

if she finds that California “standards and accompanying enforcement procedures are not consistent with section 202(a)” of the Act. Previous decisions granting waivers and authorizations have noted that state standards and enforcement procedures are inconsistent with section 202(a) if: (1) There is inadequate lead time to permit the development of the necessary technology giving appropriate consideration to the cost of compliance within that time, or (2) the federal and state testing procedures impose inconsistent certification requirements.

#### IV. Within-the-Scope Determinations

If California amends regulations that were previously granted a waiver of preemption or authorization, EPA can confirm that the amended regulations are within-the-scope of the previously granted waiver or authorization. Such within-the-scope amendments are permissible without a full waiver review if three conditions are met. First, the amended regulations must not undermine California’s determination that its standards, in the aggregate, are as protective of public health and welfare as applicable federal standards. Second, the amended regulations must not affect consistency with section 202(a) of the Act. Third, the amended regulations must not raise any “new issues” affecting EPA’s prior waivers or authorizations.

#### V. EPA’s Request for Public Comment

When EPA receives a new waiver or authorization request from CARB, EPA traditionally publishes a notice of opportunity for public hearing and comment, and then publishes a decision in the **Federal Register** following the conclusion of the comment period. In contrast, when EPA receives a request from CARB for a within-the-scope confirmation, EPA may publish a decision in the **Federal Register** and concurrently invite public comment if an interested party is opposed to EPA’s decision.

Because CARB’s request regarding its Mobile Cargo Handling Equipment regulations includes both within-the-scope confirmation requests and a request for a full authorization, EPA is inviting comment on several issues. First, we request comment on which criteria we should apply to the various provisions included within CARB’s Mobile Cargo Handling Equipment regulations. More specifically, we are requesting comment on whether any of the particular regulatory provisions included in CARB’s request should be considered as within-the-scope of previous EPA waivers or authorizations,

and which particular regulatory provisions should be so considered, or whether EPA should consider all of the regulatory provisions as requiring a full waiver or authorization. Next, we seek comment on application of the appropriate criteria. To the extent that a commenter believes a regulatory provision is within-the-scope, they should also comment on how EPA should apply its within-the-scope criteria; alternatively, should a commenter believe that a particular regulatory provision requires a full waiver or authorization, we request comment on whether California has met the criteria for receipt of a full waiver or authorization.

Within the context of a within-the-scope analysis, EPA invites comment on whether California’s Mobile Cargo Handling Equipment requirements: (1) Undermine California’s previous determination that its standards, in the aggregate, are at least as protective of public health and welfare as comparable Federal standards, (2) affect the consistency of California’s requirements with section 202(a) of the Act, and (3) raise any other new issues affecting EPA’s previous waiver or authorization determinations.

As stated above, EPA is also requesting comment on issues relevant to a full waiver and authorization analyses, in the event that EPA determines that any of California’s standards should not be considered within-the-scope of CARB’s previous waivers and authorizations, and instead require a full waiver or authorization analysis. Specifically, we request comment on: (a) Whether CARB’s determination that its standards, in the aggregate, are at least as protective of public health and welfare as applicable federal standards is arbitrary and capricious, (b) whether California needs such standards to meet compelling and extraordinary conditions, and (c) whether California’s standards and accompanying enforcement procedures are consistent with section 209 of the Act.

#### VI. Procedures for Public Participation

If a hearing is held, the Agency will make a verbatim record of the proceedings. Interested parties may arrange with the reporter at the hearing to obtain a copy of the transcript at their own expense. Regardless of whether a public hearing is held, EPA will keep the record open until March 17, 2011. Upon expiration of the comment period, the Administrator will render a decision on CARB’s request based on the record from the public hearing, if any, all relevant written submissions, and other

information that she deems pertinent. All information will be available for inspection at the EPA Air Docket No. EPA-HQ-OAR-2010-0862.

