

IV. What Action Is EPA Taking Today?

EPA is proposing to approve portions of Colorado's revisions to Regulation No. 3, submitted by Colorado on July 11, 2005 and October 25, 2005, that relate to the PSD and NSR construction permits program. These revisions meet the minimum program requirements of the December 31, 2002, EPA NSR Reform rulemaking. EPA will take action at a later date on the remaining revisions made by Colorado to Regulation No. 3 as adopted on April 16, 2004 by the Colorado Air Quality Control Commission. This future action will allow EPA to consider the complete Regulation No. 3 restructuring and other previously submitted SIP revision requests for Regulation No. 3.

V. Statutory and Executive Order Reviews

Executive Order 12866; Regulatory Planning and Review

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a "significant regulatory action" and therefore is not subject to review by the Office of Management and Budget.

Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution, or Use

Because it is not a "significant regulatory action" under Executive Order 12866 or a "significant energy action," this action is also not subject to Executive Order 13211, "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355, May 22, 2001).

Regulatory Flexibility Act

This proposed action merely proposes to approve state law as meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this proposed rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

Unfunded Mandates Reform Act

Because this rule proposes to approve pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it 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).

Executive Order 13175 Consultation and Coordination With Indian Tribal Governments

This proposed rule also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (59 FR 22951, November 9, 2000).

Executive Order 13132 Federalism

This action also does not have federalism implications because it does not have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This action merely proposes to approve a state rule implementing a federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act.

Executive Order 13045 Protection of Children From Environmental Health and Safety Risks

This proposed rule also is not subject to Executive Order 13045 "Protection of Children from Environmental Health Risks and Safety Risks" (62 FR 19885, April 23, 1997), because it is not economically significant.

National Technology Transfer Advancement Act

In reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. In this context, in the absence of a prior existing requirement for the state to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the Clean Air Act. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply.

Paperwork Reduction Act

This proposed rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 40 CFR Part 52

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

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

Dated: November 28, 2005.

Max H. Dodson,

Acting Regional Administrator, Region 8.

[FR Doc. 05-23712 Filed 12-6-05; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[OPP-2005-0240; FRL-7737-5]

Pesticides; Revisions to Tolerance Exemptions for Polymers

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to remove the molecular weight limitations from the tolerance exemption expression for certain polymeric substances codified in 40 CFR 180.960. These exemptions from the requirement of a tolerance were established based on the polymer's meeting the criteria established by the Agency in 40 CFR 723.250, which define a low risk polymer. The Agency is acting on its own initiative.

DATES: Comments must be received on or before February 6, 2006.

ADDRESSES: Submit your comments, identified by docket identification (ID) number OPP-2005-0240, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov/>. Follow the on-line instructions for submitting comments.

- *Agency Website:* EDOCKET, EPA's electronic public and comment system was replaced on November 25, 2005, by an enhanced federal-wide electronic docket management and comment system located at <http://www.regulations.gov/>. Follow the on-line instructions.

- *E-mail:* Comments may be sent by e-mail to: opp-docket@epa.gov, Attention: Docket ID Number OPP-2005-0240.

- *Mail:* Public Information and Records Integrity Branch (PIRIB) (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW.,

Washington, DC 20460-0001, Attention: Docket ID Number OPP-2005-0240.

- *Hand delivery:* Public Information and Records Integrity Branch (PIRIB), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1801 S. Bell St., Arlington, VA, Attention: Docket ID Number OPP-2005-0240. 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 number OPP-2005-0240. 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 [regulations.gov](http://www.regulations.gov) or e-mail. The [regulations.gov](http://www.regulations.gov) website 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 [regulations.gov](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. For additional information about EPA's public docket visit the EPA Docket Center homepage at <http://www.epa.gov/epahome/dockets.html>.

Docket: All documents in the docket are listed in the 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 www.regulations.gov or hard copy at the Public Information and Records Integrity Branch (PIRIB), Rm. 119,

Crystal Mall #2, 1801 S. Bell St., Arlington, VA. This Docket Facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Docket telephone number is (703) 305-5805.

FOR FURTHER INFORMATION CONTACT: Kathryn Boyle, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 305-6304; fax number: (703) 305-0599; e-mail address: boyle.kathryn@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected entities may include, but are not limited to:

- Crop production (NAICS code 111)
- Animal production (NAICS code 112)
- Food manufacturing (NAICS code 311)
- Pesticide manufacturing (NAICS code 32532)

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in this unit could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. How Can I Access Electronic Copies of this Document and Other Related Information?

