

It is important to note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing online at <http://www.regulations.gov> without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. Information claimed as CBI and other information whose disclosure is restricted by statute is not included in the official public docket or in the electronic public docket. EPA's policy is that copyrighted material, including copyrighted material contained in a public comment, will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the EPA Docket Center.

#### *B. How and to Whom Do I Submit Comments?*

You may submit comments as provided in the **ADDRESSES** section. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

If you submit an electronic comment, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment and with any disk or CD-ROM you submit. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. Any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. 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.

Use of the <http://www.regulations.gov> Web site to submit comments to EPA electronically is EPA's preferred method for receiving comments. The electronic public docket system is an "anonymous access" system, which means EPA will not know your identity, e-mail address, or other contact information unless you provide it in the body of your comment. In contrast to EPA's electronic public

docket, EPA's electronic mail (e-mail) system is not an "anonymous access" system. If you send an e-mail comment directly to the Docket without going through <http://www.regulations.gov>, your e-mail address is automatically captured and included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

Dated: September 1, 2009.

**Richard B. Ossias,**

*Associate General Counsel.*

[FR Doc. E9-21400 Filed 9-3-09; 8:45 am]

**BILLING CODE 6560-50-P**

## **ENVIRONMENTAL PROTECTION AGENCY**

[FRL-8952-9]

### **Notice of Proposed Settlement Agreement and Opportunity for Public Comment: Coeburn Produce Disposal Site**

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

**ACTION:** Notice.

**SUMMARY:** In accordance with section 122(i) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (CERCLA), 42 U.S.C. 9622(h)(1), notice is hereby given of a Proposed Settlement Agreement and Administrative Order, Docket No. CERC-03-2009-0076CR (Proposed Settlement Agreement), that is intended to resolve the potential liability under CERCLA of two parties for response costs incurred by EPA and the United States Department of Justice on behalf of EPA, in connection with the Coeburn Produce Disposal Site, Coeburn, Wise County, Virginia (Site).

**DATES:** Written comments on the Proposed Settlement Agreement must be received by October 5, 2009.

**ADDRESSES.** Submit your comments, identified by Docket No. CERC-03-2009-0076-CR, by mail to: Docket Clerk (3RC00), United States Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103-2029.

**FOR FURTHER INFORMATION CONTACT:** James Van Orden (3RC42), Office of Regional Counsel, U.S. EPA, 1650 Arch Street, Philadelphia, PA 19103-2029, telephone: (215) 814-2693, fax number (215) 814-2603 e-mail address: [Vanorden.james@epa.gov](mailto:Vanorden.james@epa.gov).

Maria Goodine (3HS62), U.S. EPA, 1650 Arch Street, Philadelphia, PA 19103-2029, telephone: (215) 814-2488, fax number (215) 814-2603, e-mail address: [Goodine.maria@epa.gov](mailto:Goodine.maria@epa.gov).

## **SUPPLEMENTARY INFORMATION:**

### **I. Additional Information About the Proposed Settlement Agreement**

Notice is hereby given of a Proposed Settlement Agreement and Administrative Order, Docket No. CERC-03-2009-0076CR, among the United States Environmental Protection Agency, Fuller Investments, Inc. and the Town of Coeburn, that has been approved, subject to public comment, pursuant to Section 122(h)(1) of CERCLA. The Proposed Settlement Agreement was signed by the Director of the Hazardous Site Cleanup Division, EPA Region III, on August 5, 2009. The Proposed Settlement Agreement provides for recovery of \$185,000.00 from Fuller Investments, Inc., which represents approximately 7.11% of the \$2,600,864.50 in costs incurred by EPA and the U.S. Department of Justice on behalf of EPA in connection with the Site. The Town of Coeburn will not make any payment, but will be required to impose institutional controls at the Site and to maintain the remedy at the Site.

The Environmental Protection Agency will receive written comments on the Proposed Settlement Agreement for a period of thirty (30) days from the date of publication of this Notice. EPA or the Department of Justice may withdraw or withhold consent to the Proposed Settlement Agreement if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of CERCLA. Unless EPA or the Department of Justice determines, based on any comments which may be submitted, that consent to the Proposed Settlement Agreement should be withdrawn, the terms of the agreement will be affirmed.

### **II. Additional Information About Commenting on the Proposed Settlement Agreement**

#### *A. How Can I Get A Copy of the Proposed Settlement Agreement?*

A copy of the Proposed Settlement Agreement can be obtained from the United States Environmental Protection Agency, Region III, Office of Regional Counsel (3RC00), 1650 Arch Street, Philadelphia, Pennsylvania 19103-2029 by contacting James Van Orden, Assistant Regional Counsel, at (215) 814-2693, or via e-mail at [Vanorden.James@epa.gov](mailto:Vanorden.James@epa.gov). It is important to note that it is EPA's policy to make public comments, whether submitted electronically or in paper, available to the public, unless the comment contains copyrighted material,

CBI, or other information whose disclosure is restricted by statute.

