

CFR 264.118–120; 40 CFR 264.142(a), 40 CFR 264.143(a); 40 CFR 264.144(a); 40 CFR 264.145(a); 40 CFR 264.147; 40 CFR 264.148; 40 CFR 264.149; 40 CFR 264.150; 40 CFR 265.12(a)–(b); 40 CFR 265.13(a)(1), (b)–(c); 40 CFR 265.15(d); 40 CFR 265.16(d); 40 CFR 265.19; 40 CFR 265.51–54; 40 CFR 265.56; 40 CFR 265.73–74; 40 CFR 265.112; 40 CFR 265.113(a), (b), (d); 40 CFR 265.115; 40 CFR 265.116; 40 CFR 265.118–120; 40 CFR 264.142(a); 40 CFR 265.143(a); 40 CFR 265.144(a); 40 CFR 265.145(a); 40 CFR 265.147; 40 CFR 265.148; 40 CFR 265.149; 40 CFR part 264, subpart H; 40 CFR part 265, subpart H; 40 CFR 270.30; was approved 06/06/2006; OMB Number 2050–0120; expires 06/30/2009.

EPA ICR No. 1951.03; NESHAP for Paper and Other Web Coating Renewal; in 40 CFR part 63, subpart JJJJ; was approved 06/13/2006; OMB Number 2060–0511; expires 06/30/2009.

EPA ICR No. 1954.03; NESHAP for the Surface Coating of Large Household and Commercial Appliances; in 40 CFR part 63, subpart NNNN, (Renewal); was approved 06/13/2006; OMB Number 2060–0457; expires 06/30/2009.

EPA ICR No. 1976.03; NESHAP for Reinforced Plastic Composites Production (Renewal); in 40 CFR part 63, subpart WWWW; was approved 06/12/2006; OMB Number 2060–0509; expires 06/30/2009.

EPA ICR No. 2022.03; NESHAP for Brick and Structural Clay Manufacturing (Renewal); in 40 CFR part 63, subpart JJJJJ; was approved 06/13/2006; OMB Number 2060–0508; expires 06/30/2009.

EPA ICR No. 2040.03; NESHAP for Refractory Products Manufacturing (Renewal); in 40 CFR part 63, subpart SSSSS; was approved 06/12/2006; OMB Number 2060–0515; expires 06/30/2009.

EPA ICR No. 2071.03; NESHAP for Printing, Coating and Dyeing of Fabrics and Other Textiles (Renewal); in 40 CFR part 63, subpart OOOO; was approved 06/12/2006; OMB Number 2060–0522; expires 06/30/2009.

EPA ICR No. 2211.01; Focus Group Research for Fuel Economy Label Designs; was approved 06/09/2006; OMB Number 2060–0581; expires 08/31/2006.

EPA ICR No. 2228.01; Reformulated Gasoline Commingling Provisions; in 40 CFR part 80.78; was approved 06/09/2006; OMB Number 2060–0587; expires 11/30/2006.

EPA ICR No. 1591.21; Regulation of Fuel and Fuel Additives: Refiner and Importer Quality Assurance Requirements for Downstream Oxygen Blending and Requirements for Disposition of Pipeline Interfaces (Direct

Final Rule); in 40 CFR 80.69; 40 CFR 80.74; 40 CFR 80.77; 40 CFR 80.84; 40 CFR 80.104; 40 CFR 80.213; 40 CFR 80.365; 40 CFR 80.840; was approved 07/12/2006; OMB Number 2060–0277; expires 10/31/2007.

EPA ICR No. 2104.02; Brownfields Programs—Revitalization Grantee Reporting (Renewal); was approved 07/05/2006; OMB Number 2050–0192; expires 07/31/2009.

EPA ICR No. 0575.10; Health and Safety Data Reporting; Submission of Lists and Copies of Health and Safety Studies; in 40 CFR part 716; was approved 07/06/2006; OMB Number 2070–0004; expires 07/31/2009.

