

Licensing and Consumer Protection Division requested a 60-day extension. Finally, the American Association of Law Librarians ("AALL") requested a 30-day extension.

These entities explain that extension of the comment period will allow them to provide more comprehensive comments. Specifically, the states explain that they are compiling data responsive to some of the Notice's specific questions and that the data they collect may be relevant to the Commission's decision on whether to expand the Negative Option Rule to cover additional types of negative option offers. Similarly, Broward County explains that it has received numerous complaints concerning trial conversion negative option offers that it believes demonstrate that an expansion of the Rule's coverage is warranted. Finally, the AALL explains that it represents "more than 5000 law librarians who are institutional consumers of enormous amounts of legal and other published material," and as such, are parties to many types of negative option plans. AALL states that it is requesting information from its membership regarding the Rule and an extension of the comment period would provide it with additional time to collect this data.

All of this data would assist the Commission in evaluating the Rule's effectiveness and determining whether there is reason to believe that unfair or deceptive acts or practices in non-Rule covered negative option marketing are "prevalent." Moreover, the requested short extension of the comment period will not substantially delay the rulemaking process. The Commission is mindful of the need to deal with this matter expeditiously; however, it also recognizes that its Notice requests comments on complex issues and believes that extending the comment period to facilitate the creation of a more complete record outweighs any harm that might result from any delay. The requests for an extension of the comment period were filed close to the comment deadline; therefore, there was insufficient time to extend the comment period. Accordingly, the Commission has decided to re-open the comment period for sixty (60) days, until October 13, 2009, to allow for additional comment.

By direction of the Commission.

**Donald S. Clark,**  
Secretary.

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R03-OAR-2009-0311; FRL-8941-7]

#### Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Revised Motor Vehicle Emission Budgets for the Scranton/Wilkes-Barre 8-Hour Ozone Maintenance Area

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve the State Implementation Plan (SIP) revision submitted by the Commonwealth of Pennsylvania for the purpose of amending the 8-hour ozone maintenance plan for the Scranton/Wilkes-Barre 8-Hour Ozone Maintenance Area. This revision amends the maintenance plan's 2009 and 2018 motor vehicle emissions budgets (MVEBs) by unequally dividing the overall MVEBs into three sub-regional MVEBs for each county comprising the area. In the Final Rules section of this **Federal Register**, EPA is approving the Commonwealth's SIP submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this action, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time.

**DATES:** Comments must be received in writing by September 10, 2009.

**ADDRESSES:** Submit your comments, identified by Docket ID Number EPA-R03-OAR-2009-0311 by one of the following methods:

A. <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

B. *E-mail:* [febbo.carol@epa.gov](mailto:febbo.carol@epa.gov).

C. *Mail:* EPA-R03-OAR-2009-0311, Carol Febbo, Chief, Energy, Radiation and Indoor Environment Branch, Mailcode 3AP23, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103.

D. *Hand Delivery:* At the previously listed EPA Region III address. Such

deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

*Instructions:* Direct your comments to Docket ID No. EPA-R03-OAR-2009-0311. EPA's policy is that all comments received will be included in the public docket without change, and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov> or e-mail. The <http://www.regulations.gov> Web site is an anonymous access system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through <http://www.regulations.gov>, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

*Docket:* All documents in the electronic docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information is not publicly available, *i.e.*, CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the Commonwealth submittal are available at the Pennsylvania Department of Environmental Protection, Bureau of Air Quality, P.O. Box 8468, 400 Market Street, Harrisburg, Pennsylvania.

**FOR FURTHER INFORMATION CONTACT:** Martin Kotsch, (215) 814-3335, or by e-mail at [kotsch.martin@epa.gov](mailto:kotsch.martin@epa.gov).

**SUPPLEMENTARY INFORMATION:** For further information, please see the information provided in the direct final action, with the same title, that is located in the Rules and Regulations section of this **Federal Register** publication.

Dated: July 28, 2009.

**William C. Early,**

*Acting Regional Administrator, Region III.*

[FR Doc. E9-18868 Filed 8-10-09; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA-R09-OAR-2008-0693, EPA-R09-OAR-2009-0492, EPA-R09-OAR-2009-0344; FRL-8943-6]

**Revisions to the California State Implementation Plan, California Air Resources Board and San Joaquin Valley Air Pollution Control District; Extensions of Comment Periods**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule; extensions of comment periods.

