

No sanctions clocks or FIP requirement would be triggered by our disapprovals, if finalized, because the approved SIP already contains the plan elements that we are proposing to disapprove. A disapproval of the revisions to the already-approved elements would not alter the fact that the SIP already meets these statutory requirements.

EPA is soliciting public comments on the issues discussed in this document and will accept comments for the next 30 days. These comments will be considered before taking final action.

#### V. 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 proposes to approve state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this proposed 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 proposed 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.

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Intergovernmental relations, Oxides of nitrogen, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: October 15, 2008.

**Wayne Nastri,**

*Regional Administrator, Region IX.*

[FR Doc. E8-25468 Filed 10-23-08; 8:45 am]

**BILLING CODE 6560-50-P**

#### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 52

[EPA-R09-OAR-2006-0869, FRL-8721-6]

#### Revisions to the California State Implementation Plan, San Diego County Air Pollution Control District, San Joaquin Valley Air Pollution Control District, and Ventura County Air Pollution Control District

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve revisions to the San Diego County Air Pollution Control District (SDCAPCD), San Joaquin Valley Air Pollution Control District (SJVAPCD), and Ventura County Air Pollution Control District (VCAPCD) portions of the California State Implementation Plan (SIP). The revisions concern the permitting of air pollution sources. We are proposing to approve local rules that regulate these emission sources under the Clean Air Act as amended in 1990 (CAA or the Act).

**DATES:** Any comments on this proposal must arrive by *November 24, 2008*.

**ADDRESSES:** Submit comments, identified by docket number EPA-R09-

OAR-2006-0869, by one of the following methods:

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

- *E-mail:* [R9airpermits@epa.gov](mailto:R9airpermits@epa.gov).
- *Mail or deliver:* Gerardo Rios (AIR-3), U.S. Environmental Protection Agency Region IX, 75 Hawthorne Street, San Francisco, CA 94105.

*Instructions:* All comments will be included in the public docket without change and may be made available on-line at <http://www.regulations.gov>, including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as such and should not be submitted through <http://www.regulations.gov> or e-mail. <http://www.regulations.gov> is an "anonymous access" system, and EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send e-mail directly to EPA, your e-mail address will be automatically captured and included as part of the public comment. 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.

*Docket:* The index to the docket for this action is available electronically at <http://www.regulations.gov> and in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California. While all documents in the docket are listed in the index, some information may be publicly available only at the hard copy location (e.g., copyrighted material), and some may not be publicly available in either location (e.g., CBI). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in the **FOR FURTHER INFORMATION CONTACT** section below.

**FOR FURTHER INFORMATION CONTACT:** Laura Yannayon, Permits Office (AIR-3), U.S. Environmental Protection Agency, Region IX, (415) 972-3534, [yannayon.laura@epa.gov](mailto:yannayon.laura@epa.gov).

**SUPPLEMENTARY INFORMATION:** This proposal addresses the following local rules: SDCAPCD Rule 24, SJVAPCD Rule 2050, and VCAPCD Rules 11 and 29. In the Rules and Regulations section of this **Federal Register**, we are approving these local rules in a direct final action without prior proposal because we believe these SIP revisions are not controversial. If we receive adverse comments, however, we will

publish a timely withdrawal of the direct final rule and address the comments in subsequent action based on this proposed rule.

Please note that if we receive adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, we may adopt as final those provisions of the rule that are not the subject of an adverse comment.

We do not plan to open a second comment period, so anyone interested in commenting should do so at this time. If we do not receive adverse comments, no further activity is planned. For further information, please see the direct final action.

Dated: September 2, 2008.

**Jane Diamond,**

*Acting Regional Administrator, Region IX.*

[FR Doc. E8-25311 Filed 10-23-08; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 63

[EPA-HQ-OAR-2008-0008; FRL-8733-2]

RIN 2060-AO91

#### National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins (Epichlorohydrin Elastomers Production, Hypalon™ Production, Nitrile Butadiene Rubber Production, Polybutadiene Rubber Production, and Styrene Butadiene Rubber and Latex Production); Marine Vessel Loading Operations; Mineral Wool Production; Pharmaceuticals Production; and Printing and Publishing Industry; Correction

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

**ACTION:** Proposed rule; correction.

**SUMMARY:** This document corrects the preamble to a proposed rule published in the **Federal Register** of October 10, 2008, regarding the National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins (Epichlorohydrin Elastomers Production, Hypalon™ Production, Nitrile Butadiene Rubber Production, Polybutadiene Rubber Production, and Styrene Butadiene Rubber and Latex Production); Marine Vessel Loading Operations; Mineral Wool Production; Pharmaceuticals Production; and Printing and Publishing Industry. This correction clarifies the date of the public hearing (if a public hearing is requested).

