

NO_x Emissions Reduction Program, as a revision to the Illinois SIP.

[FR Doc. 2010-26438 Filed 10-20-10; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R07-OAR-2010-0415; FRL-9210-3]

Approval and Promulgation of Implementation Plans; State of Missouri

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is approving a revision to a State Implementation Plan (SIP) submitted by the State of Missouri. The purpose of this revision is to update the Springfield City Code and is part of ongoing SIP maintenance to assure that outdated local codes and ordinances do not remain in the SIP. The revision reflects updates to the Missouri statewide rules, and will ensure consistency between the applicable local agency rules and the Federally approved rules.

DATES: This direct final rule will be effective December 20, 2010, without further notice, unless EPA receives adverse comment by November 22, 2010. If EPA receives adverse comment, we will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R07-OAR-2010-0415, by one of the following methods:

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

2. *E-mail:* kemp.lachala@epa.gov.

3. *Mail or Hand Delivery:* Lachala Kemp, Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101.

Instructions: Direct your comments to Docket ID No. EPA-R07-OAR-2010-0415. 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 through *http://*

www.regulations.gov or e-mail information that you consider to be CBI or otherwise protected. 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 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, 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 at the Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101. The Regional Office's official hours of business are Monday through Friday, 8 to 4:30 excluding Federal holidays. The interested persons wanting to examine these documents should make an appointment with the office at least 24 hours in advance.

FOR FURTHER INFORMATION CONTACT:

Lachala Kemp at 913-551-7214, or by e-mail at kemp.lachala@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document "we," "us," or "our" refer to EPA. This section provides additional information by addressing the following questions:

- I. What is being addressed in this document?
- II. What revisions is EPA approving?
- III. What action is EPA taking?
- IV. Statutory and Executive Order Reviews

I. What is being addressed in this document?

On January 21, 2009, EPA received a request from the Missouri Department of

Natural Resources to approve revisions to the SIP relating to changes in the SIP-approved program for Springfield, Missouri. In order for the local program's "Air Pollution" rules to be incorporated into the Federally-enforceable SIP, on behalf of the local agency, the State must submit the formally adopted regulations which are consistent with State and Federal requirements to EPA for inclusion in the SIP. The regulation adoption process generally includes public notice of a public comment period and a public hearing, and formal adoption of the rule by the State authorized rulemaking body. In this case that rulemaking body is the local agency. After the local agency formally adopts the rule, the local agency submits the rulemaking to the State, and then the State submits the rulemaking to EPA for consideration for formal action (inclusion of the rulemaking into the SIP). EPA must provide public notice and seek additional public comment regarding the proposed Federal action on the State's submission.

The 2009 revisions for Springfield consist of administrative changes, removing Springfield City Code Chapter 2A and replacing it with the Springfield City Code Chapter 6. EPA had previously approved portions of Chapter 2A, as it relates to regulation of incinerators. In general, these changes are administrative only and they do not add any new limitations, conditions or requirements. The revisions retain all previous sections pertaining to definitions, test methods and tables, stack emission test methods, and emission limitations for incinerators, but with new numbering and titles. The revision also removes compliance schedules for incinerators which were not in compliance upon the original effective date of the rule (1969).

II. What revision is EPA approving?

EPA is approving revisions to the relevant portions of Springfield City Code Chapter 2A "Air Pollution Control Standards", which are now found in Chapter 6 of the Code. The local agency's "Air Pollution Control Standards" were revised as follows:

Article I, section 2A has been renumbered as Chapter 6 with other corresponding renumbering within the chapter.

All previous sections pertaining to definitions, test methods and tables, stack emission test methods, and incinerators have all been retained, but with new numbering and titles.

What action is EPA taking?

EPA is approving these revisions to the Springfield City Code Chapter 2A Air Pollution Control Standard as described above. We are processing this action as a direct final action because the revisions make routine changes to the existing rules which are noncontroversial. Therefore, we do not anticipate any adverse comments. Please note that if EPA receives adverse comment on part of this rule and if that part can be severed from the remainder of the rule, EPA may adopt as final those parts of the rule that are not the subject of an adverse comment.

Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve State choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this action merely approves State law as meeting Federal requirements and does not impose additional requirements beyond those imposed by State law. For that reason, this action:

- Is not a "significant regulatory action" subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4);
- Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);

- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act; and
- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this rule does not have Tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the State, and EPA notes that it will not impose substantial direct costs on Tribal governments or preempt Tribal law.

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by December 20, 2010. Filing a petition for

reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. Parties with objections to this direct final rule are encouraged to file a comment in response to the parallel notice of proposed rulemaking for this action published in the proposed rules section of today's **Federal Register**, rather than file an immediate petition for judicial review of this direct final rule, so that EPA can withdraw this direct final rule and address the comment in the proposed rulemaking. This action may not be challenged later in proceedings to enforce its requirements. (*See* section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: September 22, 2010.

Karl Brooks,
Regional Administrator, Region 7.

