

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: November 23, 2010.

**Richard B. Ossias,**

*Associate General Counsel.*

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**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9234-5]

### Proposed Consent Decree, Clean Air Act Citizen Suit

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

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

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("CAA" or the "Act"), 42 U.S.C. 7413(g), notice is hereby given of a proposed consent decree to address a lawsuit filed by Sierra Club and Kentucky Environmental Foundation (collectively "Plaintiffs") in the United States District Court for the District of Columbia: *Sierra Club, et al. v. Jackson*, No. 10-cv-00889-CKK (D. DC). On May 26, 2010, Plaintiffs filed a complaint alleging that EPA failed to perform nondiscretionary duties, under section 110(k)(2) of the CAA, 42 U.S.C. 7410(k)(2), to take action on certain State Implementation Plan ("SIP") submittals by the State of Kentucky. The proposed consent decree establishes deadlines for EPA to take action.

**DATES:** Written comments on the proposed consent decree must be received by *December 30, 2010*.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2010-0956, 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:

Winifred Okoye, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone: (202) 564-5446; fax number (202) 564-5603; e-mail address: [okoye.winifred@epa.gov](mailto:okoye.winifred@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Additional Information About the Proposed Consent Decree

The proposed consent decree would resolve a lawsuit seeking to compel action by the Administrator to take final action under section 110(k) of the CAA on certain Kentucky SIP submissions. The proposed consent decree requires EPA, on or before April 15, 2011, to sign and thereafter forward within fifteen (15) business days to the Office of Federal Register for review and publication a notice of final action on the Commonwealth of Kentucky's May 27, 2008 SIP submittals titled as follows: (a) Ozone maintenance plan SIP revision for a portion of Greenup County located within the Kentucky portion of the Huntington-Ashland 8-hour ozone 110(a)(1) maintenance area; (b) the Edmonson County 8-hour ozone 110(a)(1) maintenance area; and (c) the Lexington 8-hour ozone 110(a)(1) maintenance area (Fayette and Scott Counties).

The proposed consent decree also requires EPA, on or before March 15, 2012, to sign and thereafter forward within fifteen (15) days to the Office of Federal Register for review and publication a notice of final action on the Commonwealth of Kentucky's June 25, 2008 SIP submittal of a Regional Haze State Implementation Plan.

For a period of thirty (30) days following the date of publication of this notice, the Agency will accept written comments relating to the proposed consent decree 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 if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless EPA or the Department of Justice determines that consent to this consent decree should be withdrawn, the terms of the decree will be affirmed.

##### II. Additional Information About Commenting on the Proposed Consent Decree

*A. How can I get a copy of the consent decree?*

The official public docket for this action (identified by Docket ID No. EPA-HQ-OGC-2010-0956) contains a copy of the proposed consent decree. 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, key in the appropriate docket identification number then select "search".

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> website 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: November 22, 2010.

**Richard B. Ossias,**

*Associate General Counsel.*

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## FEDERAL COMMUNICATIONS COMMISSION

### Notice of Public Information Collection(s) Being Submitted for Review and Approval to the Office of Management and Budget (OMB), Comments Requested

November 15, 2010.

**Summary:** As part of its continuing effort to reduce paperwork burden and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501-3520), the Federal Communications Commission invites the general public and other Federal agencies to comment on the following information collection. 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; (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; and (e) ways to further reduce the information collection burden for small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number.

**Dates:** Written Paperwork Reduction Act (PRA) comments should be submitted on or before December 30, 2010. If you anticipate that you will be submitting PRA comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the FCC contact listed below as soon as possible.

**Addresses:** Direct all PRA comments to Nicholas A. Fraser, Office of Management and Budget, via fax at 202-395-5167 or the Internet at [Nicholas.A.Fraser@omb.eop.gov](mailto:Nicholas.A.Fraser@omb.eop.gov); and to the Federal Communications Commission's PRA mailbox (e-mail address: [PRA@fcc.gov](mailto:PRA@fcc.gov)). Include in the e-mail the OMB control number of the collection as shown in the **SUPPLEMENTARY INFORMATION** section below, or if there is no OMB control number, include the Title as shown in the **SUPPLEMENTARY INFORMATION** section. If you are unable to submit your comments by email, contact the person

listed below to make alternate arrangements.

**For Further Information Contact:** For additional information, contact Judith B. Herman at 202-418-0214 or via the Internet at [Judith-b.herman@fcc.gov](mailto:Judith-b.herman@fcc.gov).

**Supplementary Information:**

**OMB Control Number:** 3060-1092.

**Title:** Interim Procedures for Filing Applications Seeking Approval for Designated Entity Reportable Eligibility Events and Annual Reports.

**Form Nos.:** FCC Form 609-T and 611-T.

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

**Respondents:** Business or other for-profit, not-for-profit institutions, and state, local or tribal government.

**Number of Respondents:** 1,100 respondents; 2,750 responses.

**Estimated Time per Response:** FCC Form 609-T is estimated at 4 hours per response; FCC Form 611-T is estimated at 6 hours per response.

**Frequency of Response:** Annual and on occasion reporting requirement and third party disclosure requirement.

**Obligation To Respond:** Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. 4(i), 308(b), 309(j)(3) and 309(j)(4).

**Total Annual Burden:** 7,288 hours.

**Total Annual Cost:** \$1,494,625.

**Privacy Act Impact Assessment:** N/A.

**Nature and Extent of Confidentiality:** Some respondents may assert that some data and/or agreements that they are filing in response to these information collection requirements include confidential information or trade secrets. The Commission has long established procedures for accepting confidential and market-sensitive documents and information via the Commission's Universal Licensing System (ULS). These long standing procedures will be followed to ensure that no confidential materials or trade secrets are disclosed.

Most of the information collected will be made available for public inspection. Applicants may seek confidential treatment pursuant to 47 CFR 0.459 of the Commission's rules governing requests to withhold from public inspection information submitted to the Commission. The ULS allows for information to be filed confidentially. Confidentially filed materials will only be accessible to Commission employees who have been issued passwords.

**Needs and Uses:** The Commission will submit this expiring information collection (IC) to the OMB during this comment period. The Commission is reporting no change in its burden hour or annual cost estimates. The