EPA ICR No. 2055.02; Data Submissions for the Voluntary Children's Chemical Evaluation Program (VCCEP); was approved 07/09/2006; OMB Number 2070–0165; expires 07/31/2009.

EPA ICR No. 2014.03; Reporting and Recordkeeping Requirements of the HCFC Allowance System (Renewal); in 40 CFR part 82.23, 40 CFR part 82.24; was approved 07/10/2006; OMB Number 2060–0498; expires 07/31/2009.

EPA ICR No. 2184.02; Inclusion of Delaware and New Jersey in the Clean Air Interstate Rule (Final Rule); in 40 CFR 51.123(c)(1), (c)(3), (e)(2), (e)(4)(ii); 40 CFR 51.124(c), (e)(2); 40 CFR 51.125(a)(1); 40 CFR 96.140; 40 CFR 96.143(a); was approved 07/10/2006; OMB Number 2060–0584; expires 07/31/2009.

#### Comment Filed

EPA ICR No. 0328.12; Spill Prevention, Control and Countermeasure (SPCC) Plants (Proposed Rule); OMB Number 2050–0021; in 40 CFR 112.3(e); 40 CFR 112.4(a), (e)–(f); 40 CFR 112.5(a); 40 CFR 112.7(a)–(i); OMB filed comments on 06/12/2006.

EPA ICR No. 0783.50; Cold Temperature Hydrocarbon Emissions Standards for Light-Duty Vehicles, Light-Duty Trucks, and Medium-Duty Passenger Vehicles (Proposed Rule); in 40 CFR part 85, subparts R, S, T, V, W, and Y; 40 CFR part 86, subparts B, E, F, G, H, J, K, L, O, P, R, and S; 40 CFR part 600, subparts A, B, D, and F; OMB filed comments on 06/23/2006.

EPA ICR No. 1989.03; Revised NPDES and Effluent Limitation Guidelines for Concentrated Animal Feeding Operations in Response to Waterkeeper Decision (Proposed Rule); in 40 CFR 122, 40 CFR 122.21(i)(1)(i–xi), 40 CFR 122.21(f), 40 CFR 122.21(f)(1), 40 CFR 122.21(f)(7), 40 CFR 122.23(f)(1–3), 40 CFR 122.23(g–h), 40 CFR 122.28(b)(3)(iv), 40 CFR 122.41, 40 CFR 122.42(e)(1), 40 CFR 122.42(e)(1)(i–iv), 40 CFR 122.42(e)(4), 40 CFR

122.42(e)(3), 40 CFR 122.62, 40 CFR 122.62(b)(2–4), 40 CFR 123, 40 CFR 123.25, 40 CFR 123.40, 40 CFR 123.25(a)(22, 27, 30, 31, 33, 34), 40 CFR 123.26(b), 40 CFR 123.42(e)(3–4), 40 CFR 123.42(e)(4)(i–vi), 40 CFR 123.62, 40 CFR 123.62(a), 40 CFR 123.62(b)(1), 40 CFR 412, 40 CFR 412(a)(1)(i–iii), 40 CFR 412.37(b), 40 CFR 412.37(b)(1–6), 40 CFR 412.37(c), 40 CFR 412.37(c)(1–9); OMB filed comments on 07/11/2006.

#### Short Term Extensions

EPA ICR No. 2212.01; MBE/WBE Utilization under Federal Grants, Cooperative, Agreements and Interagency Agreements; OMB Number 2090–0025; on 06/29/2006 OMB extended the expiration date to 08/31/2006.

EPA ICR No. 1842.04; Notice of Intent for Storm Water Discharges Associated with Construction Activity under a NPDES General Permit; OMB Number 2040–0188; on 06/29/2006 OMB extended the expiration date to 09/30/2006.

EPA ICR No. 0226.17; applications for NPDES Discharge Permits and the Sewage Sludge Management Permits; OMB Number 2040–0086; on 06/29/2006 OMB extended the expiration date to 09/30/2006.

