

withdrawal (e.g., commissions, sales loads, sales charges, deferred sales charges, redemption fees, surrender charges, exchange fees, account fees, and purchase fees);

(B) Any annual operating expenses (e.g., expense ratio); and

(C) Any ongoing expenses in addition to annual operating expenses (e.g., mortality and expense fees); and

(vi) For an investment fund product or model portfolio intended to satisfy paragraph (e)(4)(i) of this section, and to the extent not already disclosed pursuant to this paragraph (d)(3):

(A) An explanation of the asset allocation, how the asset allocation will change over time, and the point in time when the qualified default investment alternative will reach its most conservative asset allocation; including a chart, table, or other graphical representation that illustrates such change in asset allocation over time and that does not obscure or impede a participant's or beneficiary's understanding of the information explained pursuant to this paragraph (d)(3)(vi)(A);

(B) If the qualified default investment alternative is named, or otherwise described, with reference to a particular date (e.g., a target date), an explanation of the age group for whom the investment is designed, the relevance of the date, and any assumptions about a participant's or beneficiary's contribution and withdrawal intentions on or after such date; and

(C) If applicable, a statement that the participant or beneficiary may lose money by investing in the qualified default investment alternative, including losses near and following retirement, and that there is no guarantee that the investment will provide adequate retirement income.

(4) A description of the right of the participants and beneficiaries on whose behalf assets are invested in a qualified default investment alternative to direct the investment of those assets to any other investment alternative under the plan and, if applicable, a statement that certain fees and limitations may apply in connection with such transfer; and

(5) An explanation of where the participants and beneficiaries can obtain additional investment information concerning the qualified default investment alternative and the other investment alternatives available under the plan.

\* \* \* \* \*

Signed at Washington, DC, this 16th day of November, 2010.

**Phyllis C. Borzi**

*Assistant Secretary, Employee Benefits Security Administration, Department of Labor.*

[FR Doc. 2010-29509 Filed 11-29-10; 8:45 am]

**BILLING CODE 4510-29-P**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### 30 CFR Parts 70, 71, 72, 75, and 90

##### RIN 1219-AB64

#### Lowering Miners' Exposure to Respirable Coal Mine Dust, Including Continuous Personal Dust Monitors

**AGENCY:** Mine Safety and Health Administration, Labor.

**ACTION:** Proposed rule; rescheduling of public hearings; correction.

**SUMMARY:** The Mine Safety and Health Administration (MSHA) is rescheduling the dates of two public hearings and announcing the date and location of an additional public hearing on the proposed rule addressing Lowering Miners' Exposure to Respirable Coal Mine Dust, Including Continuous Personal Dust Monitors. This notice also corrects one error in the preamble to the proposed rule. On November 15, 2010, MSHA published the dates and locations of six public hearings to be held on the proposed rule.

MSHA published the proposed rule on October 19, 2010; it is available on MSHA's Web site at <http://www.msha.gov/REGS/FEDREG/PROPOSED/2010PROP/2010-25249.pdf>. The proposed rule would revise the Agency's existing standards on miners' occupational exposure to respirable coal mine dust and lower miners' exposure to respirable coal mine dust.

**DATES:** The public hearing dates and locations are listed in the **SUPPLEMENTARY INFORMATION** section of this document.

Post-hearing comments must be received by midnight Eastern Standard Saving Time on February 28, 2011.

**ADDRESSES:** Comments must be identified with "RIN 1219-AB64" and may be sent by any of the following methods:

(1) *Federal e-Rulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

(2) *Electronic mail:* [zzMSHA-comments@dol.gov](mailto:zzMSHA-comments@dol.gov). Include "RIN 1219-AB64" in the subject line of the message.

(3) *Facsimile:* 202-693-9441. Include "RIN 1219-AB64" in the subject line of the message.

(4) *Regular Mail:* MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209-3939.

(5) *Hand Delivery or Courier:* MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia. Sign in at the receptionist's desk on the 21st floor.

MSHA will post all comments on the Internet without change, including any personal information provided. Comments can be accessed electronically at <http://www.msha.gov> under the "Rules & Regs" link.

Comments may also be reviewed in person at the Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia. Sign in at the receptionist's desk on the 21st floor.

MSHA maintains a list that enables subscribers to receive e-mail notification when the Agency publishes rulemaking documents in the **Federal Register**. To subscribe, go to <http://www.msha.gov/subscriptions/subscribe.aspx>.

#### FOR FURTHER INFORMATION CONTACT:

Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances, MSHA, at [Silvey.Patricia@dol.gov](mailto:Silvey.Patricia@dol.gov) (E-mail), 202-693-9440 (Voice), or 202-693-9441 (Fax).

