

under the Regulatory Flexibility Act (5 U.S.C. 601, *et seq.*);

- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4);

- Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);

- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);

- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);

- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA;

- Does not provide the EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994); and

- This notice does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because it will not impose substantial direct costs on tribal governments or preempt tribal law.

#### List of Subjects

##### 40 CFR Part 9

Environmental protection, Reporting and recordkeeping requirements.

##### 40 CFR Part 63

Environmental protection, Air pollution control, Hazardous substances, Reporting and recordkeeping requirements.

Dated: July 8, 2011.

**Lisa P. Jackson,**  
Administrator.

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 97

[FRL-9435-6]

#### Data Availability Concerning Transport Rule Allowance Allocations to Existing Units

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

**ACTION:** Notification of data availability (NODA).

**SUMMARY:** In the Transport Rule Federal Implementation Plans (FIPs), EPA finalized allowance allocations for 2012 and thereafter to existing units subject to the Transport Rule FIP trading programs in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin. As required in the Transport Rule, this NODA notifies the public of the availability of data on these allowance allocations for existing units. Through this NODA, EPA is also making available to the public the data upon which the allocations were based.

**FOR FURTHER INFORMATION CONTACT:** Questions concerning this action should be addressed to Brian Fisher, telephone (202) 343-9633, and e-mail [fisher.brian@epa.gov](mailto:fisher.brian@epa.gov), Michael Cohen, telephone (202) 343-9497 and e-mail [cohen.michael@epa.gov](mailto:cohen.michael@epa.gov), or Robert Miller, telephone (202) 343.9077, and e-mail [miller.robertl@epa.gov](mailto:miller.robertl@epa.gov). The mailing address for the aforementioned contacts is U.S. Environmental Protection Agency, CAMD (6204J), 1200 Pennsylvania Ave., NW., Washington, DC 20460.

**SUPPLEMENTARY INFORMATION:** The detailed unit-by-unit data, calculations, and allowance allocation determinations are set forth in a technical support document in an Excel spreadsheet format titled "Unit Level Allocations Under the Transport Rule FIP" and available on EPA's Web site at <http://www.epa.gov/airtransport/actions.html>.

EPA is not requesting responses to the data made available through this NODA, which makes available data on allowance allocations finalized in the Transport Rule. Providing an allocation to an existing unit does not constitute a determination that the unit is a covered unit, and not providing an existing-unit allocation to a unit does not constitute a determination that the unit is not a covered unit. See §§ 97.411(a)(1), 97.511(a)(1), 97.611(a)(1), and 97.711(a)(1) of the Transport Rule.

Under the Transport Rule FIPs, EPA must record allowance allocations by certain deadlines. In particular, allowance allocations addressed by this NODA for existing units for 2012 must be recorded, within 90 days of the publication of the Transport Rule in the **Federal Register**, in the compliance accounts of existing units. See

§§ 97.421(a), 97.521(a), 97.621(a), and 97.721(a) of the Transport Rule.

For 2013 and beyond, the Administrator must record, by certain specified deadlines, allowance allocations for existing units. See §§ 97.421(b) through (f), 97.521(b) through (f), 97.621(b) through (f), and 97.721(b) through (f) of the Transport Rule.

Under certain circumstances, the allowance allocations addressed in this NODA to existing units are subject to termination or correction, and the provisions establishing these allocations may be replaced by a SIP revision. See §§ 97.411(a)(2), 97.511(a)(2), 97.611(a)(2), and 97.711(a)(2) (concerning termination of allocations of non-operating units) and 97.411(c), 97.511(c), 97.611(c), and 97.711(c) (concerning incorrect allocations) of the Transport Rule and §§ 52.38(a)(3) through (5) and (b)(3) through (5) and 52.39(d) through (i) of the Transport Rule (concerning SIP revisions).

Dated: July 6, 2011.

**Jackie Krieger,**  
Chief of Staff, Office of Atmospheric Programs.

[FR Doc. 2011-17903 Filed 7-15-11; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 300

[EPA-HQ-SFUND-1983-0002; FRL-9440-4]

#### National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List

**AGENCY:** Environmental Protection Agency.

**ACTION:** Withdrawal of direct final rule.

**SUMMARY:** On May 24, 2011, EPA published a Notice of Intent for Partial Deletion (76 FR 30081) and a direct final rule of Partial Deletion (76 FR 30027) for the remaining portions of Operable Unit 9 (OU9), the Residential Populated Areas, of the California Gulch Superfund Site (Site), located in Lake County, Colorado, from the National Priorities List. The EPA is withdrawing the Final Rule of Partial Deletion due to adverse comments that were received during the public comment period. After consideration of the comments received, if appropriate, EPA will publish a Notice of Partial Deletion in the **Federal Register** based on the parallel Notice of Intent for Partial Deletion and place a copy of the final partial deletion package, including a

Responsiveness Summary, if prepared, in the Site repositories.

