

to provide input to the transportation and disposal activities associated with the Denver Radium Site,

- Informing communities along the transportation route, through meetings and mailings, of health and safety issues associated with waste transportation,
- Distributing news releases to the major news media in affected areas.

Public participation activities have been satisfied as required in CERCLA section 113(k), 42 U.S.C. 9613(k), and CERCLA section 117, 42 U.S.C. 9617. Documents in the deletion docket which EPA relied on for recommendation of the deletion from the NPL are available to the public in the information repositories.

**Determination That the Criteria for Partial Deletion Have Been Met**

In accordance with 40 CFR 300.425(e), Region 8 of the EPA finds that the Denver Radium Superfund Site meets the substantive criteria for partial NPL deletions, with the exception of groundwater at OU8. Groundwater contamination associated with OU8 will remain on the NPL. EPA has consulted with and has the concurrence of the State of Colorado. All responsible parties or other persons have implemented all appropriate response actions required. All appropriate Fund-financed response under CERCLA has been implemented, and no further response action by responsible parties is appropriate.

**V. Partial Deletion Action**

The EPA, with concurrence of the State of Colorado, through the Colorado Department of Public Health and Environment, (in a letter dated January 2, 2008) has determined that all appropriate response actions under CERCLA, other than operation, maintenance, monitoring and five-year reviews, have been completed. Therefore, EPA intends to delete from the NPL each of the 11 OUs at the Denver Radium Site. Groundwater contamination associated with OU8 will remain on the NPL.

These remedies ensure protection of human health and the environment by minimizing exposure to any radium-contaminated or heavy metals contaminated soil that remain within the Denver Radium Superfund Site. Therefore, EPA is deleting the above properties from the NPL.

Because EPA considers this action to be noncontroversial and routine, EPA is taking it without prior publication. This action will be effective November 8, 2010 unless EPA receives adverse comments by October 12, 2010. If adverse comments are received within the 30-day public comment period, EPA will publish a timely withdrawal of this direct final Notice of Partial Deletion before the effective date of the partial deletion, and it will not take effect. EPA will prepare a response to comments and continue with the deletion process

on the basis of the Notice of Intent for Partial Deletion and the comments already received. There will be no additional opportunity to comment.

**List of Subjects in 40 CFR Part 300**

Environmental protection, Air pollution control, Chemicals, Hazardous waste, Hazardous substances, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: August 31, 2010.

**James B. Martin,**  
*Regional Administrator, Region 8.*

- For the reasons set out in this document, 40 CFR part 300 is amended as follows:

**PART 300—[AMENDED]**

- 1. The authority citation for part 300 continues to read as follows:

**Authority:** 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601–9657; E.O. 12777, 56 FR 54757, 3 CFR 1991 Comp., p.351; E.O. 12580, 52 FR 2923, 3 CFR 1987 Comp., p.193.

**Appendix B—[Amended]**

- 2. Table 1 of Appendix B to part 300 is amended by revising the entry under Colorado for “Denver Radium Site”, “Denver” to read as follows:

**Appendix B to Part 300—National Priorities List**

TABLE 1—GENERAL SUPERFUND SECTION

State	Site name	City/county	Notes <sup>(a)</sup>
Colorado	Denver Radium Site	Denver	P

<sup>(a)</sup> A = Based on issuance of health advisor by Agency for Toxic Substances and Disease Registry (if scored, HRS score need not be > 28,50).

\* P = Sites with partial deletion(s).

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**CORPORATION FOR NATIONAL AND COMMUNITY SERVICE**

**45 CFR Chapter XXV**

**RIN 3045–AA51**

**AmeriCorps National Service Program**

**AGENCY:** Corporation for National and Community Service.

**ACTION:** Final rule; correction.

**SUMMARY:** The Corporation for National and Community Service (the Corporation) is correcting a final rule to implement changes to the operation of the National Service Trust and the Senior Corps programs under the Serve America Act, that appeared in the **Federal Register** of August 20, 2010 (75 FR 51395). That document incorrectly failed to redesignate part 2533 as part 2534. This document corrects the final rule by revising the instruction.

**DATES:** Effective September 20, 2010.

**FOR FURTHER INFORMATION CONTACT:** Amy Borgstrom, Docket Manager, Corporation for National and Community Service, (202) 606–6930, TDD (202) 606–3472. Persons with visual impairments may request this document in an alternate format.

**SUPPLEMENTARY INFORMATION:** In FR Doc. 2010–20525, beginning on page 51395 in the **Federal Register** of Friday, August 20, 2010, make the following correction: On page 51413, in the third column, revise instruction number 36 to read as follows: 36. Under the authority of 42 U.S.C. 12651d, redesignate parts 2530, 2531, 2532, and 2533 as parts

2531, 2532, 2533, and 2534, respectively.

Dated: August 24, 2010.

