

TABLE 1.—REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION—Continued

Registration No.	Product Name	Chemical Name
74655-13	Spectrum RX-52	Bromonitrostyrene

A request to waive the 180-day comment period has been received for registration numbers 464-683, 464-684, 464-686, 74655-5, 74655-8 and 74655-13. Therefore, the 30 day comment period will apply for these registrations.

Unless a request is withdrawn by the registrant within 30 days of publication of this notice, orders will be issued canceling all of these registrations. Users of these pesticides or anyone else desiring the retention of a registration should contact the applicable registrant directly during this 30-day period.

Table 2 of this unit includes the names and addresses of record for all registrants of the products in Table 1 of this unit, in sequence by EPA company number:

TABLE 2.—REGISTRANTS REQUESTING VOLUNTARY CANCELLATION

EPA Company No.	Company Name and Address
464	The Dow Chemical Company 1500 E. Lake Cook Road Buffalo Grove, IL 60089
74655	Hercules Incorporated Paper Technology and Ventures 7910 Baymeadows Way Jacksonville, FL 32256

### III. What is the Agency's Authority for Taking this Action?

Section 6(f)(1) of FIFRA provides that a registrant of a pesticide product may at any time request that any of its pesticide registrations be canceled. FIFRA further provides that, before acting on the request, EPA must publish a notice of receipt of any such request in the **Federal Register**. Thereafter, the Administrator may approve such a request.

### IV. Procedures for Withdrawal of Request

Registrants who choose to withdraw a request for cancellation must submit such withdrawal in writing to the person listed under **FOR FURTHER**

**INFORMATION CONTACT**, postmarked before September 26, 2008. This written withdrawal of the request for cancellation will apply only to the applicable FIFRA section 6(f)(1) request listed in this notice. If the product(s) have been subject to a previous cancellation action, the effective date of cancellation and all other provisions of any earlier cancellation action are controlling. The withdrawal request must also include a commitment to pay any reregistration fees due, and to fulfill any applicable unsatisfied data requirements.

### V. Provisions for Disposition of Existing Stocks

The effective date of cancellation will be the date of the cancellation order. The orders effecting these requested cancellations will generally permit a registrant to sell or distribute existing stocks for 1 year after the date the cancellation request was received. This policy is in accordance with the Agency's statement of policy as prescribed in the **Federal Register** of June 26, 1991 (56 FR 29362) (FRL-3846-4). Exceptions to this general rule will be made if a product poses a risk concern, or is in noncompliance with reregistration requirements, or is subject to a data call-in. In all cases, product-specific disposition dates will be given in the cancellation orders.

Existing stocks are those stocks of registered pesticide products which are currently in the United States and which have been packaged, labeled, and released for shipment prior to the effective date of the cancellation action. Unless the provisions of an earlier order apply, existing stocks already in the hands of dealers or users can be distributed, sold, or used legally until they are exhausted, provided that such further sale and use comply with the EPA-approved label and labeling of the affected product. Exception to these general rules will be made in specific cases when more stringent restrictions on sale, distribution, or use of the products or their ingredients have already been imposed, as in a special review action, or where the Agency has identified significant potential risk concerns associated with a particular chemical.

### List of Subjects

Environmental protection, Pesticides and pests, Antimicrobials, Bromonitrostyrene.

Dated: August 20, 2008.

**Mark A. Hartman,**

*Acting Director, Antimicrobials Division,  
Office of Pesticide Programs.*

[FR Doc. E8-19760 Filed 8-26-08; 8:45 a.m.]

**BILLING CODE 6560-50-S**

### FEDERAL COMMUNICATIONS COMMISSION

#### Notice of Public Information Collection(s) Approved by the Office of Management and Budget

August 20, 2008.

**SUMMARY:** The Federal Communications Commission has received Office of Management and Budget (OMB) approval for the following public information collection(s) pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520). An agency may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number, and no person is required to respond to a collection of information unless it displays a currently valid OMB control number. Comments concerning the accuracy of the burden estimate(s) and any suggestions for reducing the burden should be directed to the person listed in the "**FOR FURTHER INFORMATION CONTACT**" section below.

**FOR FURTHER INFORMATION CONTACT:** For additional information contact Cathy Williams, Performance and Evaluation Records Management Division, Office of the Managing Director, at (202) 418-2918 or at [Cathy.Williams@fcc.gov](mailto:Cathy.Williams@fcc.gov).