In addition to using [regulations.gov](http://www.regulations.gov), you may access this **Federal Register** document electronically through the EPA Internet under the "**Federal Register**" listings at <http://www.epa.gov/fedrgstr/>. A frequently updated electronic version of 40 CFR part 180 is available at E-CFR Beta Site Two at <http://www.gpoaccess.gov/ecfr/>.

C. What Should I Consider as I Prepare My Comments for EPA?

1. *Submitting CBI.* Do not submit this information to EPA through www.regulations.gov or e-mail. Clearly mark the part or all of the information that you claim to be CBI. For CBI

information in a disk or CD ROM that you mail to EPA, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When submitting comments, remember to:

- Identify the rulemaking by docket number and other identifying information (subject heading, **Federal Register** date, and page number).
- Follow directions. The agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.
- Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.
- Describe any assumptions and provide any technical information and/or data that you used.
- If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.
- Provide specific examples to illustrate your concerns, and suggest alternatives.
- Explain your views as clearly as possible, avoiding the use of profanity or personal threats.
- Make sure to submit your comments by the comment period deadline identified.

II. Background

A. What is the Agency's Authority for Taking this Action?

The rule proposed here would be issued pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act (FFDCA), as amended by FQPA (21 U.S.C. 346a(e)). Section 408 of FFDCA authorizes the establishment of tolerances, exemptions from the requirement of a tolerance, modifications in tolerances, and revocation of tolerances for residues of pesticide chemicals in or on raw agricultural commodities and processed foods. Without a tolerance or tolerance exemption, food containing pesticide residues is considered to be unsafe and therefore "adulterated" under section 402(a) of FFDCA. If food containing pesticide residues is found to be

adulterated, the food may not be distributed in interstate commerce (21 U.S.C. 331(a) and 342 (a)).

B. What Action is the Agency Taking?

In the **Federal Register** of May 24, 2002, (67 FR 36525) (FRL-6834-2), EPA issued a direct final rule to add a new section to part 180, subpart D. This section now lists the pesticide chemicals that are polymers subject to exemptions from tolerance requirements, based upon the criteria in 40 CFR 723.250 that identify a low-risk polymer. Under the Toxic Substances Control Act (TSCA), polymers meeting the criteria of 40 CFR 723.250 are exempt from certain of the premanufacture notice requirements. The Office of Pesticide Programs has used these same criteria to create a stream-lined process for establishing a tolerance exemption for a polymeric substance meeting these criteria. In essence, a manufacturer by filing a petition for an exemption from the requirement of a tolerance (which includes the notice of filing) with the Agency's Office of Pesticide Programs is verifying their exemption under section 5(a)(1)(A) of TSCA. In a similar manner, a manufacturer who petitions the Agency for tolerance exemption status by stating that their polymer is described by the chemical nomenclature of a polymer exempted under 40 CFR 180.960 is verifying their exemption under 5(a)(1)(A) of TSCA.

Many of the polymers that were transferred from other sections of the CFR to this new section contained limitations on the molecular weight, usually expressed in a manner similar to the following, "minimum number average molecular weight (in amu)," as part of their nomenclature. At the time that these exemptions were established (pre-May 2002) including such a limitation assured that polymeric substances that were described by the chemical nomenclature but were of lower molecular weight were not considered to be exempt from the requirement of a tolerance. At the time of the transfer to 40 CFR 180.960, this nomenclature was maintained.

The molecular weight criteria that define a low risk polymer are specified in 40 CFR 723.250(e), and are not limited to the particular molecular weights currently specified in 40 CFR 180.960. In promulgating 40 CFR 180.960, EPA incorporated the criteria of 40 CFR 723.250(e) as a requirement for all polymer exemptions. Because 40 CFR 180.960 through its incorporation of 40 CFR 723.250(e) now imposes a minimum molecular weight to assure safety, chemical-specific limitations are

not needed in 40 CFR 180.960, and EPA proposes to modify the tolerance exemptions accordingly.

