

**FOR FURTHER INFORMATION CONTACT:**

Geoffrey Wilcox, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; *telephone:* (202) 564-5601; *fax number* (202) 564-5603; *e-mail address:* [wilcox.geoffrey@epa.gov](mailto:wilcox.geoffrey@epa.gov).

**SUPPLEMENTARY INFORMATION:****I. Additional Information About the Proposed Consent Decree**

The proposed consent decree requires EPA to sign for publication in the **Federal Register** no later than June 15, 2010 a notice of the Agency's final action on ICAPCD Rules 800 through 806 pursuant to section 110(k) of the CAA. Rules 800 through 806 are a series of control measures intended to reduce particulate matter (PM-10) from a variety of sources of fugitive dust including construction activities, open areas, paved and unpaved roads and agricultural operations.

This proposed consent decree would resolve a lawsuit seeking to compel action by the Administrator to take final action under section 110(k) of the Act on ICAPCD Rules 800 through 806 submitted to the Environmental Protection Agency (EPA) by the California Air Resources Board as revisions to the state implementation plan. The proposed consent decree provides that EPA will sign for publication in the **Federal Register** notice of the Agency's final action pursuant to CAA section 110(k) on Rules 800 through 806 by June 15, 2010. If EPA fulfills its obligations, Plaintiff has agreed to dismiss this suit with prejudice.

For a period of thirty (30) days following the date of publication of this notice, the Agency will accept written comments relating to the proposed consent decree from persons who were not named as parties or intervenors to the litigation in question. EPA or the Department of Justice may withdraw or withhold consent to the proposed consent decree if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless EPA or the Department of Justice determines, based on any comment submitted, that consent to this consent decree should be withdrawn, the terms of the decree will be affirmed.

**II. Additional Information About Commenting on the Proposed Consent Decree****A. How Can I Get a Copy of the Consent Decree?**

The official public docket for this action (identified by Docket ID No. EPA-HQ-OGC-2009-0864) contains a copy of the proposed consent decree. The official public docket is available for public viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OEI Docket is (202) 566-1752.

An electronic version of the public docket is available through <http://www.regulations.gov>. You may use <http://www.regulations.gov> to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Once in the system, key in the appropriate docket identification number then select "search".

It is important to note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing online at <http://www.regulations.gov> without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. Information claimed as CBI and other information whose disclosure is restricted by statute is not included in the official public docket or in the electronic public docket. EPA's policy is that copyrighted material, including copyrighted material contained in a public comment, will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the EPA Docket Center.

**B. How and To Whom Do I Submit Comments?**

You may submit comments as provided in the **ADDRESSES** section. Please ensure that your comments are submitted within the specified comment period. Comments received after the

close of the comment period will be marked "late." EPA is not required to consider these late comments.

If you submit an electronic comment, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment and with any disk or CD-ROM you submit. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. Any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. 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.

Use of the <http://www.regulations.gov> Web site to submit comments to EPA electronically is EPA's preferred method for receiving comments. The electronic public docket system is an "anonymous access" system, which means EPA will not know your identity, e-mail address, or other contact information unless you provide it in the body of your comment. In contrast to EPA's electronic public docket, EPA's electronic mail (e-mail) system is not an "anonymous access" system. If you send an e-mail comment directly to the Docket without going through <http://www.regulations.gov>, your e-mail address is automatically captured and included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

Dated: November 20, 2009.

**Richard B. Ossias,**

*Associate General Counsel.*

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**ENVIRONMENTAL PROTECTION AGENCY**

**[FRL-9086-8]**

**Postponement of NACEPT Subcommittee on Promoting Environmental Stewardship**

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

**ACTION:** Postponement of meeting.

**SUMMARY:** On November 13, 2009, EPA provided notice (74 FR 58626) of a meeting of the NACEPT Subcommittee on Promoting Environmental

Stewardship on December 1 and 2, 2009. The purpose of this notice is to announce a postponement of the December 1 and 2 meeting.

The purpose of the Subcommittee on Promoting Environmental Stewardship (SPES) of the National Advisory Council for Environmental Policy and Technology (NACEPT) is to advise the U.S. Environmental Protection Agency on how to promote environmental stewardship practices that encompass all environmental aspects of an organization in the regulated community and other sectors, as appropriate, in order to enhance human health and environmental protection.

