

eliminate ambiguity, and reduce burden.

### Protection of Children

We have analyzed this proposed rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and would not create an environmental risk to health or risk to safety that might disproportionately affect children.

### Indian Tribal Governments

This proposed rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

### Energy Effects

We have analyzed this proposed rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

### Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This proposed rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

### Environment

We have analyzed this proposed rule under Department of Homeland Security Management Directive 023-01 and Commandant Instruction M16475.ID, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321-4370f), and have made a preliminary determination that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. A preliminary environmental analysis checklist supporting this determination is available in the docket where indicated under **ADDRESSES**. This proposed rule involves establishing a temporary safety zone on the Beaufort River in Beaufort, South Carolina, which is categorically excluded, under figure 2-1, paragraph (34)(g), of the Instruction. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

### List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 165 as follows:

### PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

1. The authority citation for part 165 continues to read as follows:

**Authority:** 33 U.S.C. 1226, 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05-1, 6.04-1, 6.04-6, 160.5; Pub. L. 107-295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

2. Add a temporary § 165.T07-0995 to read as follows:

#### § 165.T07-0995 Safety Zone; Beaufort River/Atlantic Intracoastal Waterway, Beaufort, SC.

(a) *Regulated Area.* The following regulated area is a safety zone: All waters of the Beaufort River in Beaufort, South Carolina encompassed within an imaginary line connecting the following points: starting at Point 1 in position 32°23'44.92" N, 80°40'31.43" W; thence south to Point 2 in position 32°23'30.92" N, 80°40'30.75" W; thence east to Point 3 in position 32°23'30.15" N, 80°40'12.93" W; thence north to Point 4 in position 32°23'44.22" N, 80°40'18.68" W; thence west to origin. All coordinates are North American Datum 1983.

(b) *Definition.* The term "designated representative" means Coast Guard Patrol Commanders, including Coast Guard coxswains, petty officers, and other officers operating Coast Guard vessels, and federal, state, and local officers designated by or assisting the Captain of the Port Charleston in the enforcement of the regulated area.

#### (c) Regulations.

(1) All persons and vessels are prohibited from entering, transiting through, anchoring in, or remaining within the regulated area unless authorized by the Captain of the Port Charleston or a designated representative.

(2) Persons and vessels desiring to enter, transit through, anchor in, or remain within the regulated area may contact the Captain of the Port Charleston by telephone at 843-740-7050, or a designated representative via VHF radio on channel 16 to seek authorization. If authorization to enter, transit through, anchor in, or remain within the regulated area is granted by the Captain of the Port Charleston or a designated representative, all persons and vessels receiving such permission must comply with the instructions of the Captain of the Port Charleston or a designated representative.

(3) The Coast Guard will provide notice of the regulated area through advanced notice via broadcast notice to mariners and by on-scene designated representatives.

(d) *Effective Date.* The rule is effective daily from 9 a.m. until 12 p.m. and 2 p.m. until 5 p.m. on January 24, 2011 through January 28, 2011.

Dated: November 4, 2010.

**Michael F. White, Jr.,**

*Captain, U.S. Coast Guard, Captain of the Port Charleston.*

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**BILLING CODE 9110-04-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 49

[EPA-R09-OAR-2010-0683; FRL-9225-1]

### Source Specific Federal Implementation Plan for Implementing Best Available Retrofit Technology for Four Corners Power Plant: Navajo Nation

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of public hearings.

**SUMMARY:** On October 6, 2010, the Environmental Protection Agency (EPA)

signed a proposal to promulgate a source specific Federal Implementation Plan (FIP) requiring the Four Corners Power Plant (FCPP), located on the Navajo Nation, to achieve emissions reductions required by the Clean Air Act's Best Available Retrofit Technology (BART) provision. The proposal was published in the **Federal Register** on October 19, 2010 (75 FR 64221). Given the significant public interest in this source specific FIP and to further public participation opportunities, EPA has scheduled three open houses and public hearings. These open houses and public hearings will occur in Shiprock, New Mexico on December 7, 2010, Farmington, New Mexico on December 8, 2010, and Durango, Colorado on December 9, 2010. More information on the locations is provided in

#### **SUPPLEMENTARY INFORMATION.**

**DATES:** The hearings will occur in Shiprock, New Mexico on December 7, 2010, Farmington, New Mexico, on December 8, 2010, and Durango, Colorado on December 9, 2010.