III. Statutory and Executive Order Reviews

This proposed rule removes the chemical-specific molecular weight limitations codified in the tolerance exemption expressions in 40 CFR 180.960. Since removal of these chemical-specific molecular weight limitations does not impose any new requirements, it is not subject to review by the Office of Management and Budget (OMB) under Executive Order 12866, entitled *Regulatory Planning and Review* (58 FR 51735, October 4, 1993). Because this proposed rule is not subject to review under Executive Order 12866, this proposed rule is not subject to Executive Order 13211, *Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use* (66 FR 28355, May 22, 2001). This proposed rule does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA), 44 U.S.C. 3501 *et seq.*, or impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) (Public Law 104-4). Nor does it require any special considerations under Executive Order 12898, entitled *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (59 FR 7629, February 16, 1994); or OMB review or any Agency action under Executive Order 13045, entitled *Protection of Children from Environmental Health Risks and Safety Risks* (62 FR 19885, April 23, 1997). This action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Public Law 104-113, section 12(d) (15 U.S.C. 272 note). Under the requirements of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*), the Agency hereby certifies that this proposed action will not have significant negative economic impact on a substantial number of small entities. In addition, the Agency has determined that this action will not have a substantial direct effect on States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132, entitled *Federalism* (64 FR 43255, August 10,

1999). Executive Order 13132 requires EPA to develop an accountable process to ensure "meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications." "Policies that have federalism implications" is defined in the Executive Order to include regulations that have "substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government." This proposed rule directly regulates growers, food processors, food handlers and food retailers, not States. This action does not alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of section 408(n)(4) of the FFDCA. For these same reasons, the Agency has determined that this proposed rule does not have any "tribal implications" as described in Executive Order 13175, entitled *Consultation and Coordination with Indian Tribal Governments* (65 FR 67249, November 6, 2000). Executive Order 13175, requires EPA to develop an accountable process to ensure "meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications." "Policies that have tribal implications" is defined in the Executive Order to include regulations that have "substantial direct effects on one or more Indian tribes, on the relationship between the Federal Government and the Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes." This proposed rule will not have substantial direct effects on tribal governments, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified in Executive Order 13175. Thus, Executive Order 13175 does not apply to this proposed rule.

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: November 18, 2005.

Lois Rossi,

Director, Registration Division, Office of Pesticide Programs.

Therefore, it is proposed that 40 CFR chapter I be amended as follows:

PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a and 371.

2. Section 180.960 is revised to read as follows:

§ 180.960 Polymers; exemptions from the requirement of a tolerance.

Residues resulting from the use of the following substances, that meet the definition of a polymer and the criteria specified for defining a low-risk polymer in 40 CFR 723.250 (which includes the requirement for a number average molecular weight greater than or

equal to 1000 amu), as an inert ingredient in a pesticide chemical formulation, including antimicrobial pesticide chemical formulations, are exempted from the requirement of a tolerance under FFDCa section 408, if such use is in accordance with good agricultural or manufacturing practices.

Polymer	CAS No.
Acetic acid ethenyl ester, polymer with ethenol and (alpha)-2-propenyl-(omega)-hydroxypoly(oxy-1,2-ethanediy)	137091–12–4
Acrylic acid, polymerized, and its ethyl and methyl esters	None
Acrylic acid-sodium acrylate-sodium-2-methylpropanesulfonate copolymer	97953–25–8
Acrylic acid-stearyl methacrylate copolymer	27756–15–6
Acrylic acid, styrene, alpha-methyl styrene copolymer, ammonium salt	89678–90–0
Acrylic acid terpolymer, partial sodium salt	151006–66–5
Acrylic polymers composed of one or more of the following monomers: Acrylic acid, methyl acrylate, ethyl acrylate, butyl acrylate, hydroxyethyl acrylate, hydroxypropyl acrylate, hydroxybutyl acrylate, carboxyethyl acrylate, methacrylic acid, methyl methacrylate, ethyl methacrylate, butyl methacrylate, isobutyl methacrylate, hydroxyethyl methacrylate, hydroxypropyl methacrylate, hydroxybutyl methacrylate, lauryl methacrylate, and stearyl methacrylate; with none and/or one or more of the following monomers: Acrylamide, N-methyl acrylamide, N,N-dimethyl acrylamide, N-octylacrylamide, maleic anhydride, maleic acid, monoethyl maleate, diethyl maleate, monoethyl maleate, dioctyl maleate; and their corresponding sodium, potassium, ammonium, isopropylamine, triethylamine, monoethanolamine, and/or triethanolamine salts	None
Acrylonitrile-butadiene copolymer conforming to 21 CFR 180.22	9003–18–3
Acrylonitrile-styrene-hydroxypropyl methacrylate copolymer	None
Alpha-alkyl C12-C15)-ω- hydroxypoly(oxypropylene)poly(oxyethylene)copolymers (where the poly(oxypropylene) content is 3-60 moles and the poly(oxyethylene) content is 5-80 moles)	68551–13–3
Alkyl (C12-C20) methacrylate-methacrylic acid copolymer	None
1,3 Benzene dicarboxylic acid, 5-sulfo-,1,3-dimethyl ester, sodium salt, polymer with 1,3-benzene dicarboxylic acid, 1,4-benzene dicarboxylic acid, dimethyl 1,4-benzene dicarboxylate and 1,2-ethanediol	212842–88–1
3,5-Bis(6-isocyanatohexyl)-2H-1,3,5-oxadiazine-2,4,6-(3H,5H)-trione, polymer with diethylenetriamine	87823–33–4
Butadiene-styrene copolymer	None
1,4-Butanediol-methylenebis(4-phenylisocyanate)-poly(tetramethylene glycol) copolymer	9018–04–6
Butene, homopolymer	9003–29–6
2-Butenedioic acid (Z)-, polymer with ethenol and ethenyl acetate, sodium salt	139871–83–3
Butyl acrylate-vinyl acetate-acrylic acid copolymer	65405–40–5
α-Butyl-omega-hydroxypoly(oxypropylene) block polymer with poly(oxyethylene)	None
Castor oil, polyoxyethylated; the poly(oxyethylene) content averages 5-54 moles	None
Chlorinated polyethylene	64754–90–1
Cross-linked nylon-type polymer formed by the reaction of a mixture of sebacoyl chloride and polymethylene polyphenylisocyanate with a mixture of ethylenediamine and diethylenetriamine	None
Cross-linked polyurea-type encapsulating polymer	None
Dimethylpolysiloxane	63148–62–9
Dimethyl silicone polymer with silica	67762–90–7
Docosyl methacrylate-acrylic acid copolymer, or docosyl methacrylate-octadecyl methacrylate-acrylic acid copolymer	None
1,12-Dodecanediol dimethacrylate polymer	None

