

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52**

[EPA-R03-OAR-2007-1146; FRL-8561-3]

**Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Transportation Conformity Requirements****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to approve the State Implementation Plan (SIP) revision submitted by West Virginia for Transportation Conformity Requirements. 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 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 If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule.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 June 2, 2008.**ADDRESSES:** Submit your comments, identified by Docket ID Number EPA-R03-OAR-2007-1046 by one of the following methods:

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

B. *E-mail: febbo.carol@epa.gov*.

C. *Mail:* EPA-R03-OAR-2007-1146, Carol Febbo, Chief, Energy, Radiation and Indoor Environment, Mailcode 3AP23, 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-2007-1146. 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 submittal are available at the West Virginia Department of Environmental Protection, Division of Air Quality, 601 57th Street, SE., Charleston, WV 25304.

**FOR FURTHER INFORMATION CONTACT:** Martin Kotsch, (215) 814-3335, or by e-mail at *kotsch.martin@epa.gov*.

**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.

Dated: April 15, 2008.

**William T. Wisniewski,***Acting Regional Administrator, Region III.*

[FR Doc. E8-9611 Filed 5-1-08; 8:45 am]

BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Parts 704, 720, 721, and 723**

[EPA-HQ-OPPT-2007-0392; FRL-8360-7]

RIN 2070-AJ21

**Proposed Clarification for Chemical Identification Describing Activated Phosphors for TSCA Inventory Purposes; Reopening of Comment Period****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Proposed clarification; reopening of comment period.

**SUMMARY:** EPA issued a document in the **Federal Register** of January 16, 2008, concerning chemical identification of activated phosphors for Toxic Substances Control Act (TSCA) Inventory purposes. EPA received a request to reopen the comment period to provide more time to prepare comments. EPA is reopening the comment period for 30 days, allowing additional comments to be submitted by June 2, 2008.

**DATES:** Comments, identified by docket identification (ID) number EPA-HQ-OPPT-2007-0392, must be received on or before June 2, 2008.

**ADDRESSES:** Follow the detailed instructions as provided under **ADDRESSES** in the **Federal Register** document of January 16, 2008.

**FOR FURTHER INFORMATION CONTACT:** *For general information contact:* Colby Lintner, Regulatory Coordinator, Environmental Assistance Division (7408M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (202) 554-1404; e-mail address: *TSCA-Hotline@epa.gov*.

*For technical information contact:* David Schutz, Chemical Control Division (7405M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (202) 564-9262; e-mail address: *schutz.david@epa.gov*.

**SUPPLEMENTARY INFORMATION:** This document reopens the public comment period established in a proposed

clarification document published in the **Federal Register** issue of January 16, 2008 (73 FR 2854) (FRL-8131-8). In that document, EPA proposed a clarification under which activated phosphors that are not on the TSCA section 8(b) Chemical Substance Inventory (TSCA Inventory) would be considered to be new chemical substances under TSCA section 5, and thus would be subject to the notification requirements under TSCA section 5(a) new chemical notification requirements. EPA is hereby reopening the comment period for 30 days, allowing additional comments to be submitted by June 2, 2008.

To submit comments, or access the public docket, please follow the detailed instructions as provided under **ADDRESSES** in the January 16, 2008 **Federal Register** document. If you have questions, consult the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

#### **List of Subjects 40 CFR Parts 704, 720, 721, and 723**

Environmental protection, Chemicals, Electric lighting industry, Hazardous substances, Reporting and recordkeeping requirements.

Dated: April 24, 2008.