**ADDRESSES:** The open houses and public hearings will be held at the following locations: Shiprock, New Mexico—December 7, 2010, Phil L. Thomas Performing Arts Center, Highway 64 West, Shiprock, New Mexico 87420, (505) 368-2490; Farmington, New Mexico—December 8, 2010, San Juan College Henderson Fine Arts Building Rooms 9006 and 9008, Farmington, New Mexico, 97402, (505) 326-3311; and Durango, Colorado—December 9, 2010, Double Tree Hotel, Mesa Verde La Plata Room, 501 Camino Del Rio, Durango, Colorado, 81301, (970) 259-6580.

The open houses will begin at 3 p.m. and end at 5 p.m., local time. The public hearings will begin at 6 p.m. and end at 9 p.m. or later, if necessary, depending on the number of speakers wishing to participate.

**FOR FURTHER INFORMATION CONTACT:** If you have questions concerning the public hearings please contact Anita Lee, EPA Region IX, (415) 972-3958, [r9air\\_fcppbart@epa.gov](mailto:r9air_fcppbart@epa.gov). If you require a reasonable accommodation, please contact Terisa Williams, EPA Region 9 Reasonable Accommodations Coordinator, by Friday, November 18, 2010, at (415) 972-3829, or [Williams.Terisa@epa.gov](mailto:Williams.Terisa@epa.gov).

**SUPPLEMENTARY INFORMATION:** The public hearings will provide interested parties the opportunity to present views or arguments concerning the proposed FIP. Written statements and supporting information submitted during the comment period will be considered with the same weight as any oral

comments and supporting information presented at the public hearings. Written comments must be postmarked on or before the last day of the comment period, December 20, 2010. EPA will not respond to comments during the public hearing. When we publish our final action, we will provide written responses to all oral and written comments received on our proposal. To provide opportunities for questions and discussion, EPA will hold open houses prior to the public hearings. During these open houses, EPA staff will be available to informally answer questions on our proposed action. Any comments made to EPA staff during the open houses must still be provided formally in writing or orally during the public hearing in order to be considered in the record.

Oral testimony may be limited to 5 minutes for each commenter to address the proposal. We will not be providing equipment for commenters to show overhead slides or make computerized slide presentations. Any person may provide written or oral comments, in English or Dine, and data pertaining to our proposal at the Public Hearing. English-Dine translation services will be provided at both the Open Houses and the Public Hearings in Shiprock and Farmington. English-Dine translation services will not be provided at the Durango Open House and Public Hearing unless it is requested by November 18, 2010. Verbatim transcripts, in English, of the hearings and written statements will be included in the rulemaking docket.

The proposed rule was published in the **Federal Register** on October 19, 2010 (75 FR 64221) and can be accessed the following Web site: <http://www.epa.gov/region9/airnavajo/index.html#proposed>. EPA has established a public docket for the proposed rulemaking under the docket number EPA-R09-OAR-2010-0683.

If you are unable to attend the public hearings but wish to submit written comments on the proposed rule, you may submit comments, identified by docket number EPA-R09-OAR-2010-0683, by one of the following methods:

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

**E-mail:** [r9air\\_fcppbart@epa.gov](mailto:r9air_fcppbart@epa.gov).  
**Mail or deliver:** Anita Lee (Air-3), U.S. Environmental Protection Agency Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901.

**Instructions:** All comments will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information

provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as such and should not be submitted through <http://www.regulations.gov> or e-mail. <http://www.regulations.gov> is an "anonymous access" system, and EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send e-mail directly to EPA, your e-mail address will be automatically captured and included as part of the public comment. 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.

**Docket:** The index to the docket for this action is available electronically at <http://www.regulations.gov> and in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California. While all documents in the docket are listed in the index, some information may be publicly available only at the hard copy location (e.g., copyrighted material), and some may not be publicly available in either location (e.g., CBI). Due to building security procedures, to inspect the hard copy materials, please schedule an appointment at least 24 hours in advance during normal business hours with the contact listed in the **FOR FURTHER INFORMATION CONTACT** section.

Dated: November 2, 2010.

**Deborah Jordan,**

*Air Division Director, Region IX.*

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## **FEDERAL COMMUNICATIONS COMMISSION**

### **47 CFR Parts 0, 1, and 54**

**[WT Docket No. 10-208; FCC 10-182]**

### **Supplement to Universal Service Reform Mobility Fund**

**AGENCY:** Federal Communications Commission.

**ACTION:** Supplemental notice of proposed rulemaking.

**SUMMARY:** This document is a supplement to the Universal Service Reform Mobility Fund, published November 1, 2010. In this document, the Federal Communication Commission proposes the creation of a new Mobility Fund to make available one-time support to significantly improve coverage of current-generation