**DATES:** *Effective Date:* This withdrawal of the direct final action is effective as of July 18, 2011.

**ADDRESSES:** *Information Repositories:* Comprehensive information on the Site, as well as the comments that we received during the comment period, are available in docket EPA-HQ-SFUND-1983-0002, accessed through the <http://www.regulations.gov> Web site. Although listed in the docket index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy at:

U.S. EPA Region 8, Superfund Records Center, 1595 Wynkoop Street, Denver, CO 80202. (303) 312-6473 or toll free (800) 227-8917; Viewing hours: 8 a.m. to 4:30 p.m., Monday through Friday, excluding holidays;

and

Lake County Public Library, 1115 Harrison Avenue, Leadville, CO 80461. (719) 486-0569; Viewing hours: Monday and Wednesday 10 a.m. to 8 p.m.; Tuesday and Thursday 10 a.m. to 5 p.m.; Friday and Saturday 1 p.m. to 5 p.m.;

and

Timberline Campus Library of Colorado Mountain College, 901 U.S. Highway 24 South, Leadville, CO 80461. (719) 486-4250; Viewing hours: Monday to Thursday 8 a.m. to 9 p.m.; Friday 8 a.m. to 5 p.m.; Saturday 12 p.m. to 5 p.m.; and Sunday 12 p.m. to 8 p.m.

**FOR FURTHER INFORMATION CONTACT:**

Linda Kiefer, Remedial Project Manager, U.S. Environmental Protection Agency, Region 8, Mailcode EPR-SR, 1595 Wynkoop Street, Denver, CO 80202-1129, (303) 312-6689, e-mail: [kiefer.linda@epa.gov](mailto:kiefer.linda@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**List of Subjects in 40 CFR Part 300**

Environmental protection, Air pollution control, Chemicals, Hazardous Waste, Hazardous substances, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water Supply.

**Authority:** 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601-9657; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; E.O. 12580, 52 FR 2923; 3 CFR, 1987 Comp., p. 193.

Dated: July 12, 2011.

**James B. Martin,**

*Regional Administrator, Region 8.*

**PART 300—NATIONAL OIL AND HAZARDOUS SUBSTANCES POLLUTION CONTINGENCY PLAN**

Accordingly, the amendment to Table 1 of Appendix B to CFR Part 300 to revise the entry “California Gulch”, “Leadville, CO” is withdrawn as of July 18, 2011.

[FR Doc. 2011-18004 Filed 7-15-11; 8:45 am]

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**DEPARTMENT OF THE TREASURY**

**48 CFR Chapter 10**

**RIN 1505-AC04**

**Department of the Treasury Acquisition Regulation**

**AGENCY:** Office of the Procurement Executive, Treasury.

**ACTION:** Final rule.

**SUMMARY:** The Department of the Treasury is issuing this final rule amending the Department of the Treasury Acquisition Regulation (DTAR) to: update, revise, or remove, as applicable, outdated text and references; add new text to maintain consistency with the Federal Acquisition Regulation (FAR); incorporate Treasury-specific policy associated with current FAR requirements; reflect the Treasury’s organization and delegation of authorities; and make minor editorial changes. This final rule adopts the provisions in the December 17, 2010, proposed rule with a minor change, thus renumbering one paragraph in the DTAR.

**DATES:** *Effective date:* August 17, 2011.

**FOR FURTHER INFORMATION CONTACT:** Mr. Fernando T. Tonolet, Procurement Analyst, at (202) 622-6416 for clarification of content or information pertaining to status or publication schedules.

**SUPPLEMENTARY INFORMATION:** On December 17, 2010, the Department of the Treasury published a proposed rule (75 FR 78953) to update the Department of the Treasury Acquisition Regulation (DTAR) 2002 Edition, first published on June 14, 2002, and available at: <http://www.access.gpo.gov/nara/cfr/>. The DTAR will be maintained separately and combined with Department of the Treasury Acquisition Procedures (DTAP) for expediency of use by Treasury staff. The DTAR and combined DTAR/DTAP will be posted at: <http://www.treasury.gov/about/organizational-structure/offices/Mgt/Pages/ProcurementPolicy-Regulations.aspx>.

[www.treasury.gov/about/organizational-structure/offices/Mgt/Pages/ProcurementPolicy-Regulations.aspx](http://www.treasury.gov/about/organizational-structure/offices/Mgt/Pages/ProcurementPolicy-Regulations.aspx).

The December 17, 2010 proposed rule invited public comments on several changes to the DTAR. Among other changes, the proposed changes included revised definitions and scope of the DTAR. In addition, the proposal included new sections that address Treasury’s Mentor-Protégé program, new provisions concerning contractor publicity, and new provisions on types of contracts (specifying that Bureaus must appoint a Task and Delivery Ombudsman). Finally, several editorial and grammatical changes were made in order to make the DTAR easier to read. See the December 17, 2010, proposed rule for further information.

The comment period closed on February 15, 2011. No comments were received and the Department adopts the proposed rule without change.

**Procedural Matters**

*Executive Order 12866*

This rule is not a significant regulatory action under Executive Order 12866, Regulatory Planning and Review, dated September 30, 1993.

*Regulatory Flexibility Act*

The Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, applies to this rule. It is hereby certified that the changes included in this rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act.

The revisions are not considered substantive; revisions only update and reorganize existing coverage. Further, the revisions to the Mentor-Protégé program, although having some economic impact on participating small entities, are not expected to affect a substantial number of small entities. The program is designed for mentoring firms to provide developmental assistance to protégés in the areas of management, personnel, organization, technical capability, financial strength, and training/certifications. As a result, the approximately 44 participating small entities may experience short-term gains including an increase in the areas of revenue, number of contract awards, personnel, technical capabilities, and business relationships. Long-term, program participation should provide increased access to prime or subcontractor opportunities at the Treasury. Subsequently, this program serves to improve the Department of the Treasury’s small business goal attainment.