

**ADDRESSES:** Copies of the final order, the petition, and all pertinent information relating thereto are on file at the following location: EPA Region 4, Air, Pesticides and Toxics Management Division, 61 Forsyth Street, SW., Atlanta, Georgia 30303-8960. The final order is also available electronically at the following address: [http://www.epa.gov/region07/programs/artd/air/title5/petitiondb/petitions/dougherty\\_decision2001.pdf](http://www.epa.gov/region07/programs/artd/air/title5/petitiondb/petitions/dougherty_decision2001.pdf).

**FOR FURTHER INFORMATION CONTACT:** Art Hofmeister, Air Permits Section, EPA Region 4, at (404) 562-9115 or [hofmeister.art@epa.gov](mailto:hofmeister.art@epa.gov).

**SUPPLEMENTARY INFORMATION:** The Act affords EPA a 45-day period to review and, as appropriate, object to operating permits proposed by state permitting authorities under title V of the Act, 42 U.S.C. 7661-7661f. Section 505(b)(2) of the Act and 40 CFR 70.8(d) authorize any person to petition the EPA Administrator to object to a title V operating permit within 60 days after the expiration of EPA's 45-day review period if EPA has not objected on its own initiative. Petitions must be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided by the state, unless the petitioner demonstrates that it was impracticable to raise these issues during the comment period or the grounds for the issues arose after this period.

GCLPI submitted a petition on behalf of the Sierra Club to the Administrator on August 22, 2001, requesting that EPA object to a state title V operating permit issued by EPD to Dougherty. The Petitioner maintains that the Dougherty permit is inconsistent with the Act because of: (1) Inadequate reporting requirements related to monitoring; (2) the permit's apparent limitation of enforcement authority; (3) inadequate public notice procedures; and (4) the permit's apparent limitation of credible evidence.

On July 3, 2002, the Administrator issued an order denying this petition. The order explains the reasons behind EPA's conclusion that the Petitioner has failed to demonstrate that the Dougherty permit is not in compliance with the requirements of the Act on the grounds raised.

Dated: July 19, 2002.

**A. Stanley Meiburg,**

*Deputy Regional Administrator, Region 4.*

[FR Doc. 02-19107 Filed 7-26-02; 8:45 am]

**BILLING CODE 6560-50-P**

## FEDERAL COMMUNICATIONS COMMISSION

### Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission, Comments Requested

July 22, 2002.

**SUMMARY:** The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

**DATES:** Written comments should be submitted on or before September 27, 2002. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all comments to Judith Boley Herman or Leslie Smith, Federal Communications Commission, Room 1-C804 or Room 1-A804, 445 12th Street, SW., Washington, DC 20554 or via the Internet to [jboley@fcc.gov](mailto:jboley@fcc.gov) or [lesmith@fcc.gov](mailto:lesmith@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information or copies of the information collection(s), contact Judith Boley Herman at 202-418-0214 or via the Internet at [jboley@fcc.gov](mailto:jboley@fcc.gov).

#### SUPPLEMENTARY INFORMATION:

*OMB Control No.:* 3060-XXXX.

*Title:* Radar Detectors Operating Under Part 15.

*Form No.:* N/A.

*Type of Review:* New collection.

*Respondents:* Business or other for-profit, and state, local or tribal governments.

*Number of Respondents:* 8.

*Estimated Time Per Response:* 2 hours.

*Frequency of Response:* One time reporting requirement; third party disclosure requirement.

*Total Annual Burden:* 16 hours.

*Total Annual Cost:* \$2,000.

*Needs and Uses:* The collection of information is made necessary by changes to part 15 of the Commission's Rules that require that all radar detectors to be certified to demonstrate compliance with certain radiated emission limits before they can be marketed. To assist in identifying products manufactured before and after a certain date on which certification is required. Radar detector manufacturers will be required to provide the Commission with a list of radar detector serial numbers.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 02-19062 Filed 7-26-02; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

[Report No. AUC-02-46-B (Auction No. 46); DA 02-1628]

### Auction No. 46 Revised License Inventory and Auction Start Date; Comment Sought on Revisions to Auction Procedures

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** This document revises the license inventory and starting date for Auction No. 46. This document also seeks comment on revisions to the Bureau's proposed procedures for Auction No. 46. With the exception of the changes described in the *Auction No. 46 Revised License Inventory and Auction Start Date Public Notice*, the Bureau's proposed procedures for Auction No. 46 remain unchanged from the *Auction No. 46 Comment Public Notice* released on May 24, 2002.

**DATES:** Comments were due on or before July 22, 2002, and reply comments are due on or before July 29, 2002.<sup>1</sup>

**ADDRESSES:** Because of the disruption of regular mail and other deliveries in Washington, DC, the Bureau requires

<sup>1</sup> This document was received by the Office of the Federal Register on July 25, 2002.

that all comments and reply comments be filed electronically. Comments and reply comments must be sent by electronic mail to the following address: [auction46@fcc.gov](mailto:auction46@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:**

Auctions and Industry Analysis Division: For legal questions: Francis Gutierrez (202) 418-0660. For general auction questions: Lyle Ishida (202) 418-0660 or Lisa Stover (717) 338-2888. For service rule questions: Brian Marengo (202) 418-0838.