Persons with comments containing proprietary information must distinguish such information from other comments to the greatest extent possible and label it as “Confidential Business Information” (CBI). If a person making comments wants EPA to base its decision on a submission labeled as CBI, then a non-confidential version of the document that summarizes the key data or information should be submitted to the public docket. To ensure that proprietary information is not inadvertently placed in the public docket, submissions containing such information should be sent directly to the contact person listed above and not to the public docket. Information covered by a claim of confidentiality will be disclosed by EPA only to the extent allowed, and according to the procedures set forth in 40 CFR Part 2. If no claim of confidentiality accompanies the submission when EPA receives it, EPA will make it available to the public without further notice to the person making comments.

Dated: January 25, 2011.

**Margo T. Oge,**

*Director, Office of Transportation and Air Quality, Office of Air and Radiation.*

[FR Doc. 2011-2082 Filed 1-31-11; 8:45 am]

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## FEDERAL ELECTION COMMISSION

### Public Availability of Federal Election Commission, Procurement Division FY 2010 Service Contract Inventory

**AGENCY:** Federal Election Commission.

**ACTION:** Notice of public availability of FY 2010 Service Contract Inventories.

**SUMMARY:** In accordance with Section 743 of Division C of the Consolidated Appropriations Act of 2010 (Pub. L. 111-117), FEC PROCUREMENT DIVISION is publishing this notice to advise the public of the availability of the FY 2010 Service Contract inventory. This inventory provides information on service contract actions over \$25,000 that were made in FY 2010. The information is organized by function to show how contracted resources are distributed throughout the agency. The inventory has been developed in accordance with guidance issued on November 5, 2010 by the Office of Management and Budget’s Office of Federal Procurement Policy (OFPP). OFPP’s guidance is available at <http://www.whitehouse.gov/sites/default/files/>

[omb/procurement/memo/service-contract-inventories-guidance-11052010.pdf](http://omb/procurement/memo/service-contract-inventories-guidance-11052010.pdf).

The FEC Procurement Division has posted its inventory and a summary of the inventory on the FEC homepage at the following link: <http://www.fec.gov/pages/procure/procure.shtml>.

**FOR FURTHER INFORMATION CONTACT:**

Questions regarding the service contract inventory should be directed to Bret A. Ziemann, Director of Procurement, at 202-694-1225 or [BZIEMAN@FEC.GOV](mailto:BZIEMAN@FEC.GOV).

Dated: January 26, 2011.

**Shawn Woodhead Werth,**  
Secretary and Clerk, Federal Election Commission.

[FR Doc. 2011-2035 Filed 1-31-11; 8:45 am]

**BILLING CODE P**

## FEDERAL RESERVE SYSTEM

### Agency Information Collection Activities: Announcement of Board Approval Under Delegated Authority and Submission to OMB

**SUMMARY:**

*Background*

Notice is hereby given of the final approval of proposed information collections by the Board of Governors of the Federal Reserve System (Board) under OMB delegated authority, as per 5 CFR 1320.16 (OMB Regulations on Controlling Paperwork Burdens on the Public). Board-approved collections of information are incorporated into the official OMB inventory of currently approved collections of information. Copies of the Paperwork Reduction Act Submission, supporting statements and approved collection of information instrument(s) are placed into OMB's public docket files. The Federal Reserve may not conduct or sponsor, and the respondent is not required to respond to, an information collection that has been extended, revised, or implemented on or after October 1, 1995, unless it displays a currently valid OMB control number.

**FOR FURTHER INFORMATION CONTACT:**

*Acting Federal Reserve Board Clearance Officer:* Cynthia Ayouch—Division of Research and Statistics, Board of Governors of the Federal Reserve System, Washington, DC 20551 (202-452-3829)

*OMB Desk Officer:* Shagufta Ahmed—Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, Washington, DC 20503.

### Final Approval Under OMB Delegated Authority of the Extension for Three Years, Without Revision, of the Following Report

*Report title:* Recordkeeping Requirements Associated with the Real Estate Lending Standards Regulation for State Member Banks.