**James B. Gulliford,**

*Assistant Administrator, Office of Prevention, Pesticides and Toxic Substances.*

[FR Doc. E8-9740 Filed 5-1-08; 8:45 am]

**BILLING CODE 6560-50-S**

## **DEPARTMENT OF TRANSPORTATION**

### **Office of the Secretary**

#### **49 CFR Parts 18 and 19**

[Docket OST-2005-22602]

**RIN 2105-AD60**

#### **Grants and Cooperative Agreements to State and Local Governments; Grants and Agreements with Institutions of Higher Education, Hospitals and Other Non-Profit Organizations**

**AGENCY:** Office of the Secretary (OST), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM); request for comments.

**SUMMARY:** This proposal would amend Department of Transportation regulations on uniform administrative requirements for grants and agreements with institutions of higher education, hospitals and other non-profit organizations. Specifically, the DOT proposes to make requirements for these grants and agreements consistent with

the uniform administrative requirements for grants and cooperative agreements to state and local governments. In addition, this proposal would update references to applicable cost principles for grants and cooperative agreements with state and local governments and for grants and other agreements with institutions of higher education, hospitals and other non-profit organizations that appear in current Department of Transportation regulations.

**DATES:** Comments must be received on or before June 16, 2008

**ADDRESSES:** You may file comments identified by the docket number DOT-OST-2007-0022 by any of the following methods:

○ *Federal eRulemaking Portal:* go to <http://www.regulations.gov> and follow the online instructions for submitting comments.

○ *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Ave., SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.

○ *Hand Delivery or Courier:* West Building Ground Floor, Room W12-140, 1200 New Jersey Ave., SE., between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal Holidays.

○ *Fax:* (202) 493-2251.

**Instructions:** You must include the agency name and docket number DOT-OST-2007-0022 or the Regulatory Identification Number (RIN) for the rulemaking at the beginning of your comment. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

**FOR FURTHER INFORMATION CONTACT:** Ellen Shields, Office of the Senior Procurement Executive, Office of Administration (M-61), (202) 366-4268, 1200 New Jersey Avenue, SE., Washington, DC 20590-0001. Office hours are from 7:45 a.m. to 4:15 p.m. ET, Monday through Friday, except Federal holidays.

#### **SUPPLEMENTARY INFORMATION:**

##### **Electronic Access and Filing**

You may submit or retrieve comments online through the Document Management System (DMS) at: <http://www.regulations.gov>. Acceptable formats include: MS Word (versions 95 to 97), MS Word for Mac (versions 6 to 8), Rich Text File (RTF), American Standard Code Information Interchange (ASCII)(TXT), Portable Document Format (PDF), and WordPerfect (versions 7 to 8). This site is available 24 hours each day, 365 days each year. Electronic submission and retrieval help

and guidelines are available under the help section of the web site.

An electronic copy of this document may also be downloaded by using a computer, modem and suitable communications software from the Government Printing Office's Electronic Bulletin Board Service at (202) 512-1661. Internet users may also reach the Office of the Federal Register's home page at: <http://www.nara.gov/fedreg> and the Government Printing Office's Web page at: <http://www.access.gpo.gov/nara>.

#### **Background**

Regulations governing two types of U.S. Department of Transportation grant and cooperative agreement recipients are found in Parts 18 and 19 of Title 49 of the Code of Federal Regulations:

1. *49 CFR Part 18:* Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.

2. *49 CFR Part 19:* Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations

Both of these parts contain a provision that governs allowable costs. However, while 49 CFR 18.22(a) identifies certain specific limitations on the use of grant or cooperative agreement funds by state or local governments receiving financial assistance from the U.S. Department of Transportation, 49 CFR 19.27 does not contain similar limitations. Specifically, under 49 CFR 18.22(a), grant funds may only be used for:

(1) The allowable costs of the grantees, subgrantees and cost-type contractors, including allowable costs in the form of payments to fixed-price contractors; and

(2) Reasonable fees or profit to cost-type contractors but not any fee or profit (or other increment above allowable costs) to the grantee or subgrantee.

This proposal would impose the same limitation on the use of funds used for grants and agreements with institutions of higher education, hospitals, and other non-profit organizations as there are on the use of funds used for uniform administrative requirements for grants and cooperative agreements to state and local governments, which are set forth above.

In addition, this proposal would update references to applicable cost principles for grants and cooperative agreements with state and local governments that appear in 49 CFR 18.22(b) and include comparable updated references in 49 CFR 19.27(b) with regard to grants and agreements awarded to institutions of higher education, hospitals, and other non-