

views this as a noncontroversial revision and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If we do not receive any adverse comments in response to these direct final and proposed rules, we do not contemplate taking any further action in relation to this proposed rule. If EPA receives adverse comments, we will withdraw the direct final rule and will respond to all public comments in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

**DATES:** Comments must be received on or before July 2, 2008.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R05-OAR-2007-1132 by one of the following methods:

- *http://www.regulations.gov:* Follow the on-line instructions for submitting comments.

- *E-mail:* [aburano.douglas@epa.gov](mailto:aburano.douglas@epa.gov).
- *Fax:* (312) 886-5824.

- *Mail:* Douglas Aburano, Acting Chief, Criteria Pollutant Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

- *Hand Delivery:* Douglas Aburano, Acting Chief, Criteria Pollutant Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604. Such deliveries are only accepted during the Regional Office normal hours of operation, and special arrangements should be made for deliveries of boxed information. The Regional Office official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m. excluding Federal holidays.

Please see the direct final rule which is located in the Rules section of this **Federal Register** for detailed instructions on how to submit comments.

**FOR FURTHER INFORMATION CONTACT:** Charles Hatten, Environmental Engineer, Criteria Pollutant Section, Air Programs Branch (AR-18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-6031, [hatten.charles@epa.gov](mailto:hatten.charles@epa.gov).

**SUPPLEMENTARY INFORMATION:** In the Final Rules section of this **Federal Register**, EPA is approving the State's SIP submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial

submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this rule, 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. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule, and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment. For additional information, see the direct final rule which is located in the Rules section of this **Federal Register**.

Dated: May 21, 2008.

**Walter W. Kovalick Jr.**,  
Acting Regional Administrator, Region 5.  
[FR Doc. E8-12223 Filed 5-30-08; 8:45 am]  
**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 60

[EPA-HQ-OAR-2006-0699; FRL-8568-9]

RIN 2060-AO90

### Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry; Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries

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

**ACTION:** Proposed rule; stay.

**SUMMARY:** EPA is proposing to extend the stay of certain provisions of the standards of performance for equipment leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry (SOCMI) and Petroleum Refineries. In the "Rules and Regulations" section of this **Federal Register** we are extending the stay as a direct final rule without a prior proposed rule. If we receive no adverse comment, we will not take further action on this proposed rule.

**DATES:** Written comments must be received by July 2, 2008.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-OAR-2006-0699, by mail to Air and

Radiation Docket (2822T), 1200 Pennsylvania Avenue, NW., Washington, DC 20460. Please include a total of two copies. Comments may also be submitted electronically or through hand delivery/courier by following the detailed instructions in the **ADDRESSES** section of the direct final rule located in the rules section of this **Federal Register**.

We request that you also send a separate copy of each comment to the contact persons listed below (see **FOR FURTHER INFORMATION CONTACT**).

**FOR FURTHER INFORMATION CONTACT:** Ms. Karen Rackley, Coatings and Chemicals Group, Sector Policies and Programs Division, Office of Air Quality Planning and Standards (E143-01), Environmental Protection Agency, Research Triangle Park, North Carolina 27711; telephone number: (919) 541-0634; fax number: 919-541-0246; e-mail address: [rackley.karen@epa.gov](mailto:rackley.karen@epa.gov).

### SUPPLEMENTARY INFORMATION:

#### I. Why Is EPA Issuing This Proposed Rule?

This document proposes to take action on the standards of performance for equipment leaks of VOC in the SOCMI and Petroleum Refineries. We have published a direct final rule extending the stay of the provisions under reconsideration and the stay of the clarification of the definition of process unit in the "Rules and Regulations" section of this **Federal Register** because we view this as a noncontroversial action and anticipate no adverse comment. We have explained our reasons for this action in the preamble to the direct final rule.

If we receive no adverse comment, we will not take further action on this proposed rule. If we receive adverse comment, we will withdraw the direct final rule and it will not take effect. We would address all public comments in any subsequent final rule based on this proposed rule.

We do not intend to institute a second comment period on this action. Any parties interested in commenting must do so at this time. For further information, please see the information provided in the **ADDRESSES** section of this document.

#### II. Does This Action Apply to Me?

Categories and entities potentially regulated by this action are synthetic organic chemicals manufacturers and petroleum refineries. The New Source Performance Standards (NSPS) for equipment leaks of VOC in SOCMI and petroleum refineries affect the following categories of sources:

Category	NAICS Code <sup>1</sup>	Examples of potentially regulated entities
Industry .....	324110 ..... Primarily 325110, 325192, 325193, and 325199.	Petroleum refiners. Synthetic organic chemical manufacturing industry (SOCMI) units, e.g., producers of benzene, toluene, or any other chemical listed in 40 CFR 60.489.

<sup>1</sup> North American Industrial Classification System.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be regulated by the final amendments and new standards for equipment leaks of VOC in SOCMIs and petroleum refineries. To determine whether your facility is regulated by this action, you should examine the applicability criteria in 40 CFR 60.480, 60.590, 60.480a, and 60.590a. If you have any questions regarding the applicability of the NSPS to a particular entity, contact the person listed in the preceding **FOR FURTHER INFORMATION CONTACT** section.

### III. Statutory and Executive Orders

For a complete discussion of all of the administrative requirements applicable to this action, see the direct final rule in the “Rules and Regulations” section of this **Federal Register**.

#### List of Subjects in 40 CFR Part 60

Environmental protection, Administrative practice and procedure, Air pollution control, Incorporation by reference, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: May 15, 2008.

**Stephen L. Johnson,**  
Administrator.

For the reasons cited in the preamble, title 40, chapter I, part 60 of the Code of Federal Regulations is amended as follows:

#### PART 60—[AMENDED]

1. The authority citation for part 60 continues to read as follows:

**Authority:** 42 U.S.C. 7401, et seq.

#### Subpart VV—[Amended]

2. Section 60.480 is amended by adding paragraph (f) to read as follows:

##### **§ 60.480 Applicability and designation of affected facility.**

\* \* \* \* \*

(f) *Stay of standards.* Owners or operators are not required to comply with the definition of “process unit” in § 60.481 and the requirements in § 60.482–1(g) of this subpart until the EPA takes final action to require compliance and publishes a document in the **Federal Register**. While the

definition of “process unit” is stayed, owners or operators should use the following definition:

*Process unit* means components assembled to produce, as intermediate or final products, one or more of the chemicals listed in § 60.489 of this part. A process unit can operate independently if supplied with sufficient feed or raw materials and sufficient storage facilities for the product.

##### **§ 60.481 [Amended]**

3. In § 60.481, the definition for “process unit” is stayed from August 1, 2008 until further notice.

##### **§ 60.482–1 [Amended]**

4. In § 60.482–1, paragraph (g) is stayed from August 1, 2008 until further notice.

#### Subpart VVa—[Amended]

5. Section 60.480a is amended by adding paragraph (f) to read as follows:

##### **§ 60.480a Applicability and designation of affected facility.**

\* \* \* \* \*

(f) *Stay of standards.* (1) Owners or operators that start a new, reconstructed, or modified affected source prior to November 16, 2007 are not required to comply with the requirements in this paragraph until EPA takes final action to require compliance and publishes a document in the **Federal Register**.

(i) The definition of “capital expenditure” in § 60.481a of this subpart. While the definition of “capital expenditure” is stayed, owners or operators should use the definition found in § 60.481 of subpart VV of this part.

(2) Owners or operators are not required to comply with the requirements in this paragraph until EPA takes final action to require compliance and publishes a document in the **Federal Register**.

(i) The definition of “process unit” in § 60.481a of this subpart. While the definition of “process unit” is stayed, owners or operators should use the following definition:

*Process unit* means components assembled to produce, as intermediate or final products, one or more of the

chemicals listed in § 60.489 of this part. A process unit can operate independently if supplied with sufficient feed or raw materials and sufficient storage facilities for the product.

(ii) The method of allocation of shared storage vessels in § 60.482–1a(g) of this subpart.

(iii) The standards for connectors in gas/vapor service and in light liquid service in § 60.482–11a of this subpart.

##### **§ 60.481a [Amended]**

6. In § 60.481a, the definitions of “capital expenditure” and “process unit” are stayed from August 1, 2008 until further notice.

##### **§ 60.482–1a [Amended]**

7. In § 60.482–1a, paragraph (g) is stayed from August 1, 2008 until further notice.

##### **§ 60.482–11a [Amended]**

8. Section 60.482–11a is stayed from August 1, 2008 until further notice.

#### Subpart GGG—[Amended]

9. Section 60.590 is amended by adding paragraph (e) to read as follows:

##### **§ 60.590 Applicability and designation of affected facility.**

\* \* \* \* \*

(e) *Stay of standards.* Owners or operators are not required to comply with the definition of “process unit” in § 60.590 of this subpart until the EPA takes final action to require compliance and publishes a document in the **Federal Register**. While the definition of “process unit” is stayed, owners or operators should use the following definition:

*Process unit* means components assembled to produce intermediate or final products from petroleum, unfinished petroleum derivatives, or other intermediates; a process unit can operate independently if supplied with sufficient feed or raw materials and sufficient storage facilities for the product.

##### **§ 60.591 [Amended]**

10. In § 60.591, the definition of “process unit” is stayed from August 1, 2008 until further notice.

**Subpart GGGa—[Amended]**

11. Section 60.590a is amended by adding paragraph (e) to read as follows:

**§ 60.590a Applicability and designation of affected facility.**

\* \* \* \* \*

(e) *Stay of standards.* Owners or operators are not required to comply with the definition of “process unit” in § 60.590 of this subpart until the EPA takes final action to require compliance and publishes a document in the **Federal Register**. While the definition of “process unit” is stayed, owners or operators should use the following definition:

*Process unit* means components assembled to produce intermediate or final products from petroleum, unfinished petroleum derivatives, or other intermediates; a process unit can operate independently if supplied with sufficient feed or raw materials and sufficient storage facilities for the product.