**SUPPLEMENTARY INFORMATION:** This is a summary of the *Auction No. 46 Revised License Inventory and Auction Start Date Public Notice* released on July 15, 2002. The complete text of the *Auction No. 46 Revised License Inventory and Auction Start Date Public Notice* is available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC, 20554. The *Auction No. 46 Revised License Inventory and Auction Start Date Public Notice* may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC, 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com).

**Revised Auction No. 46 License Inventory**

1. The *Auction No. 46 Comment Public Notice*, 67 FR 42773 (June 25, 2002), announced that Auction No. 46 would include licenses in the paired 1392-1395 and 1432-1435 MHz bands and in the unpaired 1390-1392 MHz, 1670-1675 MHz, and the 2385-2390 MHz bands. The Auction No. 46 license inventory has been revised and only the 1670-1675 MHz band nationwide license will be offered in Auction No. 46. Dates for the auction of licenses in the paired 1392-1395 and 1432-1435 MHz bands and the unpaired 1390-1392 MHz and 2385-2390 MHz bands will be announced by separate public notice.

**New Auction Start Date**

2. Auction No. 46 will begin on October 30, 2002. A complete list of all relevant dates for the auction will be provided in a subsequent public notice.

**Activity Rules**

3. In order to ensure that the auction closes within a reasonable period of time, the Commission establishes activity rules that require bidders to bid actively on a percentage of their maximum bidding eligibility during each round of the auction rather than

wait until the end to participate. A bidder that does not satisfy the activity rule will either lose bidding eligibility in the next round or must use an activity rule waiver (if any remain).

4. In the *Auction No. 46 Comment Public Notice* the Bureau proposed to divide Auction No. 46 into three stages, each characterized by an increased activity requirement. However, in light of the reduction in the number of licenses that will be available in Auction No. 46, the Bureau proposes a single stage auction with the following activity requirement: in each round, a bidder desiring to maintain eligibility to participate in the auction is required to be active on one hundred (100) percent of its bidding eligibility. Failure to maintain the requisite activity level will result in the use of an activity rule waiver, if any remain; if a bidder has no activity rule waivers remaining, its eligibility will be reduced, effectively eliminating the bidder from the auction. The Bureau seeks comment on this proposal.

**Activity Rule Waivers and Reducing Eligibility**

5. In the *Auction No. 46 Comment Public Notice* the Bureau proposed that each bidder be provided with five activity rule waivers. The Bureau believes that in a single stage auction of one license, it will not be necessary to allow five activity rule waivers. Therefore the Bureau proposes to limit each bidder to two activity rule waivers that may be used at the bidder's discretion during the course of the auction, as described in the *Auction No. 46 Comment Public Notice*. The Bureau seeks comment on this proposal.

**Information Regarding Bid Withdrawal**

6. In the *Auction No. 46 Comment Public Notice* the Bureau proposed to limit each bidder to withdrawing standing high bids in no more than two rounds during the course of the auction. As noted in the *Auction No. 46 Comment Public Notice*, the Commission has previously explained that allowing bid withdrawals facilitates efficient aggregation of licenses and the pursuit of efficient backup strategies as information becomes available during the course of an auction. In Auction No. 46, however, aggregation of licenses will not be possible because only a single license will be auctioned. Accordingly, for this auction, the Bureau proposes that bidders not be permitted to withdraw bids in any round. The Bureau seeks comment on this proposal.

**Conclusion**

7. Comments are due on or before July 22, 2002, and reply comments are due on or before July 29, 2002. Because of the disruption of regular mail and other deliveries in Washington, DC, the Bureau requires that all comments and reply comments be filed electronically. Comments and reply comments must be sent by electronic mail to the following address: [auction46@fcc.gov](mailto:auction46@fcc.gov). The electronic mail containing the comments or reply comments must include a subject or caption referring to Auction No. 46 Comments. The Bureau requests that parties format any attachments to electronic mail as Adobe® Acrobat® (pdf) or Microsoft® Word documents. Copies of comments and reply comments will be available for public inspection during regular business hours in the FCC Public Reference Room, Room CY-A257, 445 12th Street, SW., Washington, DC 20554. In addition, the Bureau requests that commenters fax a courtesy copy of their comments and reply comments to the attention of Kathryn Garland at (717) 338-2850.

8. This proceeding has been designated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented is generally required. Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in section 1.1206(b) of the Commission's rules.

Federal Communication Commission.

**Margaret Wiener,**

*Chief, Auctions and Industry Analysis Division, WTB.*

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**FEDERAL COMMUNICATIONS COMMISSION**

[Report No. 2563]

**Petitions for Reconsideration of Action in Rulemaking Proceedings**

July 17, 2002.

Petitions for Reconsideration have been filed in the Commission's rulemaking proceedings listed in this Public Notice and published pursuant to 47 CFR section 1.429(e). The full text of this document is available for viewing