**Wilsie Minor,**

*Acting General Counsel.*

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## DEPARTMENT OF COMMERCE

### National Telecommunications and Information Administration

#### 47 CFR Part 300

[Docket Number 100831418-0418-01]

RIN 0660-AA22

#### Revision to the Manual of Regulations and Procedures for Federal Radio Frequency Management

**AGENCY:** National Telecommunications and Information Administration, U.S. Department of Commerce.

**ACTION:** Final rule.

**SUMMARY:** The National Telecommunications and Information Administration (NTIA) hereby makes certain changes to its regulations, which relate to the public availability of the Manual of Regulations and Procedures for Federal Radio Frequency Management (NTIA Manual). Specifically, NTIA updates the version of the Manual of Regulations and Procedures for Federal Radio Frequency Management with which federal agencies must comply when requesting use of the radio frequency spectrum.

**DATES:** *Effective Date:* This regulation is effective on September 9, 2010. The incorporation by reference of certain publications listed in the rule is approved by the Director of the Federal Register as of September 9, 2010.

**ADDRESSES:** A reference copy of the NTIA Manual, including all revisions in effect, is available in the Office of Spectrum Management, 1401 Constitution Avenue, NW., Room 1087, Washington, DC 20230.

**FOR FURTHER INFORMATION CONTACT:** William Mitchell, Office of Spectrum Management at (202) 482-8124 or [wmitchell@ntia.doc.gov](mailto:wmitchell@ntia.doc.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

NTIA authorizes the U.S. Government's use of the radio frequency spectrum. 47 U.S.C. 902(b)(2)(A). As part of this authority, NTIA developed the NTIA Manual to provide further guidance to applicable federal agencies. The NTIA Manual is the compilation of

policies and procedures that govern the use of the radio frequency spectrum by the U.S. Government. Federal government agencies are required to follow these policies and procedures in their use of the spectrum.

Part 300 of title 47 of the Code of Federal Regulations provides information about the process by which NTIA regularly revises the NTIA Manual and makes public this document and all revisions. Federal agencies are required to comply with the specifications in the NTIA Manual when requesting frequency assignments for use of the radio frequency spectrum. See 47 U.S.C. 901 *et seq.*, Executive Order 12046 (March 27, 1978), 43 FR 13349, 3 CFR 1978 Comp. at 158.

This rule updates section 300.1(b) of title 47 of the Code of Federal Regulations to specify the version of the NTIA Manual with which federal agencies must comply when requesting frequency assignments for use of the radio frequency spectrum. In particular, this rule amends section 300.1(b) by replacing "September 2009" with "May 2010." See Revision to the Manual of Regulations and Procedures for Federal Radio Frequency Management, 75 FR 6818 (Feb. 11, 2010) (revising the Manual through September 2009). Upon the effective date of this rule, federal agencies must comply with the requirements set forth in the January 2008 edition of the NTIA Manual, as revised through May 2010.

The NTIA Manual is scheduled for revision in January, May, and September of each year and is submitted to the Director of the Federal Register for Incorporation by Reference approval. The Director of the Federal Register approved this incorporation by reference in accordance with 5 U.S.C. 552(a) and part 51 of title 1 of the Code of Federal Regulations. The NTIA Manual is available from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, by referring to Catalog Number 903-008-0000-8. A reference copy of the NTIA Manual, including all revisions in effect, is available in the Office of Spectrum Management, 1401 Constitution Avenue, NW., Room 1087, Washington, DC 20230, or call William Mitchell on (202) 482-8124, and available online at <http://www.ntia.doc.gov/osmhome/redbook/redbook.html>. The NTIA Manual is also on file at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741-6030, or go to [http://www.archives.gov/federal\\_register/](http://www.archives.gov/federal_register/)

[code\\_of\\_federal\\_regulations/ibr\\_locations.html](#).

#### Paperwork Reduction Act

This action does not contain collection of information requirements subject to the Paperwork Reduction Act (PRA). Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the PRA, unless that collection displays a currently valid OMB Control Number.

#### Executive Order 12866

This rule has been determined to be not significant for purposes of Executive Order 12866.

#### Administrative Procedure Act/Regulatory Flexibility Act

NTIA finds good cause under 5 U.S.C. 553(b)(B) to waive prior notice and opportunity for public comment as it is unnecessary. This action amends the regulations to include the date of the most current version of the NTIA Manual. These changes do not impact the rights or obligations of the public. The NTIA Manual applies only to federal agencies. Because these changes impact only federal agencies, NTIA finds it unnecessary to provide for the notice and comment requirements of 5 U.S.C. 553. NTIA also finds good cause under 5 U.S.C. 553(d)(3) to waive the 30-day delay in effectiveness for the reasons provided above. Because notice and opportunity for comment are not required pursuant to 5 U.S.C. 553 or any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are not applicable. Therefore, a regulatory flexibility analysis is not required and has not been prepared.

#### Executive Order 13132

This rule does not contain policies having federalism implications as that term is defined in EO 13132.

#### Regulatory Text

##### List of Subjects in 47 CFR Part 300

Incorporation by reference; Radio.

■ For the reasons set forth in the preamble, NTIA amends title 47, Part 300 as follows:

#### PART 300—MANUAL OF REGULATIONS AND PROCEDURES FOR FEDERAL RADIO FREQUENCY MANAGEMENT

1. The authority citation for part 300 continues to read as follows: