

EPA-APPROVED FLORIDA REGULATIONS—Continued

State citation (Section)	Title/subject	State effective date	EPA approval date	Explanation
<p>* * * * *</p> <p>[FR Doc. 2011–8701 Filed 4–11–11; 8:45 am] BILLING CODE 6560–50–P</p>	<p><b>ENVIRONMENTAL PROTECTION AGENCY</b></p> <p><b>40 CFR Part 52</b></p> <p>[EPA–R09–OAR–2010–0743; FRL–9279–1]</p> <p><b>Revisions to the California State Implementation Plan; Sacramento Metropolitan Air Quality Management District</b></p>	<p><b>FOR FURTHER INFORMATION CONTACT:</b> Mae Wang, EPA Region IX, (415) 947–4124, <i>wang.mae@epa.gov</i>.</p>	<p><b>SUPPLEMENTARY INFORMATION:</b> Throughout this document, “we,” “us” and “our” refer to EPA.</p>	<p>conditions into the California SIP. Specifically, we are approving permit conditions 1, 6, 10, 11, 16, 20, 27, 28, and 29, or portions thereof, which together establish an enforceable NO<sub>x</sub> limitation satisfying RACT for the air pollution control landfill gas flare at the Kiefer Landfill. <i>Please see</i> the docket for a copy of the complete submitted document.</p>
<p><b>AGENCY:</b> Environmental Protection Agency (EPA).</p> <p><b>ACTION:</b> Final rule.</p>	<p><b>Table of Contents</b></p> <p>I. Proposed Action II. Public Comments and EPA Responses III. EPA Action IV. Statutory and Executive Order Reviews</p>	<p><b>I. Proposed Action</b></p> <p>On October 5, 2010 (75 FR 61369), EPA proposed to approve portions of the Permit to Operate for the Kiefer Landfill into the California SIP. The submitted portions of the Permit to Operate for the Kiefer Landfill (Permit No. 17359), which was issued by the Sacramento Metropolitan Air Quality Management District (SMAQMD), relate to the control of NO<sub>x</sub> emissions from the air pollution control landfill gas flare. The SMAQMD originally issued Permit No. 17359 on August 7, 2006, and later revised it on November 13, 2006. We are proposing to act on the submitted portions of Permit No. 17359, as revised on November 13, 2006. The California Air Resources Board (CARB) submitted this SIP revision to EPA on July 11, 2007.</p>	<p><b>IV. Statutory and Executive Order Reviews</b></p>	<p><b>IV. Statutory and Executive Order Reviews</b></p> <p>Under the CAA, 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 CAA. 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:</p>
<p><b>SUMMARY:</b> EPA is finalizing approval of a revision to the Sacramento Metropolitan Air Quality Management District’s portion of the California State Implementation Plan (SIP). This revision was proposed in the <b>Federal Register</b> on October 5, 2010, and concerns emissions of oxides of nitrogen (NO<sub>x</sub>) from the landfill gas flare at the Kiefer Landfill in Sacramento, California. We are approving portions of a Permit to Operate that limit NO<sub>x</sub> emissions from this facility under the Clean Air Act as amended in 1990 (CAA or the Act).</p>	<p>We proposed to approve the submitted conditions of SMAQMD Permit No. 17359 into the SMAQMD portion of the California SIP because we determined that they complied with the relevant CAA requirements for SIP approval. Our proposed action contains more information on the submitted portions of the permit and our evaluation.</p>	<ul style="list-style-type: none"> <li>• 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);</li> <li>• Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 <i>et seq.</i>);</li> <li>• 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 <i>et seq.</i>);</li> <li>• 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);</li> <li>• Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);</li> <li>• Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);</li> <li>• Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);</li> <li>• Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement</li> </ul>		
<p><b>DATES:</b> This rule is effective on May 12, 2011.</p> <p><b>ADDRESSES:</b> EPA has established docket number EPA–R09–OAR–2010–0743 for this action. Generally, documents in the docket for this action are available electronically at <a href="http://www.regulations.gov">http://www.regulations.gov</a> or in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California. While all documents in the docket are listed at <a href="http://www.regulations.gov">http://www.regulations.gov</a>, some information may be publicly available only at the hard copy location (<i>e.g.</i>, copyrighted material, large maps, multi-volume reports), and some may not be available in either location (<i>e.g.</i>, confidential business information (CBI)). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in the <b>FOR FURTHER INFORMATION CONTACT</b> section.</p>	<p><b>II. Public Comments and EPA Responses</b></p>	<p>EPA’s proposed action provided a 30-day public comment period. During this period, we did not receive any comments.</p>	<p><b>III. EPA Action</b></p>	<p>No comments were submitted that change our assessment that the submitted conditions of SMAQMD Permit No. 17359 comply with the relevant CAA requirements. Therefore, as authorized in section 110(k)(3) of the Act, EPA is fully approving these</p>

Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and

- Does not provide EPA with the discretionary authority to address disproportionate human health or environmental effects with practical, appropriate, 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 CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by June 13, 2011. 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. 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, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements.

Dated: February 15, 2011.

**Jared Blumenfeld,**

*Regional Administrator, Region IX.*

Part 52, Chapter I, Title 40 of the Code of Federal Regulations 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 F—California

■ 2. Section 52.220 is amended by adding paragraph (c)(382) to read as follows:

#### § 52.220 Identification of plan.

\* \* \* \* \*

(c) \* \* \*

(382) New and amended regulations for the following APCDs were submitted on July 11, 2007, by the Governor's designee.

(i) *Incorporation by reference.*

(A) Sacramento Metropolitan Air Quality Management District.

(1) Permit to Operate for the Kiefer Landfill ("Permit to Operate No. 17359 (Rev01)"), as revised on November 13, 2006.

\* \* \* \* \*

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#### CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

#### 45 CFR Part 2553

**RIN 3045-AA52**

#### Retired and Senior Volunteer Program Amendments

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

**ACTION:** Final rule.

**SUMMARY:** The Corporation for National and Community Service (Corporation) is issuing a final rule that sets forth a competitive process for selecting grant recipients for the Retired and Service Volunteer Program (RSVP), including performance measurement requirements, as required by the Domestic Volunteer Service Act (DVSA), as amended by the Edward M. Kennedy Serve America Act (Serve America Act) (Pub. L. 111-13) of April 21, 2009.

**DATES:** This final rule is effective July 11, 2011.

**FOR FURTHER INFORMATION CONTACT:** Katharine Delo Gregg at (202) 606-6965 ([kgregg@cns.gov](mailto:kgregg@cns.gov)). The TDD/TTY number is (202) 606-3472. You may request this rule in an alternative format for the visually impaired.

**SUPPLEMENTARY INFORMATION:**

#### I. Background—The October 26, 2010, Proposed Rule

On October 26, 2010, the Corporation published a proposed rule (45 CFR part 2553) in the **Federal Register** (Vol. 75, No. 206) to regulate the competitive grantmaking process for the Retired and Senior Volunteer Program (RSVP).

The proposed rule implements RSVP re-competition statutory requirements set forth in the Edward M. Kennedy Serve America Act (Serve America Act), which President Obama signed into law on April 21, 2009. The Serve America Act reauthorizes and expands national service programs administered by the Corporation for National and Community Service (Corporation) by amending the National and Community Service Act of 1990 (NCSA) and the Domestic Volunteer Service Act of 1973 (DVSA).

The Serve America Act amended the DVSA by requiring the Corporation to develop a competitive process for selecting grant recipients for the RSVP Program, beginning in fiscal year 2013. The competitive process, as directed by statute, will include the use of peer review panels with expertise in senior service and aging, site inspections, as appropriate, and evaluations of existing grantees. The amended statute requires that, beginning in fiscal year 2013, RSVP grants be awarded for a period of 3 years, with an option for renewal of 3 years if the grantee meets the performance measures established in its grant award, as well as complying with the terms and conditions of the grant.

#### 60-Day Comment Period

In the **Federal Register** of October 26, 2010 (45 CFR part 2553), the Corporation published the proposed rule, with a 60-day comment period. The Corporation received a total of 21 comments from twelve commenters, including one association that represents several hundred members. Comments are discussed in detail in Part III.

In general, most of the comments supported the proposed regulations.

#### II. Discussion of the Final Rule

The current competitive process for selecting RSVP grantees only occurs when there is new money above the appropriated base funding for RSVP grants. The future competitive process for selecting RSVP grantees will include the same elements specified in the amended DVSA that have been used for previous competitive processes. The elements specified in the amended DVSA are discussed below.

*A. Peer review panels [DVSA § 201(e)(2)(B)(i); 45 CFR 2553.71(b)]:* As