

technically and economically feasible controls, and that they continue to represent RACT for the 8-hour implementation purposes; (2) a negative declaration demonstrating that no facilities exist in Stafford County for the applicable CTG categories; and (3) new RACT determinations. EPA is soliciting public comments on the issues discussed in this document. These comments will be considered before taking final action.

#### IV. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA 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 CAA; 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, pertaining to the Stafford County, VA RACT under the 8-hour ozone NAAQS, 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, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

**Authority:** 42 U.S.C. 7401 *et seq.*

Dated: July 25, 2008.

**Donald S. Welsh,**

*Regional Administrator, Region III.*

[FR Doc. E8-18191 Filed 8-6-08; 8:45 am]

**BILLING CODE 6560-50-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 08-1713; MB Docket No. 08-85; RM-11427]

### Radio Broadcasting Services; Ehrenberg and First Mesa, AZ; Needles, CA

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition for rulemaking filed by Michael Cusinato, proposing to allot Channel 287B1 at Needles, California, as a fourth local service. To accommodate the proposed Needles allotment, Petitioner also requests the substitution of Channel 228C2 for vacant Channel 286C2 at Ehrenberg, Arizona, and the substitution of Channel 286C2 for Channel 287C2 at Wickenburg, Arizona, and modification of the Station KHOV-FM license accordingly at its license site. An *Order to Show Cause* is directed to Univision Radio License Corporation, licensee of Station KHOV-FM to show cause why its license should not be modified to specify operation on Channel 286C2. To accommodate the Wickenburg substitution, Petitioner proposes to substitute Channel 246C2 for Channel 286C2 at Kachina Village, Arizona, and

modify the license for Station KFLX(FM) accordingly, at its license site. An *Order to Show Cause* is directed to Grenax Broadcasting II LLC, licensee of Station KFLX(FM) to show cause why its license should not be modified to Channel 246C2. Finally, to accommodate the substitution at Kachina Village, Petitioner proposes the substitution of Channel 281C for vacant Channel 281C at First Mesa, Arizona. **DATES:** Comments must be filed on or before September 15, 2008, and reply comments on or before September 30, 2008.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner as follows: Michael Cusinato, 705 Peridot Ct., Castle Rock, Colorado 80108.

**FOR FURTHER INFORMATION CONTACT:** Victoria McCauley, Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket No. 08-85, adopted July 23, 2008, and released July 25, 2008. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, CY-A257, 445 12th Street, SW., Washington, DC 20554. This document may also be purchased from the Commission's copy contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 1-800-378-3160 or <http://www.BCPIWEB.com>.

This document does not contain proposed information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104-13. In addition, therefore, it does not contain any proposed information collection burden "for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, *see* 44 U.S.C. 3506(c)(4). Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

#### List of Subjects in 47 CFR Part 73

Radio, Radio broadcasting.

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

#### PART 73—RADIO BROADCAST SERVICES

1. The authority citation for part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334, 336.

#### § 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Arizona is amended by removing Channel 286C2 and by adding Channel 228C2 at Ehrenberg, and by removing Channel 247C and by adding Channel 281C at First Mesa.

3. Section 73.202(b), the Table of FM Allotments under California is amended by adding Needles, Channel 287B1.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division Media Bureau.*

[FR Doc. E8-18212 Filed 8-6-08; 8:45 am]

**BILLING CODE 6712-01-P**

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#### DEPARTMENT OF TRANSPORTATION

#### Federal Motor Carrier Safety Administration

#### 49 CFR Parts 356, 365, and 374

[Docket No. FMCSA-2008-0235]

RIN 2126-AB16

#### Elimination of Route Designation Requirement for Motor Carriers Transporting Passengers Over Regular Routes

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM); request for comments.

**SUMMARY:** FMCSA proposes to discontinue its current requirement that applicants seeking authority to transport passengers over regular routes submit a detailed description and a map of the route(s) over which they propose to operate. The Agency would register such carriers as regular-route carriers without requiring designation of specific regular routes and fixed endpoints. Once these regular-route motor carriers have obtained operating authority from FMCSA, they would no

longer need to seek additional FMCSA approval in order to change or add routes. By eliminating the need to file and process multiple requests concerning routes, the Agency believes this action will decrease the paperwork burden on regular-route motor carriers seeking to expand or change their routes without compromising safety. It will also decrease the Agency's own paperwork burden. Each registered regular-route motor carrier of passengers would continue to be subject to the full safety oversight and enforcement program of FMCSA and its State and local partners.

**DATES:** FMCSA must receive your comments by September 22, 2008.

**ADDRESSES:** You may submit comments identified by the Federal Docket Management System Number in the heading of this document by any of the following methods. Do not submit the same comments by more than one method. The Federal eRulemaking portal is the preferred method for submitting comments, and we urge you to use it.

*Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments. In the *Comment or Submission* section, type Docket ID Number "FMCSA-2008-0235", select "Go", and then click on "Send a Comment or Submission." You will receive a tracking number when you submit a comment.

*Telefax:* 1-202-493-2251.

*Mail, Courier, or Hand-Deliver:* Docket Management Facility, U.S. Department of Transportation, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590-0001. Office hours are between 9 a.m. and 5 p.m., E.T., Monday through Friday, except Federal holidays.

*Privacy Act:* Regardless of the method used for submitting comments, all comments will be posted without change to the Federal Docket Management System (FDMS) at <http://www.regulations.gov>. Anyone can search the electronic form of all our dockets in FDMS, by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). DOT's complete Privacy Act Statement was published in the **Federal Register** on April 11, 2000 (65 FR 19476), and can be viewed at the URL <http://docketsinfo.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Mr. David Miller, Regulatory Development Division, (202) 366-5370 or by e-mail at [FMCSAregs@dot.gov](mailto:FMCSAregs@dot.gov).

**SUPPLEMENTARY INFORMATION:** This section is organized as follows:

- I. Description of the Rulemaking
- II. Legal Basis for the Rulemaking
- III. Background
  - A. Introduction
  - B. *Impact on State Regulation of Intrastate Regular-Route Transportation by Interstate Carriers*
  - C. *Registration of Governmental Entities Providing Interstate Regular-Route Transportation*
- IV. The Proposed Rule
- V. Other Approaches Considered
- VI. Regulatory Analyses and Notices

#### I. Description of the Rulemaking

FMCSA is discontinuing the administrative requirement that motor carriers must describe specific routes when seeking authority to provide regular-route transportation of passengers in interstate commerce. Except for carriers who are public recipients of governmental assistance, regular-route passenger carriers will be registered as such without any specific route designations. Carriers currently holding route-specific operating authority will be issued motor carrier certificates of registration that are not route-specific which will supersede their existing authority.

Designation of regular routes is no longer required by statute and discontinuing this requirement will streamline the registration process by eliminating the need for motor carriers to file new applications when seeking to change or expand their routes. It will also benefit new entrants by simplifying the application for operating authority. Designation of regular routes is an administrative requirement based on economic regulation which is considered to have limited safety benefits to the public or the transportation community.

However, the Agency will continue to require public recipients of governmental assistance to designate specific routes when applying for regular-route authority because its governing statute permits persons to challenge specific regular-route transportation service provided by public entities on the ground that authorizing such service is not consistent with the public interest. Eliminating the route designation requirement would prevent the Agency from evaluating proposed transportation services under the public interest standard, in violation of its statutory mandate.

This rulemaking amends several FMCSA regulations that reference authorized routes or points of service in order to make them consistent with the