EPA ICR No. 1820.03; NPDES Storm Water Program Phase II; OMB Number 2040–0211; on 06/29/2006 OMB extended the expiration date to 09/30/2006.

EPA ICR No. 2003.02; NESHAP for Integrated Iron and Steel Manufacturing (Final Rule); OMB Number 2060–0517; on 06/29/2006 OMB extended the expiration date to 08/30/2006.

Dated: July 27, 2006.

**Oscar Morales,**

*Director, Collection Strategies Division.*

[FR Doc. E6–12540 Filed 8–2–06; 8:45 am]

**BILLING CODE 6560–50–P**

## ENVIRONMENTAL PROTECTION AGENCY

[AMS–FRL–8205–4]

### California State Motor Vehicle Pollution Control Standards; Waiver of Federal Preemption for Amendments to California's Exhaust Emission Standards and Test Procedures for On-Road Motorcycles and Motorcycle Engines; Notice of Decision

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of Decision Regarding Waiver of Federal Preemption for California Motorcycle Emission Standards.

**SUMMARY:** The California Air Resources Board (CARB) requested that the Environmental Protection Agency (EPA) confirm CARB's finding that amendments to its on-road motorcycle and motorcycle engines exhaust emission regulations, approved by CARB on October 22, 1999, are within the scope of previous Clean Air Act Section 209(b) waivers of federal preemption. Instead of confirming CARB's request that the amendments are within the scope of a previously granted waiver of federal preemption EPA is, by today's action, granting a full waiver of federal preemption.

**ADDRESSES:** The Agency's Decision Document, containing an explanation of the Assistant Administrator's decision, as well as all documents relied upon in making that decision, including those submitted to EPA by CARB, are contained in the public docket. The official public docket is the collection of materials that is available for public viewing. The EPA Docket Center Public Reading Room is open from 8:30 to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the Air and Radiation Docket is (202) 566-1743. The reference number for this docket is EPA-HQ-OAR-2004-0486. The location of the Docket Center is the Environmental Protection Agency, (EPA/DC) EPA West, Room B102, 1301 Constitution Ave., NW., Washington, D.C. Copies of the Decision Document for this determination can also be obtained by contacting David Dickinson as noted below, or can be accessed on the EPA's Office of Transportation and Air Quality Web site, also noted below.

**FOR FURTHER INFORMATION CONTACT:** David Dickinson, Attorney-Advisor, Certification and Compliance Division, (6405J), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460. Telephone: (202) 343-9256, FAX: (202) 343-2804, e-mail: [Dickinson.David@EPA.GOV](mailto:Dickinson.David@EPA.GOV).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Obtaining Electronic Copies of Documents**

Electronic copies of this Notice and the accompanying Decision Document are available via the Internet on the Office of Transportation and Air Quality (OTAQ) Web site (<http://www.epa.gov/OTAQ>). Users can find these documents by accessing the OTAQ Home Page and looking at the path entitled "Chronological List of All OTAQ Regulations." This service is free of charge, except for any cost you already

incur for Internet connectivity. The official **Federal Register** version of the Notice is made available on the day of publication on the primary Web site (<http://www.epa.gov/docs/fedrgstr/EPA-AIR/>).

Please note that due to differences between the software used to develop the documents and the software into which the documents may be downloaded, changes in format, page length, etc. may occur.

**Docket:** EPA has established a docket for this action under Docket ID No. EPA-HQ-OAR-2004-0486. All documents in the docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information is not publicly available, e.g., 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 at the Docket Center noted above.