The meeting scheduled for December 1 and 2 was intended to focus on the Subcommittee's potential stewardship-related recommendations for the Agency. The meeting is being postponed to allow additional time for Subcommittee members to more fully prepare and process potential next steps.

**FOR FURTHER INFORMATION CONTACT:**

Regina Langton, Designated Federal Officer, [langton.regina@epa.gov](mailto:langton.regina@epa.gov), 202-566-2178, U.S. EPA Office of Policy, Economics, and Innovation (MC1807T), 1200 Pennsylvania Avenue, NW., Washington, DC 20460.

Dated: November 23, 2009.

**Andrew Teplitzky,**

*Acting Director, Performance Track Division.*

[FR Doc. E9-28534 Filed 11-27-09; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### Notice of Public Information Collection Being Reviewed by the Federal Communications Commission, Comments Requested

November 20, 2009.

**SUMMARY:** The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act of 1995, 44 U.S.C. 3501-3520. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of

information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

**DATES:** Persons wishing to comment on this information collection should submit comments on January 29, 2010. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all PRA comments to Nicholas A. Fraser, Office of Management and Budget (OMB), via fax at (202) 395-5167, or via the Internet at [Nicholas.A.Fraser@omb.eop.gov](mailto:Nicholas.A.Fraser@omb.eop.gov) and to Judith B. Herman, Federal Communications Commission (FCC). To submit your PRA comments by e-mail send them to: [PRA@fcc.gov](mailto:PRA@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:**

Judith B. Herman, OMD, 202-418-0214. For additional information about the information collection(s) send an e-mail to [PRA@fcc.gov](mailto:PRA@fcc.gov) or contact Judith B. Herman, 202-418-0214.

**SUPPLEMENTARY INFORMATION:**

OMB Control No: 3060-0816.

Title: Local Telephone Competition and Broadband Reporting, Report and Order, WC Docket No. 07-38, FCC 08-89; Order on Reconsideration, WC Docket No. 07-38, FCC 08-148.

Form No.: FCC Form 477.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit, not-for-profit institutions, and state, local or tribal government.

Number of Respondents: 1,790 respondents; 3,580 responses.

Estimated Time Per Response: 289 hours (average).

Frequency of Response: Semi-annual reporting requirement.

Obligation to Respond: Mandatory. Statutory authority for this information collection is contained in 47 U.S.C. Sections 4(i), 201, 218-220, 251-252, 271, 303(r), 332 and 403 of the Communications Act of 1934, as amended; 47 U.S.C. Section 1302; as well as 47 U.S.C. section 706 of the Telecommunications Act of 1996.

Total Annual Burden: 1,034,620 hours.

Total Annual Cost: N/A.

Privacy Act Impact Assessment: N/A.

Nature and Extent of Confidentiality:

The Commission will continue to allow respondents to certify, on the first page of each submission, that some data contained in that submission are privileged or confidential, commercial or financial information and that disclosure of such information would likely cause substantial harm to the competitive position of the entity making the submission. If the Commission receives a request for, or proposes to disclose the information, the respondent would be required to make a full showing pursuant to the Commission's rules for withholding from public inspection information submitted to the Commission. The Commission will retain its current policies and procedures regarding the confidential treatment of submitted FCC Form 477 data, including the use of aggregated, non-company specific data in its published reports.

**Need and Uses:** This information collection is being submitted to the Office of Management and Budget (OMB) after this 60 day comment period in order to obtain the full three year clearance. The Commission is reporting a decrease of 50,520 hours to the total annual burden. This adjustment decrease is due to respondents' increased familiarity with the new, on-line filing procedures and with the changes to their own systems that were necessary to comply with this information collection. During the first two filing windows during OMB's one year conditional approval of the data collection on a pilot basis, the Commission has been flexible with and assisted respondents who had difficulty in submitting information in the new format.

This collection improves the Commission's understanding of the extent of broadband deployment, facilitating the development of appropriate broadband policies and the Commission's ability to carry out its obligation under section 706 of the Telecommunications Act of 1996 to "determine whether advanced telecommunications capability is being deployed to all Americans in a reasonable and timely fashion." In addition, the Telecommunications Act of 1996 directs the Commission to take actions to open all participants, including new entrants. A central task in creating this framework is the opening of previously monopolized local telecommunications markets. By collecting timely and reliable information about the pace and extent of competition for local telephony service in different geographic areas, including