#### SUPPLEMENTARY INFORMATION:

*OMB Control Number:* 3060-0027.  
*OMB Approval Date:* August 8, 2008.  
*Expiration Date:* August 31, 2011.  
*Title:* Application for Construction Permit for Commercial Broadcast Station.

*Form Number:* FCC Form 301.  
*Estimated Annual Burden:* 4,278 responses; 2-5 hours per response; 11,072 hours total per year.

*Annual Cost Burden:* \$51,802,197.  
*Obligation to Respond:* Required to obtain or retain benefits. The statutory authority for this collection of information is contained in 154(i), 303

and 308 of the Communications Act of 1934, as amended.

*Nature and Extent of Confidentiality:* There is no need for confidentiality.

*Needs and Uses:* On December 18, 2007, the Commission adopted a Report and Order and Order on Reconsideration ("Quadrennial Order") in its 2006 Quadrennial Regulatory Review of the Commission's Broadcast Ownership Rules pursuant to Section 202 of the Telecommunications Act of 1996, MB Docket No. 06-121, FCC 07-216. Section 202 requires the Commission to review its broadcast ownership rules every four years and determine whether any of such rules are necessary in the public interest. Further, Section 202 requires the Commission to repeal or modify any regulation it determines to be no longer in the public interest.

FCC Form 301 and the applicable exhibits/explanations are required to be filed when applying for authority to construct a new commercial AM, FM, or TV broadcast station or to make changes in the existing facilities of such a station. The instructions and a worksheet included with Form 301 have been revised to reflect the changes to the daily newspaper cross-ownership rule, 47 CFR 73.3555(d) that the Commission adopted in the Quadrennial Order. The rule change to section 73.3555(d) of the Commission's rules was published in the **Federal Register** on February 21, 2008 (73 FR 9481) and became effective on July 9, 2008 (73 FR 39269).

The instructions for Section II (Legal Information) to Form 301 have been revised to include a reference to the Quadrennial Order as a source of information regarding the Commission's multiple ownership rules and attribution rules in order for applicants to determine relevant parties to the application. Worksheet #2, Section A.IV. (Cross Ownership) and Section B (Family Relationships), which applicants use to respond to Section II, Item 4 (Multiple Ownership) of Form 301, have been revised to incorporate the new newspaper/broadcast cross-ownership rule, 47 CFR 73.3555(d) and the revised definition of a "Daily Newspaper," Note 6 to 47 CFR 73.3555, that the Commission adopted in the Quadrennial Order. An applicant uses Worksheet #2 to determine the circumstances under which an entity may own a daily newspaper and a broadcast station in the same local market.

47 CFR 73.3555(d) (daily newspaper cross-ownership rule) states:

(1) No license for an AM, FM or TV broadcast station shall be granted to any party (including all parties under

common control) if such party directly or indirectly owns, operates or controls a daily newspaper and the grant of such license will result in: (i) The predicted or measured 2 mV/m contour of an AM station, computed in accordance with Sec. 73.183 or Sec. 73.186, encompassing the entire community in which such newspaper is published; or (ii) The predicted 1 mV/m contour for an FM station, computed in accordance with Sec. 73.313, encompassing the entire community in which such newspaper is published; or (iii) The Grade A contour of a TV station, computed in accordance with Sec. 73.684, encompassing the entire community in which such newspaper is published.

(2) Paragraph (1) shall not apply in cases where the Commission makes a finding pursuant to Section 310(d) of the Communications Act that the public interest, convenience, and necessity would be served by permitting an entity that owns, operates or controls a daily newspaper to own, operate or control an AM, FM, or TV broadcast station whose relevant contour encompasses the entire community in which such newspaper is published as set forth in paragraph (1).

(3) In making a finding under paragraph (2), there shall be a presumption that it is not inconsistent with the public interest, convenience, and necessity for an entity to own, operate or control a daily newspaper in a top 20 Nielsen DMA and one commercial AM, FM or TV broadcast station whose relevant contour encompasses the entire community in which such newspaper is published as set forth in paragraph (1), provided that, with respect to a combination including a commercial TV station: (i) The station is not ranked among the top four TV stations in the DMA, based on the most recent all-day (9 a.m.–midnight) audience share, as measured by Nielsen Media Research or by any comparable professional, accepted audience ratings service; and (ii) At least 8 independently owned and operated major media voices would remain in the DMA in which the community of license of the TV station in question is located (for purposes of this provision major media voices include full-power TV broadcast stations and major newspapers).

