washington, DC 20405.

*Instructions:* Please submit comments only and cite, FAR Case 2009-023, in all correspondence related to this case. All comments received will be posted without change to <http://www.regulations.gov>, including any personal and/or business confidential information provided.

**FOR FURTHER INFORMATION CONTACT:** Mr. Karlos Morgan, Procurement Analyst, at (202) 501-2364 for clarification of content. Please cite FAR case 2009-023. For information pertaining to status or publication schedules, contact the Regulatory Secretariat at (202) 501-4755.

#### SUPPLEMENTARY INFORMATION:

##### A. Background

In accordance with FAR 4.605(a), agencies are required to have in place a process that ensures that each PIID reported to the Federal Procurement Data System (FPDS) is unique, Governmentwide, and will remain so for at least 20 years from the date of contract award. Additionally, FAR 4.605(a) requires the FPDS Program Management Office to maintain a registry of agency unique identifiers on the FPDS Web site, at <https://www.fpds.gov>, that consists of alpha characters in the first positions to indicate the agency, followed by alphanumeric characters identifying bureaus, offices, or other administrative subdivisions. However, FAR 4.605(a) does not clearly articulate the specific policies and procedures necessary to ensure standardization of contract data beyond FPDS, thereby causing the potential for duplication of contract data