*B. How and To Whom Do I Submit Comments?*

You may submit comments as provided in the ADDRESSES section. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

If you submit an electronic comment, EPA recommends that you include your name, mailing address, and e-mail address or other contact information in the body of your comment. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. Any identifying or contact information provided in the body of a comment will be included as part of the 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.

Dated: August 28, 2009.

**Paul Leonard,**

*Acting Director, Hazardous Site Cleanup Division, Region III.*

[FR Doc. E9-21397 Filed 9-3-09; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-8952-7]

**Adequacy Status of the Metropolitan Washington DC Area (DC-MD-VA) Area 8-Hour Ozone Non-Attainment Area's Reasonable Further Progress Plan Vehicle Emission Budgets for Transportation Conformity Purposes**

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

**ACTION:** Notice of adequacy.

**SUMMARY:** In this notice, EPA is notifying the public that we have found the Motor Vehicle Emissions Budgets (MVEBs) in the 2008 Reasonable Further Progress (RFP) Plan, submitted on June 4, 2007, by the Maryland Department of the Environment (MDE) and on June 12, 2007 by the Virginia Department of Environmental Quality (VADEQ) and the District of Columbia Department of the Environment (DCDOE) are adequate for transportation conformity purposes. As a result of EPA's finding, the Metropolitan Washington, DC area must use the MVEBs from the 2008 RFP Plan for future conformity determinations for the 8-hour ozone standard.

**DATES:** These MVEBs are effective September 21, 2009.

**FOR FURTHER INFORMATION CONTACT:** Martin Kotsch, U.S. EPA, Region III, 1650 Arch Street, Philadelphia, PA 19103 at (215) 814-3335 or by e-mail at:

*kotsch.martin@EPA.gov*. The finding is available at EPA's conformity Web site: <http://www.epa.gov/otaq/stateresources/transconf/cursips.htm>.

**SUPPLEMENTARY INFORMATION:**

Throughout this document "we," "us," or "our" refer to EPA. The word "budgets" refers to the motor vehicle emission budgets for volatile organic compounds (VOCs) and nitrogen oxides (NOx). The word "SIP" in this document refers to the RFP Plan for the Metropolitan Washington DC 8-hour Ozone Nonattainment Area submitted to EPA as SIP revisions on June 4 and June 12, 2007.

Today's notice is simply an announcement of a finding that EPA has already made. EPA sent a letter to MDE, VADEQ and DCDOE on July 29, 2009 stating that the MVEBs in the RFP Plan are adequate for transportation conformity purposes. As a result of EPA's finding, the State of Maryland, the Commonwealth of Virginia and the District of Columbia must use the MVEBs from the 2008 RFP Plan for future conformity determinations for the 8-hour ozone standard. This finding has also been announced on EPA's conformity Web site: <http://www.epa.gov/otaq/stateresources/transconf/pastsips.htm>. The adequate MVEBs are provided in the following table:

**WASHINGTON D.C. MOTOR VEHICLE EMISSIONS BUDGETS**

Nonattainment area	2008 Reasonable Further Progress	
	VOC (tpd)	NO <sub>x</sub> (tpd)
Washington D.C. ....	70.8	159.8

Transportation conformity is required by section 176(c) of the Clean Air Act, as amended in 1990. EPA's conformity rule requires that transportation plans, programs and projects conform to state air quality implementation plans and establishes the criteria and procedure for determining whether or not they do. Conformity to a SIP means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the national ambient air quality standards.

The criteria by which we determine whether a SIP's motor vehicle emission Budgets are adequate for conformity purposes are outlined in 40 CFR 93.118(e)(4). Please note that an adequacy review is separate from EPA's

completeness review, and it also should not be used to prejudge EPA's ultimate approval of the SIP. Even if we find a budget adequate, the SIP could later be disapproved. We have described our process for determining the adequacy of submitted SIP budgets in 40 CFR 93.118(f), and have followed this rule in making our adequacy determination.

Dated: August 21, 2009.

**William C. Early,**

*Acting Regional Administrator, Region III.*

[FR Doc. E9-21396 Filed 9-3-09; 8:45 am]

**BILLING CODE 6560-50-P**

**FEDERAL COMMUNICATIONS COMMISSION**

**Notice of Public Information Collection Being Reviewed by the Federal Communications Commission, Comments Requested**

09/01/2009.

**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, 44 U.S.C. 3501-3520. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control