**SUMMARY:** The EPA is announcing extensions of the comment periods until August 31, 2009 for three actions proposed on July 10 and July 14, 2009. These proposed actions concern approval of California's Reformulated Gasoline and Diesel Fuels programs (74 FR 33196 (July 10, 2009), correction 74

FR 35838 (July 21, 2009)); limited approval and limited disapproval of San Joaquin Valley Air Pollution Control District's (SJVAPCD) Rule 4570 "Confined Animal Facilities" (74 FR 33948 (July 14, 2009)); and partial approval and partial disapproval of the 1-Hour Ozone Extreme Area Plan for the San Joaquin Valley (74 FR 33933 (July 14, 2009)).

**DATES:** Comments must be received on these proposals by August 31, 2009.

**ADDRESSES:** Submit comments, separately for each proposed action and identified by the correct docket number, by one of the following methods:

1. *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the on-line instructions through

2. *E-mail:* See below under the **FOR FURTHER INFORMATION CONTACT** section.

3. *Mail or deliver:* Air Division, U.S. Environmental Protection Agency Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901. Please mark your comments to the attention of the appropriate contact listed below under the **FOR FURTHER INFORMATION CONTACT** section.

*Instructions:* All comments will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as such and should not be submitted through <http://www.regulations.gov> or e-mail. <http://www.regulations.gov> is an "anonymous access" system, and EPA

will not know your identity or contact information unless you provide it in the body of your comment. If you send e-mail directly to EPA, your e-mail address will be automatically captured and included as part of the public comment. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

*Docket:* The index to the dockets for these actions are available electronically at <http://www.regulations.gov> and in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California. While all documents in these dockets are listed in the index, some information may be publicly available only at the hard copy location (e.g., copyrighted material), and some may not be publicly available in either location (e.g., CBI). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in the **FOR FURTHER INFORMATION CONTACT** section.

**FOR FURTHER INFORMATION CONTACT:**

*For the California fuels programs:* Jeffrey Buss, AIR-2, EPA Region IX, (415) 415-947-4152, [buss.jeffrey@epa.gov](mailto:buss.jeffrey@epa.gov).

*For SJVAPCD's Rule 4570:* Andrew Steckel, AIR-4, EPA Region IX, 415-947-4115, [steckel.andrew@epa.gov](mailto:steckel.andrew@epa.gov).

*For the SJV 1-hour ozone plan:* Frances Wicher, AIR-2, EPA Region IX, (415) 972-3957, [wicher.frances@epa.gov](mailto:wicher.frances@epa.gov).

**SUPPLEMENTARY INFORMATION:** On July 10 and 14, EPA proposed the following revisions to the California State Implementation Plan (SIP).

Agency	Rule, regulation or plan	Proposed action, <b>Federal Register</b> cite and docket number
Air Resources Board .....	Reformulated Gasoline and Diesel Fuels.	Approval; 74 FR 33196 (July 10, 2009), correction 74 FR 35838 (July 21, 2009); EPA-R09-OAR-2009-0344.
SJVAPCD .....	4570—Confined Animal Facilities	Limited Approval/Disapproval; 74 FR 33948 (July 14, 2009); EPA-R09-OAR-2009-0492.
SJVAPCD .....	1-Hour Ozone Extreme Area Plan	Partial Approval/Disapproval; 74 FR 33933 (July 14, 2009); EPA-R09-OAR-2008-0693.

The proposed actions each provided a 30-day public comment period. In response to a request submitted by e-mail on July 10, 2009, from Brent Newell, Center for Race, Poverty, and the Environment on behalf of the Association of Irrigated Residents and the Natural Resources Defense Council, EPA is extending the comment periods on all three proposals until August 31, 2009.

Dated: July 29, 2009.

**Laura Yoshii,**

*Acting Regional Administrator, Region IX.*

[FR Doc. E9-19189 Filed 8-10-09; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 300**

[EPA-HQ-SFUND-2005-0011; FRL-8942-5]

**National Oil and Hazardous Substances Pollution Contingency Plan National Priorities List**

**AGENCY:** Environmental Protection Agency.