■ Accordingly, 40 CFR part 52 is amended as follows:

PART 52—[AMENDED]

■ 1. The authority citation for part 52 continues to read as follows:

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

Subpart AA—Missouri

■ 2. In § 52.1320 the table in paragraph (c) is amended by revising the entry for "Chapter 2A" under the heading "Springfield—Chapter 2A—Air Pollution Control Standards" to read as follows:

§ 52.1320 Identification of plan.

* * * * *
(c) * * *

EPA-APPROVED MISSOURI REGULATIONS

Missouri citation	Title	State effective date	EPA approval date	Explanation
Missouri Department of Natural Resources, Chapter 2 Air Quality Standards and Air Pollution Control Regulations for the Kansas City Metropolitan Area				

EPA-APPROVED MISSOURI REGULATIONS—Continued

Missouri citation	Title	State effective date	EPA approval date	Explanation
*	*	*	*	*
Springfield—Chapter 2A—Air Pollution Control Standards				
Article I	Definitions	12/04/08	10/21/10 [<i>insert FR page number where the document begins</i>].	Only Section 6–2 is approved by EPA.
Article II	Administrative and Enforcement. Incinerators.	12/04/08		Only Sections 6–151, 155, 156, and 171 are approved by EPA.
Article V		12/04/08		Only Sections 6–311 through 314 are approved by EPA.

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[FR Doc. 2010–24918 Filed 10–20–10; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES**42 CFR Part 110**

RIN 0906–AA83

Countermeasures Injury Compensation Program (CICP): Administrative Implementation; Interim Final Rule*Correction*

In rule document 2010–25110 beginning on page 63656 in the issue of Friday, October 15, 2010, make the following corrections:

1. On page 63656, in the first column, in the **DATES** section, in the second and third lines, “Written *one* comments” should read “Written comments”.

2. On the same page, in the same column, in the **ADDRESSES** section, in the fourth and fifth lines, “submit your comments in only of these ways” should read “submit your comments in only *one* of these ways”.

[FR Doc. C1–2010–25110 Filed 10–20–10; 8:45 am]

BILLING CODE 1505–01–D

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 648**

[Docket No. 0910051338–0151–02]

RIN 0648–XZ44

Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Correction to Cod Landing Limit for Handgear A Vessels in the Common Pool Fishery

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Temporary rule; inseason adjustment of landing limit.

SUMMARY: This action addresses an oversight in a previous inseason action and decreases the landing limit for cod to 50 lb (22.7 kg) per trip for NE multispecies limited access Handgear A (HA) permitted vessels fishing in the common pool fishery for the remainder of the 2010 fishing year (FY) (through April 30, 2011). This action is authorized under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), and is required by the regulations implementing Amendment 13, Amendment 16, and Framework Adjustment 44 (FW 44) to the NE Multispecies Fishery Management Plan (FMP).

DATES: Effective October 21, 2010, through April 30, 2011.

FOR FURTHER INFORMATION CONTACT: Douglas Potts, Fishery Policy Analyst, (978) 281–9341, fax (978) 281–9135.

SUPPLEMENTARY INFORMATION: Regulations governing possession and landing limits for HA vessels fishing

under common pool regulations at § 648.82(b)(6) state that “The [300 lb (136.1 kg)] cod trip limit shall be adjusted proportionally to the trip limit for [Gulf of Maine (GOM)] cod (rounded up to the nearest 50 lb (22.7 kg)), as specified in § 648.86(b)). An inseason action published in the **Federal Register** on September 27, 2010 (75 FR 59154), reduced the GOM cod trip limit for NE multispecies common pool vessels fishing under a day-at-sea (DAS) to 100 lb (45.4 kg) per DAS up to 1,000 lb (453.6 kg) per trip, from the original 800 lb (362.9 kg) per DAS up to 4,000 lb (1,814.4 kg) per trip limit, a 87.5 percent reduction. Therefore, the HA cod trip limit should have been reduced 87.5 percent from 300 lb (136.1 kg) to 37.5 lb (17.0 kg), and rounded up to 50 lb (22.7 kg)). The HA cod limit applies to both the GOM and Georges Bank (GB) stocks of cod. Additional details regarding the need to reduce the common pool GOM cod in order to decrease the likelihood of harvest exceeding the subcomponent of the annual catch limit (ACL) allocated to the common pool, and the authority of the Administrator, Northeast (NE) Region, NMFS (Regional Administrator) to take such action, are stated in the action published on September 27, 2010 (75 FR 59154), and are not repeated here.

This action therefore, reduces the common pool cod trip limit for HA vessels to 50 lb (22.7 kg) from 100 lb (45.4 kg). Catch will be closely monitored through dealer-reported landings, vessel monitoring system (VMS) catch reports, and other available information. Further inseason adjustments to decrease the trip limit, or to increase differential DAS measures, may be considered, based on updated catch data and projections. Conversely, if the common pool sub-ACL is projected to be under-harvested by the end of FY 2010, in-season adjustments,