(4) In making a finding under paragraph (2), there shall be a presumption that it is inconsistent with the public interest, convenience, and necessity for an entity to own, operate or control a daily newspaper and an AM, FM or TV broadcast station whose relevant contour encompasses the entire community in which such newspaper is

published as set forth in paragraph (1) in a DMA other than the top 20 Nielsen DMAs or in any circumstance not covered under paragraph (3).

(5) In making a finding under paragraph (2), the Commission shall consider: (i) Whether the combined entity will significantly increase the amount of local news in the market; (ii) whether the newspaper and the broadcast outlets each will continue to employ its own staff and each will exercise its own independent news judgment; (iii) the level of concentration in the Nielsen Designated Market Area (DMA); and (iv) the financial condition of the newspaper or broadcast station, and if the newspaper or broadcast station is in financial distress, the proposed owner's commitment to invest significantly in newsroom operations.

(6) In order to overcome the negative presumption set forth in paragraph (4) with respect to the combination of a major newspaper and a television station, the applicant must show by clear and convincing evidence that the co-owned major newspaper and station will increase the diversity of independent news outlets and increase competition among independent news sources in the market, and the factors set forth above in paragraph (5) will inform this decision.

(7) The negative presumption set forth in paragraph (4) shall be reversed under the following two circumstances: (i) the newspaper or broadcast station is failed or failing; or (ii) the combination is with a broadcast station that was not offering local newscasts prior to the combination, and the station will initiate at least seven hours per week of local news programming after the combination. Note 6 to 47 CFR 73.3555 states: For purposes of this section a daily newspaper is one which is published four or more days per week, which is in the dominant language in the market, and which is circulated generally in the community of publication. A college newspaper is not considered as being circulated generally.

47 CFR 73.3580 requires that applicants for construction permits for new broadcast stations and for major change in existing broadcast facilities (as defined in 47 CFR 73.3571(a)(1) (for AM applicants), 73.3572(a)(1) (for television applicants), or 73.3573(a)(1) (for FM applicants)) give local notice in a newspaper of general circulation in the community to which the station is licensed. This publication requirement also applies with respect to major amendments as defined in 47 CFR 73.3571(b) (AM), 73.3772(b) (television), and 73.3573(b) (FM). This publication

requirement also applies with respect to applications for minor modification to existing AM and FM facilities in which the applicant seeks to change the existing facility's community of license. Local notice is also required to be broadcast over the station, if operating. However, if the station is the only operating station in its broadcast service licensed to the community involved, publication of the notice in a newspaper is not required. Completion of publication may occur within 30 days before or after the tender of the application to the Commission.

This notice must be published at least twice a week for two consecutive weeks in a three-week period. A copy of this notice must be placed in a broadcast station's public inspection file along with the application. The Commission's actions in this proceeding did not revise this requirement.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. E8-19886 Filed 8-26-08; 8:45 am]

BILLING CODE 6712-01-P

## FEDERAL COMMUNICATIONS COMMISSION

[DA 08-1865]

### Notice of Debarment; Schools and Libraries Universal Service Support Mechanism

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** The Enforcement Bureau (the "Bureau") debars Mr. William Holman from the schools and libraries universal service support mechanism (or "E-Rate Program") for a period of three years based on his conviction of bid rigging in connection with his participation in the program. The Bureau takes this action to protect the E-Rate Program from waste, fraud and abuse.

**DATES:** Debarment commences on the date Mr. William Holman receives the debarment letter or August 27, 2008, whichever date come first, for a period of three years.

**FOR FURTHER INFORMATION CONTACT:** Rebekah Bina, Federal Communications Commission, Enforcement Bureau, Investigations and Hearings Division, Room 4-C330, 445 12th Street, SW., Washington, DC 20554. Rebekah Bina may be contacted by phone at (202) 418-7931 or e-mail at [Rebekah.Bina@fcc.gov](mailto:Rebekah.Bina@fcc.gov). If Ms. Bina is unavailable, you may contact Ms. Vickie Robinson, Assistant Chief,

Investigations and Hearings Division, by telephone at (202) 418-1420 and by e-mail at [vickie.robinson@fcc.gov](mailto:vickie.robinson@fcc.gov).