Polymer	CAS No.
1, 2-Ethanediamine, polymer with methyl oxirane and oxirane	26316-40-5
Ethylene glycol dimethacrylate-lauryl methacrylate copolymer	None
Ethylene glycol dimethacrylate polymer	None
Formaldehyde, polymer with α -[bis(1-phenylethyl)phenyl]-hydroxypoly(oxy-1,2-ethanediyl)	157291-93-5
Fumaric acid-isophthalic acid-styrene-ethylene/propylene glycol copolymer	None
Hexadecyl acrylate-acrylic acid copolymer, hexadecyl acrylate-butyl acrylate-acrylic acid copolymer, or hexadecyl acrylate-dodecyl acrylate-acrylic acid copolymer	None
Hexamethyl disilazane, reaction product with silica	68909-20-6
1,6-Hexanediol dimethacrylate polymer	None
α -Hydro-omega-hydroxy-poly(oxyethylene) C8 alkyl ether citrates, poly(oxyethylene) content is 4-12 moles	330977-00-9
α -Hydro-omega-hydroxy-poly(oxyethylene) C10-C16-alkyl ether citrates, poly(oxyethylene) content is 4-12 moles	330985-58-5
α -Hydro-omega-hydroxy-poly(oxyethylene) C16-C18-alkyl ether citrates, poly(oxyethylene) content is 4-12 moles	330985-61-0
α -Hydro-omega-hydroxypoly(oxyethylene)	None
α -Hydro-omega-hydroxypoly(oxyethylene)poly(oxypropylene) poly(oxyethylene) block copolymer; the minimum poly(oxypropylene) content is 27 moles	None
α -Hydro-omega-hydroxypoly(oxypropylene)	None
12-Hydroxystearic acid-polyethylene glycol copolymer	70142-34-6
Isodecyl alcohol ethoxylated (2-8 moles) polymer with chloromethyl oxirane	None
Lauryl methacrylate-1,6-hexanediol dimethacrylate copolymer	None
Maleic acid-butadiene copolymer	None
Maleic acid monobutyl ester-vinyl methyl ether copolymer	25119-68-0
Maleic acid monoethyl ester-vinyl methyl ether copolymer	2508706-3
Maleic acid monoisopropyl ester-vinyl methyl ether copolymer	31307-95-6
Maleic anhydride-diisobutylene copolymer, sodium salt	37199-81-8
Maleic anhydride-methylstyrene copolymer sodium salt	60092-15-1
Maleic anhydride-methyl vinyl ether, copolymer	None
Methacrylic acid-methyl methacrylate-polyethylene glycol methyl ether methacrylate copolymer	100934-04-1
Methacrylic copolymer	63150-03-8
Methyl methacrylate-methacrylic acid-monomethoxypolyethylene glycol methacrylate copolymer	119724-54-8
Methyl methacrylate-2-sulfoethyl methacrylate-dimethylaminoethylmethacrylate-glycidyl methacrylate-styrene-2-ethylhexyl acrylate graft copolymer	None
Methyl vinyl ether-maleic acid copolymer	25153-40-6
Methyl vinyl ether-maleic acid copolymer, calcium sodium salt	62386-95-2
Monophosphate ester of the block copolymer alpha-hydro-omega-hydroxypoly(oxyethylene) poly(oxypropylene) poly(oxyethylene); the poly(oxypropylene) content averages 37-41 moles	None
α -(p-Nonylphenyl-omega-hydroxypoly(oxypropylene) block polymer with poly(oxyethylene); polyoxypropylene content of 10-60 moles; polyoxyethylene content of 10-80 moles	None
α -(p-Nonylphenyl)poly(oxypropylene) block polymer with poly(oxyethylene); polyoxyethylene content 30 to 90 moles	None
Octadecanoic acid, 12-hydroxy-, homopolymer, octadecanoate	58128-22-6
α -cis-9-Octadecenyl-omega-hydroxypoly(oxyethylene); the octadecenyl group is derived from oleyl alcohol and the poly(oxyethylene) content averages 20 moles	None