**§ 60.591a [Amended]**

12. In § 60.591a, the definition of “process unit” is stayed from August 1, 2008 until further notice.

[FR Doc. E8–11384 Filed 5–30–08; 8:45 am]

BILLING CODE 6560–50–P

**DEPARTMENT OF HEALTH AND HUMAN SERVICES****42 CFR Part 5 and 51c**

RIN 0906–AA44

**Designation of Medically Underserved Populations and Health Professional Shortage Areas**

**AGENCY:** Department of Health and Human Services (HHS).

**ACTION:** Notice of proposed rulemaking; extension of public comment period.

**SUMMARY:** On April 21, 2008, HHS published a 30-day extension to the public comment period and provided clarification on the notice of proposed rulemaking, “Designation of Medically Underserved Populations and Health Professional Shortage Areas” (73 FR 21300). HHS and the Health Resources and Services Administration (HRSA) have received requests for a further extension to the comment period. In consideration of these requests, HHS is extending the comment period an additional 30 days, with a new closing date of June 30, 2008.

**DATES:** Written comments on this proposed rule must be submitted on or before June 30, 2008. Please refer to

**SUPPLEMENTARY INFORMATION** for additional information.

**FOR FURTHER INFORMATION CONTACT:** Andy Jordan, 301–594–0197.

**SUPPLEMENTARY INFORMATION:** During the public comment period, HRSA has encouraged State Primary Care Offices (PCOs) to apply the proposed methodology using their own State and local data to see how well it works in identifying areas in need in their States. HRSA has provided assistance, tools, and data to support States in their efforts and will continue to do so. In order to facilitate a better understanding of the proposed rule, HRSA provided PCOs with a calculator that applies the formulas proposed in the rule to determine designation, with data files, as well as with technical assistance in using the calculator. HRSA has also provided the names of PCOs who, with their expertise with different data sources, may be able to offer some technical assistance to their colleagues.

Dated: May 29, 2008.

Elizabeth M. Duke,  
Administrator.

[FR Doc. 08–1314 Filed 5–29–08; 2:55 pm]

BILLING CODE 4152–01–P

**DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service****50 CFR Part 17**

[FWS–R2–ES–2008–0070; 1111 FY07 MO–B2]

**Endangered and Threatened Wildlife and Plants; 90-Day Finding on a Petition To List the Cactus Ferruginous Pygmy-Owl (*Glaucidium ridgwayi cactorum*) as Threatened or Endangered With Critical Habitat**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of 90-day petition finding and initiation of status review.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), announce a 90-day finding on a petition to list the cactus ferruginous pygmy-owl (*Glaucidium ridgwayi cactorum*) (pygmy-owl) as threatened or endangered under the Endangered Species Act of 1973, as amended (Act). We find that the petition presents substantial scientific or commercial information indicating that listing the pygmy-owl may be warranted. Therefore, with the publication of this notice, we are initiating a status review of the species, and we will issue a 12-month finding on our determination as

to whether the petitioned action is warranted. To ensure that the status review of the pygmy-owl is comprehensive, we are soliciting information and data regarding this species. We will make a determination on critical habitat for this species if and when we initiate a listing action.

**DATES:** We made the finding announced in this document on June 2, 2008. To allow us adequate time to conduct this review, we request that information be submitted on or before August 1, 2008.

**ADDRESSES:** You may submit comments by one of the following methods:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- U.S. mail or hand delivery: Public Comments Processing, Attn: [FWS–R2–ES–2008–0070]; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, Suite 222; Arlington, VA 22203.

We will not accept e-mail or faxes. We will post all submissions on <http://www.regulations.gov>. This generally means that we will post any personal information you provide us (see the Information Solicited section below for more information).

**FOR FURTHER INFORMATION CONTACT:**

Steven Spangle, Field Supervisor, Arizona Ecological Services Office, U.S. Fish and Wildlife Service, 2321 West Royal Palm Road, Suite 103, Phoenix, AZ 85021; telephone 602/242–0210; facsimile 602/242–2513. If you use a telecommunications device for the deaf (TDD), call the Federal Information Relay Service (FIRS) at 800–877–8339.

**SUPPLEMENTARY INFORMATION:****Information Solicited**

When we make a finding that a petition presents substantial information to indicate that listing a species may be warranted, we are required to promptly commence a review of the status of the species. To ensure that the status review is complete and based on the best available scientific and commercial information, we are soliciting information on the status of the pygmy-owl. We request any additional information from the public, other concerned governmental agencies, Native American Tribes, the scientific community, industry, or any other interested parties concerning the status of the pygmy-owl. We are seeking information regarding the species' historical and current status and distribution, its biology and ecology, ongoing conservation measures for the species and its habitat; and threats to the species or its habitat. Specifically,