**SUPPLEMENTARY INFORMATION:** The Bureau debarred Mr. William Holman from the schools and libraries universal service support mechanism for a period of three years pursuant to 47 CFR 54.8 and 47 CFR 0.111. Attached is the debarment letter, DA 08-1865, which was mailed to Mr. William Holman and released on August 7, 2008. The complete text of the notice of debarment is available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portal II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. In addition, the complete text is available on the FCC's Web site at <http://www.fcc.gov>. The text may also be purchased from the Commission's duplicating inspection and copying during regular business hours at the contractor, Best Copy and Printing, Inc., Portal II, 445 12th Street, SW., Room CY-B420, Washington, DC 20554, telephone (202) 488-5300 or (800) 378-3160, facsimile (202) 488-5563, or via e-mail <http://www.bcpweb.com>.

Federal Communications Commission.

**Vickie Robinson,**

*Assistant Chief, Investigations and Hearings Division, Enforcement Bureau.*

The debarment letter, which attached the suspension letter, follows:

August 7, 2008.

DA 08-1865

VIA CERTIFIED MAIL RETURN  
RECEIPT REQUESTED AND  
FACSIMILE (415-773-5759)

Mr. William Holman, c/o Walter F. Brown, Jr., Esq., Orrick, Herrington & Sutcliffe, LLP, The Orrick Building, 405 Howard Street, San Francisco, CA 94105-2669

Re: Notice of Debarment, File No. EB-08-IH-1142

Dear Mr. Holman: Pursuant to section 54.8 of the rules of the Federal Communications Commission (the "Commission"), by this Notice of Debarment you are debarred from the schools and libraries universal service support mechanism (or "E-Rate program") for a period of three years.<sup>1</sup>

On May 19, 2008, the Enforcement Bureau (the "Bureau") sent you a Notice of Suspension and Initiation of Debarment Proceedings (the "Notice of Suspension")<sup>2</sup> as a result of your guilty

<sup>1</sup> See 47 CFR 0.111(a)(14), 54.8.

<sup>2</sup> Letter from Hillary S. DeNigro, Chief, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, to Mr. William Holman, Notice of Suspension and Initiation of Debarment Proceedings, 23 FCC Rcd

plea and subsequent conviction of bid-rigging, in violation of 15 U.S.C. 1, for your activities as former Vice President of NEC-Business Network Services ("NEC-BNS") in connection with the Ceria Travis Academy E-Rate project ("Project"). You responded through counsel on June 13, 2008,<sup>3</sup> contesting certain language in the Notice of Suspension, specifically, that you "entered into and engaged in a conspiracy with NEC-BNS and other co-conspirators to suppress and eliminate competition by submitting non-competitive bids for the Project and taking steps to ensure the Project was awarded to NEC-BNS and co-conspirators."<sup>4</sup> Citing the Plea Agreement, you clarified that it was NEC-BNS employees other than yourself that submitted non-competitive bids and that employees of another company took steps to ensure the success of the conspiracy by discouraging and disqualifying bids from non-conspirators.<sup>5</sup> You further assert, among other things, that you entered into what you understood to be a lawful agreement, and that you "subsequently became aware of problems with NEC-BNS's participation in the E-Rate program and raised these concerns with [your] superiors."<sup>6</sup> In the Response, you do not dispute that you pled guilty to a violation of 15 U.S.C. 1, but request that the Commission's record reflect the factual circumstances surrounding your offense.<sup>7</sup>

We grant your request and incorporate the cited Plea Agreement language in the record for this debarment proceeding. Based on the evidence in the record, we conclude that your conduct, as described in the Plea Agreement, constitutes the basis for your debarment, and your conviction falls within the categories of causes for debarment under section 54.8(c) of the Commission's rules.<sup>8</sup> For the foregoing reasons, you are hereby debarred for a period of three years from the debarment date, i.e., the earlier date of

8228 (Inv. & Hearings Div., Enf. Bur. 2008) (Attachment 1); see 73 Fed. Reg. 36082 (Jun. 25, 2008).

<sup>3</sup> Letter from Walter F. Brown, Jr., Orrick, Herrington & Sutcliffe, LLP to Diana Lee, Attorney Advisor, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, dated June 13, 2008 ("Holman Response" or "Response"), attaching *United States v. William Holman*, Criminal Docket No. 3:05-CR-00208-CRB-012, Plea Agreement (N.D.Cal. filed and entered Apr. 6, 2007) ("Plea Agreement").

<sup>4</sup> Holman Response at 1; Notice of Suspension at 23 FCC Rcd at 8229.

<sup>5</sup> Holman Response at 1, citing Plea Agreement, para. 4(f).

<sup>6</sup> Id. at 2, citing Plea Agreement, para. 4(g).

<sup>7</sup> Id. at 2.

<sup>8</sup> 47 CFR 54.8(c).