Polymer	CAS No.
Octadecyl acrylate-acrylic acid copolymer, octadecyl acrylate-dodecyl acrylate-acrylic acid copolymer, octadecyl methacrylate-butyl acrylate-acrylic acid copolymer, octadecyl methacrylate-hexyl acrylate-acrylic acid copolymer, octadecyl methacrylate-dodecyl acrylate-acrylic acid copolymer, or octadecyl methacrylate-dodecyl methacrylate-acrylic acid copolymer	None
Oleic acid diester of alpha-hydro-omega-hydroxypoly(oxyethylene); the poly(oxyethylene)	None
Oxirane, methyl-, polymer with oxirane, mono [2-(2-butoxyethoxy) ethyl] ether	85637-75-8
Polyamide polymer derived from sebacic acid, vegetable oil acids with or without dimerization, terephthalic acid and/or ethylenediamine	None
Polyethylene glycol-polyisobutenyl anhydride-tall oil fatty acid copolymer	68650-28-2
Polyethylene, oxidized	None
Polymethylene polyphenylisocyanate, polymer with ethylene diamine, diethylene triamine and sebacoyl chloride, cross-linked	None
Polyoxyethylated primary amine (C14-C18); the fatty amine is derived from an animal source and contains 3% water; the poly(oxyethylene) content averages 20 moles	None
Polyoxyethylated sorbitol fatty acid esters; the polyoxyethylated sorbitol solution containing 15% water is reacted with fatty acids limited to C12, C14, C16, and C18, containing minor amounts of associated fatty acids; the poly(oxyethylene) content averages 30 moles.	None
Polyoxyethylated sorbitol fatty acid esters; the sorbitol solution containing up to 15% water is reacted with 20-50 moles of ethylene oxide and aliphatic alkanolic and/or alkenolic fatty acids C8 through C22 with minor amounts of associated fatty acids	None
Poly(oxyethylene/oxypropylene) monoalkyl (C6-C10) ether sodium fumarate adduct	102900-02-7
Polyoxymethylene copolymer	None
Poly(oxypropylene) block polymer with poly(oxyethylene)	None
Poly(phenylhexylurea), cross-linked	None
Polypropylene	9003-07-0
Polystyrene	9003-53-6
Polytetrafluoroethylene	9002-84-0
Polyvinyl acetate, copolymer with maleic anhydride, partially hydrolyzed, sodium salt	None
Polyvinylpyrrolidone butylated polymer	26160-96-3
Polyvinyl acetate	None
Polyvinyl acetate--polyvinyl alcohol copolymer	25213-24-5
Polyvinyl alcohol	9002-89-5
Polyvinyl chloride	None
Polyvinyl chloride	9002-86-2
Poly(vinylpyrrolidone)	9003-39-8
Poly(vinylpyrrolidone-1-eicosene)	28211-18-9
Poly(vinylpyrrolidone-1-hexadecene)	63231-81-2
2-Propene-1-sulfonic acid sodium salt, polymer with ethenol and ethenyl acetate,	None
2-Propenoic acid, polymer with 2-propenamide, sodium salt	25085-02-3
2-Propenoic acid, sodium salt, polymer with 2-propenamide	25987-30-8
Silane, dichloromethyl-reaction product with silica	68611-44-9
Sodium polyflavinoidsulfonate, consisting chiefly of the copolymer of catechin and leucocyanidin	None
Stearyl methacrylate-1,6-hexanediol dimethacrylate copolymer	None