##### **II. Determination**

I have determined that CARB's amendments to its on-highway motorcycle and motorcycle engine regulations constitute new standards and therefore require a new waiver of federal preemption rather than confirmation that the amendments are within the scope of a prior waiver issued under section 209(b) of the Clean Air Act (Act), 42 U.S.C. 7543(b), granted by EPA to CARB.<sup>1</sup> The amendments to the regulations, outlined in CARB's request letter<sup>2</sup>, and fully described in CARB's submissions, provide for: (1) A combined level of hydrocarbon (HC) and oxides of nitrogen (NO<sub>x</sub>) emissions as HC + NO<sub>x</sub> for 2004 and subsequent model years (in comparison to the preexisting on-road Class III motorcycle HC-only standard); (2) two tiers of standard (Tier-1 and -2), with a Tier-1

<sup>1</sup> EPA previously granted CARB a waiver of federal preemption for California's exhaust emission standards and test procedures for 1978 and subsequent model year motorcycles at 41 FR 44209 (October 7, 1976) and 43 FR 998 (January 5, 1978). EPA also confirmed that a subsequent amendment to the HC exhaust standard for certain small volume manufacturers for the 1982 model year was within the scope of a previously granted waiver at 47 FR 23204 (May 27, 1982). Finally, EPA also confirmed that CARB's HC exhaust standards for 1984 and subsequent model year Class III motorcycles (280 cc and above) was within the scope of a previously granted waiver at 53 FR 6195 (March 1, 1988). EPA also previously waived federal preemption for California's evaporative emission standards and test procedures for motorcycles and confirmed subsequent amendments as within the scope of previously granted waivers at 47 FR 1015 (January 8, 1982); 47 FR 23204 (May 27, 1982); 53 FR 6195 (March 1, 1988); and 53 FR 36116 (September 16, 1988).

<sup>2</sup> Docket entry EPA-HQ-OAR 2004-0486-0002, letter to EPA, from CARB, dated June 18, 2003.

standard of 1.4 g/km for HC + NO<sub>x</sub> for model years 2004 through 2007 and a Tier-2 standard of 0.08 for HC + NO<sub>x</sub> for model year 2008 and beyond; (3) retention of corporate averaging for Class III engine families but an addition of a not-to-exceed cap limit for each emission level from each engine family; and (4) a new definition of "small volume manufacturer" that applies in model year 2008 and beyond and clarification of the definition for "motorcycle engine."

In a June 18, 2003 letter to EPA, CARB notified EPA of the above-described amendments to its motorcycle regulations and asked EPA to confirm that these amendments are within the scope of EPA's previous waivers. EPA can make such a confirmation if certain conditions are present. Specifically, if California acts to amend a previously waived standard or accompanying enforcement procedure, the amendment may be considered within-the-scope of a previously granted waiver provided that it does not undermine California's determination that its standards, in the aggregate, are as protective of public health and welfare as applicable Federal standards, does not affect the consistency with section 202(a) of the Act, and raises no new issues affecting EPA's previous waiver.<sup>3</sup>

In its request letter, CARB stated that the amendments will not cause the California standards, in the aggregate, to be less protective of public health and welfare than the applicable Federal standards. Regarding consistency with section 202(a), CARB stated that the amendments do not raise any concerns of inadequate leadtime or technological feasibility or impose any inconsistent certification requirements (compared to the Federal requirements). Finally, CARB stated that the amendments raise no new issues affecting the prior EPA authorization determinations.

Because EPA believed it possible that CARB's amendments do in fact raise "new issues" as they impose new more stringent standards, EPA offered the opportunity for a public hearing, and requested public comments, on these new standards, as the Act requires us to do, by publication of a **Federal Register** notice to such effect on November 21, 2005.<sup>4</sup> There was no request for a public hearing, nor were any comments received on the CARB standards at issue. Therefore, EPA has made this

<sup>3</sup> Decision Document accompanying scope of waiver determination in 51 FR 12391 (April 10, 1986).

<sup>4</sup> 70 FR 70073 (November 21, 2005).

determination based on the information submitted by CARB in its request.

EPA's analysis finds that the criteria for granting a full waiver have been met for these amendments. A full explanation of EPA's decision is contained in a Decision Document which may be obtained from EPA as noted above.

