

permitting authorities. Section 505(b)(2) of the Act authorizes any person to petition the EPA Administrator, within 60 days after the expiration of this review period, to object to a Title V operating permit if EPA has not done so. Petitions must be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided by the State, unless the petitioner demonstrates that it was impracticable to raise these issues during the comment period or the grounds for the issues arose after this period.

On March 21, 2008, EPA received a petition from Rocky Mountain Clean Air Action requesting that EPA object to the issuance of the Title V operating permit to CEMEX, Inc. for the operation of the Lyons Cement Plant. First, the Petitioner alleges that the CEMEX, Inc. Lyons Cement Plant modified the Plant without including emission limits and standards that represent Best Achievable Control Technology (BACT)

and Lowest Achievable Emission Rate (LAER) consistent with the Prevention of Significant Deterioration (PSD) and the Nonattainment New Source Review (NA NSR) provisions. In addition, the Petitioner alleges that the Title V permit fails to include a compliance plan to bring the plant into compliance with emission limits that represent BACT and LAER. The Petitioner alleges a compliance plan is necessary and cites to the Notice of Violation (NOV) EPA issued to CEMEX on March 28, 2007. EPA issued the NOV to CEMEX alleging violations, in part, of regulations for PSD and NA NSR. Second, the Petitioner raises several allegations of PSD and NSR violations in addition to those alleged in the EPA NOV. Specifically, Petitioner alleged that there were six kiln modifications and three dryer modifications that violated PSD and NA NSR requirements.

On April 20, 2009, the Administrator issued an order partially granting and partially denying the petition. The order

explains the reasons behind EPA's conclusion to partially grant and partially deny the petition for objection.

Dated: May 1, 2009.

**Stephen S. Tuber,**

*Acting Regional Administrator, Region 8.*

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**BILLING CODE 6560-50-P**

## FEDERAL COMMUNICATIONS COMMISSION

### Meetings; Sunshine Act

May 6, 2009.

### FCC To Hold Open Commission Meeting, Wednesday, May 13, 2009

The Federal Communications Commission will hold an Open Meeting on the subjects listed below on Wednesday, May 13, 2009, which is scheduled to commence at 10 a.m. in Room TW-C305, at 445 12th Street, SW., Washington, DC.

Item No.	Bureau	Subject
1	Office of Managing Director .....	<i>Title:</i> Assessment and Collection of Regulatory Fees for Fiscal Year 2009 (MD Docket No. 08-65). <i>Summary:</i> The Commission will consider a Notice of Proposed Rulemaking and Order that seeks comment on the collection of regulatory fees for Fiscal Year 2009 and proposes adjustments to the existing regulatory fee schedule contained in Section 9 of the Communications Act.
2	Wireline Competition .....	<i>Title:</i> IP-Enabled Services (WC Docket No. 04-36). <i>Summary:</i> The Commission will consider a Report and Order concerning the requirements of interconnected VoIP providers when discontinuing service.
3	Wireline Competition .....	<i>Title:</i> Local Number Portability Porting Interval and Validation Requirements (WC Docket No. 07-244); Telephone Number Portability (CC Docket No. 95-116). <i>Summary:</i> The Commission will consider a Report and Order and Further Notice of Proposed Rulemaking concerning the interval for porting a customer's telephone number in response to wireline-to-wireline and intermodal port requests.

The meeting site is fully accessible to people using wheelchairs or other mobility aids. Sign language interpreters, open captioning, and assistive listening devices will be provided on site. Other reasonable accommodations for people with disabilities are available upon request. Include a description of the accommodation you will need. Also include a way we can contact you if we need more information. Last minute requests will be accepted, but may be impossible to fill. Send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

Additional information concerning this meeting may be obtained from Audrey Spivack or David Fiske, Office

of Media Relations, (202) 418-0500; TTY 1-888-835-5322. Audio/Video coverage of the meeting will be broadcast live with open captioning over the Internet from the FCC's Audio/Video Events Web page at <http://www.fcc.gov/realaudio>.

For a fee this meeting can be viewed live over George Mason University's Capitol Connection. The Capitol Connection also will carry the meeting live via the Internet. To purchase these services call (703) 993-3100 or go to <http://www.capitolconnection.gmu.edu>.

Copies of materials adopted at this meeting can be purchased from the FCC's duplicating contractor, Best Copy and Printing, Inc. (202) 488-5300; Fax (202) 488-5563; TTY (202) 488-5562. These copies are available in paper

format and alternative media, including large print/type; digital disk; and audio and video tape. Best Copy and Printing, Inc. may be reached by e-mail at [FCC@BCPIWEB.com](mailto:FCC@BCPIWEB.com).

Federal Communications Commission.

**William F. Caton,**

*Deputy Secretary.*

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\* The summaries listed in this notice are intended for the use of the public attending open Commission meetings. Information not summarized

may also be considered at such meetings. Consequently these summaries should not be

interpreted to limit the Commission's authority to consider any relevant information.