**DATES:** If a public hearing is held, it will be held on October 27, 2008.

**ADDRESSES:** If a public hearing is held, it will begin at 10 a.m. and will be held at EPA's campus in Research Triangle Park, North Carolina, or at an alternate facility nearby.

**FOR FURTHER INFORMATION CONTACT:** For questions about this proposed action, contact Ms. Mary Tom Kissell, Office of Air Quality Planning and Standards, Sector Policies and Programs Division, Coatings and Chemicals Group (E143-01), U.S. Environmental Protection Agency, Research Triangle Park, NC 27711; *telephone number:* (919) 541-4516; *fax number:* (919) 685-3219; and *e-mail address:* [kissell.mary@epa.gov](mailto:kissell.mary@epa.gov).

#### Correction

If a public hearing is held, it will be held on October 27, 2008, beginning at 10 a.m. If a public hearing is held, it will be held at EPA's campus in Research Triangle Park, North Carolina, or at an alternate facility nearby.

Dated: October 16, 2008.

**Robert J. Meyers,**

*Principal Deputy Assistant Administrator.*

[FR Doc. E8-25514 Filed 10-23-08; 8:45 am]

**BILLING CODE 6560-50-P**

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

### 48 CFR Part 1852

RIN 2700-AD49

#### Protection of the Florida Manatee

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Proposed rule.

**SUMMARY:** NASA proposes to revise the NASA FAR Supplement (NFS) to update the Protection of the Florida Manatee clause (NFS 1852.247-71) to reflect current technical requirements and organizational points of contact in order to ensure that information essential to protecting the endangered manatee will be properly conveyed to contractors working on-site at NASA Kennedy Space Center (KSC).

**DATES:** *Comment Date:* Interested parties should submit comments on or before December 23, 2008 to be considered in formulation of the final rule.

**ADDRESSES:** Interested parties may submit comments to include any comments relative to the cost associated with complying with this requirement, identified by RIN number 2700-AD49, via the Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the

instructions for submitting comments. Comments may also be submitted to Bill Roets, NASA Headquarters, Office of Procurement, Contract Management Division, Washington, DC 20546. Comments may also be submitted by e-mail to [william.roets-1@nasa.gov](mailto:william.roets-1@nasa.gov).

**FOR FURTHER INFORMATION CONTACT:** Bill Roets, NASA, Office of Procurement, Contract Management Division (Suite 5K77); (202) 358-4483; *e-mail:* [william.roets-1@nasa.gov](mailto:william.roets-1@nasa.gov).

#### SUPPLEMENTARY INFORMATION:

##### A. Background

Under the Endangered Species Act of 1973 (Pub. L. 93-205), as amended, and the Marine Mammals Protection Act of 1972 (Pub. L. 92-522), as amended, the Florida Manatee was designated as an endangered species and the Indian River Lagoon system within and adjacent to NASA's KSC has been designated as a critical habitat for the Florida Manatee. In order to ensure compliance with these two acts, the NFS clause 1852.247-71, Protection of the Florida Manatee, was developed and implemented. This clause is required in NASA solicitations and contracts when deliveries or vessel operations, dockside work, or disassembly functions under the contract will involve the use of these waterways inhabited by the Manatees. The clause requires that contractors ensure that all employees and subcontractors are aware of the applicable Federal regulations relative to protecting the Florida Manatee while working in this critical habitat area. Contractors are also required to obtain the applicable Federal and/or state permits and notify and coordinate all water related activities at KSC with the Environmental Management Branch. NASA is proposing to revise this clause to ensure that accurate, current requirements and information essential to protecting the Florida Manatee are properly conveyed to NASA KSC contractors in a concise manner.

This is not a significant regulatory action and, therefore, is not subject to review under Section 6(b) of Executive Order 12866, Regulatory Planning and Review, dated September 30, 1993. This proposed rule is not a major rule under 5 U.S.C. 804.

##### B. Regulatory Flexibility Act

NASA certifies that this proposed rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, because it merely updates, for clarification and currency purposes, requirements that already exist in this