#### SUPPLEMENTARY INFORMATION:

##### I. Public Hearings

On November 15, 2010, MSHA announced that it would hold six public hearings on the proposed rule (75 FR 69617). Due to a scheduling conflict and in response to requests from the public, to provide maximum opportunity for public participation in this rulemaking, MSHA is rescheduling two public hearings and adding an additional public hearing. The dates of public hearings that were scheduled in Washington, PA, and Arlington, VA, are changed to February 8, 2011, and February 15, 2011, respectively. The locations of these two hearings remain the same. MSHA will hold an additional public hearing on February 10, 2011, in Prestonsburg, Kentucky.

MSHA will accept post-hearing written comments and other appropriate information for the record from any interested party, including those not presenting oral statements. Comments must be received by midnight Eastern Standard Saving Time on February 28, 2011. For the convenience of interested parties, the chart below includes the dates and locations of all seven public hearings:

| Date                    | Location   | Contact No.  |
|-------------------------|--|--------------|
| December 7, 2010 .....  | National Mine Health and Safety Academy, 1301 Airport Road, Beaver, WV 25813 .....                           | 304-256-3201 |
| January 11, 2011 .....  | Marriott Evansville Airport, 7101 Highway, 41 North Evansville, IN 47725 .....                               | 812-867-7999 |
| January 13, 2011 .....  | Sheraton Birmingham, 2101 Richard Arrington Jr., Blvd., North Birmingham, AL 35203 .....                     | 205-324-5000 |
| January 25, 2011 .....  | Marriott Salt Lake City, 75 S West Temple, Salt Lake City, UT 84101 .....                                    | 801-531-0800 |
| February 8, 2011 .....  | The George Washington Hotel, 60 South Main Street, Washington, PA 15301 .....                                | 724-225-3200 |
| February 10, 2011 ..... | Jenny Wiley State Resort Park, Wilkinson/Stumbo Conference Center, 75 Theatre Court, Prestonsburg, KY 41653. | 606-889-1790 |
| February 15, 2011 ..... | Mine Safety and Health Administration, 25th Floor Conference Room, 1100 Wilson Blvd., Arlington, VA 22209.   | 202-693-9440 |

## II. Correction

MSHA published the proposed rule on October 19, 2010 (75 FR 64412); it is available on MSHA's Web site at <http://www.msha.gov/REGS/FEDREG/PROPOSED/2010PROP/2010-25249.pdf>. The following error in the preamble to the proposed rule is corrected to read as follows:

1. On page 64421, third column, first line, "mg<sup>3</sup>" should read "m<sup>3</sup>".

Dated: November 24, 2010.

**Joseph A. Main,**

*Assistant Secretary of Labor for Mine Safety and Health.*

[FR Doc. 2010-30099 Filed 11-29-10; 8:45 am]

**BILLING CODE 4510-43-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 62

[EPA-R03-OAR-2010-0771; FRL-9233-5]

#### Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants; State of Delaware; Control of Emissions From Existing Hospital/Medical/Infectious Waste Incinerator (HMIWI) Units, Negative Declaration and Withdrawal of EPA Plan Approval

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to approve the State of Delaware's negative declaration and request for EPA withdrawal of its section 111(d)/129 plan (the plan) approval for HMIWI units. Submittal of a negative declaration or state plan revision is a requirement of the Clean Air Act (CAA). In the Final Rules section of this **Federal Register**, EPA is approving the State of Delaware's negative declaration and request for EPA withdrawal of its plan approval for HMIWI units. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this action, 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. **DATES:** Comments must be received in writing by December 30, 2010.

**ADDRESSES:** Submit your comments, identified by Docket ID Number EPA-R03-OAR-2010-0771 by one of the following methods:

A. <http://www.regulations.gov>. Follow the online instructions for submitting comments.

B. *E-mail:* [wilkie.walter@epa.gov](mailto:wilkie.walter@epa.gov).

C. *Mail:* EPA-R03-OAR-2010-0771, Walter K. Wilkie, Associate Director, Air Protection, Division, Office of Air Monitoring and Analysis, Mailcode 3AP40, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103.

D. *Hand Delivery:* At the previously-listed EPA Region III address. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

**Instructions:** Direct your comments to Docket ID No. EPA-R03-OAR-2010-0771. EPA's policy is that all comments received 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 information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov> or e-mail. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through <http://www.regulations.gov>, your e-mail address will be automatically captured

and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. 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. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

**Docket:** All documents in the electronic docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information is not publicly available, *i.e.*, CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the State agency submittals are available at the Delaware Department of Natural Resources and Environmental Control, 89 Kings Highway, P.O. Box 1401, Dover, Delaware 19903.

**FOR FURTHER INFORMATION CONTACT:** James B. Topsale, P.E., at (215) 814-2190, or by e-mail at [topsale.jim@epa.gov](mailto:topsale.jim@epa.gov). Please note that while questions may be posed via phone and e-mail, formal comments must be submitted in writing, as indicated in the **ADDRESSES** section of this document.

**SUPPLEMENTARY INFORMATION:** For further information, please see the information provided in the direct final action, with the same title, that is located in the "Rules and Regulations" section of this **Federal Register** publication.