*Agency form number:* Reg H-5.

*OMB control number:* 7100-0261.

*Frequency:* Aggregate report, quarterly; policy statement, annually.

*Reporters:* State member banks.

*Estimated annual reporting hours:* 16,860 hours.

*Estimated average hours per response:* Aggregate report: 5 hours; Policy statement: 20 hours.

*Number of respondents:* 843.

*General description of report:* This information collection is mandatory pursuant to section 304 of the Federal Deposit Insurance Corporation Improvement Act of 1991 (FDICIA) (12 U.S.C. 1828(o)) which authorizes the Federal Reserve to require the recordkeeping requirements associated with the Board's Regulation H (12 CFR 208.51). Since the information is not collected by the Federal Reserve, no issue of confidentiality under the Freedom of Information Act (FOIA) arises. However, information gathered by the Federal Reserve during examinations of state member banks would be deemed exempt from disclosure under exemption 8 of FOIA, 5 U.S.C. 552(b)(8). In addition, exemptions 4 and 6 of FOIA, (5 U.S.C. 552(b)(4) and (b)(6)) also may apply to certain data (specifically, individual loans identified as in excess of supervisory loan-to-value limits) collected in response to these requirements if gathered by the Federal Reserve, depending on the particular circumstances. These exemptions relate to confidential commercial and financial information, and personal information, respectively. Applicability of these exemptions would be determined on a case-by-case basis.

*Abstract:* State member banks must adopt and maintain a written real estate lending policy. Also, banks must identify their loans in excess of the supervisory loan-to-value limits and report (at least quarterly) the aggregate amount of the loans to the bank's board of directors.

*Current Actions:* On November 19, 2010, the Federal Reserve published a notice in the **Federal Register** (75 FR 70919) requesting public comment for 60 days on the extension, without revision, of Recordkeeping Requirements Associated with the Real Estate Lending Standards Regulation for

State Member Banks. The comment period for this notice expired on January 18, 2011. The Federal Reserve did not receive any comments.

### Final Approval Under OMB Delegated Authority of the Extension for Three Years, With Minor Revisions, of the Following Reports

1. *Report title:* Application for Employment with the Board of Governors of the Federal Reserve System.

*Agency form numbers:* FR 28, FR 28s, FR 28i.

*OMB control number:* 7100-0181.

*Frequency:* On Occasion.

*Reporters:* Employment applicants.

*Annual reporting hours:* 3,558 hours.

*Estimated average hours per response:* FR 28: 1 hour; FR 28s: 1 minute; FR 28i: 5 minutes.

*Number of respondents:* FR 28: 3,500; FR 28s: 2,000; FR 28i: 300.

*General description of report:* This information collection is required to obtain a benefit and is authorized pursuant to Sections 10 and 11 of the Federal Reserve Act (12 U.S.C. 244 and 248(1)). Information provided will be kept confidential under exemption (b)(6) of the FOIA to the extent that the disclosure of information "would constitute a clearly unwarranted invasion of personal privacy." 5 U.S.C. 552(b)(6).

*Abstract:* The Application collects information to determine the qualifications and availability of applicants for employment with the Board such as information on education and training, employment record, military service record, and other information since the time the applicant left high school. Included with the Application are two supplemental questionnaires: (1) The Applicant's Voluntary Self-Identification Form (FR 28s), which collects information on the applicant's gender and ethnic group and (2) The Research Assistant Candidate Survey of Interests (FR 28i), which collects information from candidates applying for Research Assistant positions on their level of interest in economics and related areas.

*Current Actions:* On November 19, 2010, the Federal Reserve published a notice in the **Federal Register** (75 FR 70919) requesting public comment for 60 days on the extension, with minor revision, of the Application for Employment with the Board of Governors of the Federal Reserve System. The comment period for this notice expired on January 18, 2011. The Federal Reserve did not receive any comments. The revisions will be implemented as proposed.