Polymer	CAS No.
Styrene, copolymers with acrylic acid and/or methacrylic acid, with none and/or one or more of the following monomers: Acrylamidopropyl methyl sulfonic acid, methallyl sulfonic acid, 3-sulfopropyl acrylate, 3-sulfopropyl methacrylate, hydroxypropyl methacrylate, hydroxypropyl acrylate, hydroxyethyl methacrylate, and/or hydroxyethyl acrylate; and its sodium, potassium, ammonium, monoethanolamine, and triethanolamine salts	None
Styrene, 2-ethylhexyl acrylate, butyl acrylate copolymer	30795-23-4
Styrene-2-ethylhexyl acrylate-glycidyl methacrylate-2-acrylamido-2-methylpropanesulfonic acid graft copolymer	None
Styrene-maleic anhydride copolymer	None
Styrene-maleic anhydride copolymer, ester derivative	None
Tetradecyl acrylate-acrylic acid copolymer	None
Tetraethoxysilane, polymer with hexamethyldisiloxane	104133-09-7
α -[p-(1,1,3,3-Tetramethylbutyl)phenyl] poly(oxypropylene) block polymer with poly(oxyethylene); the poly(oxypropylene) content averages 25 moles, the poly(oxyethylene) content averages 40 moles	None
α -[2,4,6-Tris[1-(phenyl)ethyl]phenyl]-omega-hydroxy poly(oxyethylene) poly(oxypropylene) copolymer, the poly(oxypropylene) content averages 2-8 moles, the poly(oxyethylene) content averages 16-30 moles	None
Urea-formaldehyde copolymer	9011-05-6
Vinyl acetate-allyl acetate-monomethyl maleate copolymer	None
Vinyl acetate-ethylene copolymer	24937-78-8
Vinyl acetate polymer with none and/or one or more of the following monomers: Ethylene, propylene, N-methyl acrylamide, acrylamide, monoethyl maleate, diethyl maleate, monoethyl maleate, dioctyl maleate, maleic anhydride, maleic acid, octyl acrylate, butyl acrylate, ethyl acrylate, methyl acrylate, acrylic acid, octyl methacrylate, butyl methacrylate, ethyl methacrylate, methyl methacrylate, methacrylic acid, carboxyethyl acrylate, and diallyl phthalate; and their corresponding sodium, potassium, ammonium, isopropylamine, triethylamine, monoethanolamine and/or triethanolamine salts	None
Vinyl acetate-vinyl alcohol-alkyl lactone copolymer	None
Vinyl alcohol-disodium itaconate copolymer	None
Vinyl alcohol-vinyl acetate copolymer, benzaldehyde-o-sodium sulfonate condensate	None
Vinyl alcohol-vinyl acetate-monomethyl maleate, sodium salt-maleic acid, disodium salt-gamma-butyrolactone acetic acid, sodium salt copolymer	None
Vinyl chloride-vinyl acetate copolymers	None
Vinyl pyrrolidone-acrylic acid copolymer	28062-44-4
Vinyl pyrrolidone-dimethylaminoethylmethacrylate copolymer	30581-59-0
Vinyl pyrrolidone-styrene copolymer	25086-29-7

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MB Docket No. 05-312; FCC 05-192]

Digital Television Distributed Transmission System Technologies; Notice of Proposed Rulemaking

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: In this document, the Commission proposes rules that will permit television broadcast licensees to use a distributed transmission system ("DTS") in lieu of a single-transmitter to operate their television broadcast stations. The proposed rules will apply with respect to existing authorized facilities and to use of DTS after establishment of the new DTV Table of Allotments, which may afford stations the opportunity to apply to maximize their service areas after the end of our current freeze on the filing of most applications.

DATES: Comments for this proceeding are due on or before February 6, 2006;

reply comments are due on or before March 7, 2006.

ADDRESSES: You may submit comments, identified by MB Docket No. 05-312, by any of the following methods:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Federal Communications Commission's Web site: <http://www.fcc.gov/cgb/ecfs/>. Follow the instructions for submitting comments.
- People with Disabilities: Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by e-mail: FCC504@fcc.gov