My decision will affect not only persons in California but also the manufacturers outside the State who must comply with California's requirements in order to produce vehicles for sale in California. For this reason, I hereby determine and find that this is a final action of national applicability.

Under section 307(b)(1) of the Act, judicial review of this final action may be sought only in the United States Court of Appeals for the District of Columbia Circuit. Petitions for review must be filed by October 2, 2006. Under section 307(b)(2) of the Act, judicial review of this final action may not be obtained in subsequent enforcement proceedings.

As with past waiver decisions, this action is not a rule as defined by Executive Order 12866. Therefore, it is exempt from review by the Office of Management and Budget as required for rules and regulations by Executive Order 12866.

In addition, this action is not a rule as defined in the Regulatory Flexibility Act, 5 U.S.C. 601(2). Therefore, EPA has not prepared a supporting regulatory flexibility analysis addressing the impact of this action on small business entities.

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, does not apply because this action is not a rule, for purposes of 5 U.S.C. 804(3).

Finally, the Administrator has delegated the authority to make determinations regarding waivers under section 209(b) of the Act to the Assistant Administrator for Air and Radiation.

Dated: July 27, 2006.

**William L. Wehrum,**

*Acting Assistant Administrator, Office of Air and Radiation.*

[FR Doc. E6-12546 Filed 8-2-06; 8:45 am]

**BILLING CODE 6560-50-P**

## FEDERAL COMMUNICATIONS COMMISSION

[Report No. 2783]

### Petitions for Reconsideration of Action in Rulemaking Proceeding

July 27, 2006.

Petitions for Reconsideration have been filed in the Commission's Rulemaking proceeding listed in this Public Notice and published pursuant to 47 CFR 1.429(e). The full text of these documents is available for viewing and copying in Room CY-B402, 445 12th Street, SW., Washington, DC or may be purchased from the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI) (1-800-378-3160). Oppositions to these petitions must be filed by August 18, 2006. See Section 1.4(b)(1) of the Commission's rules (47 CFR 1.4(b)(1)). Replies to an opposition must be filed within 10 days after the time for filing oppositions have expired.

*Subject:* In the Matter of Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational And Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands (WT Docket No. 03-66).

Part 1 of the Commission's Rules—Further Competitive Bidding Procedures (WT Docket No. 03-67).

Amendment of Parts 21 and 74 to Enable Multipoint Distribution Service and the Instructional Television Fixed Service to Engage in Fixed Two-Way Transmissions (MM Docket No. 97-217).

Amendment of Parts 21 and 74 of the Commission's Rules with Regard to Licensing in the Multipoint Distribution Service and in the Instructional Television Fixed Service for the Gulf of Mexico (WT Docket No. 02-68).

Promoting Efficient Use of Spectrum through Elimination of Barriers to the Development of Secondary Markets (WT Docket No. 00-230).

Review of the Spectrum Sharing Plan among Non-Geostationary Satellite Orbit Mobile Satellite Service Systems in the 1.6/2.4 GHz Bands (IB Docket No. 02-364).

*Number of Petitions Filed:* 10.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. E6-12545 Filed 8-2-06; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL RESERVE SYSTEM

### Change in Bank Control Notices; Acquisition of Shares of Bank or Bank Holding Companies

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the office of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than August 18, 2006.

**A. Federal Reserve Bank of Minneapolis** (Jacqueline G. King, Community Affairs Officer) 90 Hennepin Avenue, Minneapolis, Minnesota 55480-0291:

1. *Jon W. Neumann*, Hawley, Minnesota; to acquire voting shares of First Hawley Bancshares, Inc., Hawley, Minnesota, and thereby indirectly acquire voting shares of First National Bank, Hawley, Minnesota.

Board of Governors of the Federal Reserve System, July 28, 2006.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. E6-12487 Filed 8-2-06; 8:45 am]

**BILLING CODE 6210-01-S**

## FEDERAL RESERVE SYSTEM

### Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The application also will be