

156.6 MHz—(channel 12)—Working (U.S. Stations in Sector 2 of the River).

156.55 MHz—(channel 11)—Working (Canadian Stations in Sector 3, Lake Ontario and Lake Erie).

■ 5. Revise § 401.63 to read as follows:

CHANNELS OF COMMUNICATION

Station	Control sector number	Sector limits	Call in	Work	Listening watch
Seaway Beauharnois .....	1	C.I.P. No. 2 to C.I.P. No. 6-7 .....	Ch. 14 .....	Ch. 14 .....	Ch. 14.
Seaway Eisenhower .....	2	C.I.P. No. 6-7 to C.I.P. No. 10-11 .....	Ch. 12 .....	Ch. 12 .....	Ch. 12.
Seaway Iroquois .....	3	C.I.P. No. 10-11 To Crossover Island .....	Ch. 11 .....	Ch. 11 .....	Ch. 11.
Seaway Clayton .....	4	Crossover Island to Cape Vincent .....	Ch. 13 .....	Ch. 13 .....	Ch. 13.
Seaway Sodus .....	4	Cape Vincent to Mid Lake Ontario .....	Ch. 12 .....	Ch. 12 .....	Ch. 16.
Seaway Newcastle .....	5	Mid Lake Ontario To C.I.P. No. 15 .....	Ch. 11 .....	Ch. 11 .....	Ch. 16.
Seaway Welland .....	6	C.I.P. No. 15 to C.I.P. No. 16 .....	Ch. 14 .....	Ch. 14 .....	Ch. 14.
Seaway Long Point .....	7	C.I.P. No. 16 to Long Point .....	Ch. 11 .....	Ch. 11 .....	Ch. 16.

§ 401.63 Radio Procedures.

Every vessel shall use the channels of communication in each control sector as listed in the table to this section.

■ 6. In § 401.90, add a new paragraph (d) to read as follows:

§ 401.90 Boarding for inspections.

\* \* \* \* \*

(d) Vessels shall provide a safe and approved means of boarding. Pigeon holes are not accepted as a means of boarding and an alternate safe means of access shall be provided.

■ 7. In § 401.94, revise paragraph (a) to read as follows:

§ 401.94 Keeping copies of documents.

(a) A copy of these Regulations (subpart A of part 401), a copy of the vessel's valid Vessel Inspection Report and the Seaway Notices for the current navigation year shall be kept on board every vessel in transit. For the purposes

of this section, a copy may be kept in either paper or electronic format so long as it can be accessed in the wheelhouse.  
\* \* \* \* \*

■ 8. In Schedule III to Subpart A—Calling-in table, revise sections numbered (18), (35), and (36) to read as follows:

SCHEDULE III TO SUBPART A OF PART 401—CALLING-IN TABLE

C.I.P. and checkpoint	Station to call	Message content
18. Sodus Point .....	Seaway Sodus, Channel 12 .....	1. Name of Vessel. 2. Location. 3. ETA Mid-Lake Ontario.
35. Mid-Lake Ontario-Entering Sector 4 .....	Seaway Sodus, Channel 12 .....	1. Name of Vessel.
36. Sodus Point .....	Seaway Sodus, Channel 12 .....	1. Name of Vessel. 2. Location. 3. Updated ETA Cape Vincent or Lake Ontario Port. 4. Confirm River Pilot Requirement. 5. Pilot requirement—Snell Lock and/or Upper Beauharnois Lock. (inland vessels only).

\* \* \* \* \*

Issued at Washington, DC, on March 3, 2010.

Saint Lawrence Seaway Development Corporation.

Collister Johnson, Jr.,

Administrator.

[FR Doc. 2010-4898 Filed 3-8-10; 8:45 am]

BILLING CODE 4910-61-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R09-OAR-2009-0859; FRL-9123-3]

Revisions to the California State Implementation Plan, San Joaquin Valley Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is finalizing approval of revisions to the San Joaquin Valley Air

Pollution Control District (SJVAPCD) portion of the California State Implementation Plan (SIP). These revisions were proposed in the **Federal Register** on December 18, 2009 and concern reduction of animal matter and volatile organic compound (VOC) emissions from crude oil production, cutback asphalt, and petroleum solvent dry cleaning. We are approving local rules that regulate these emission sources under the Clean Air Act as amended in 1990 (CAA or the Act).

DATES: *Effective Date:* This rule is effective on April 8, 2010.

**ADDRESSES:** EPA has established docket number EPA-R09-OAR-2009-0859 for this action. The index to the docket is 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 the docket 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:**  
Joanne Wells, EPA Region IX, (415) 947-4118, [wells.joanne@epa.gov](mailto:wells.joanne@epa.gov).

**SUPPLEMENTARY INFORMATION:**  
Throughout this document, “we,” “us” and “our” refer to EPA.

## Table of Contents

- I. Proposed Action
- II. Public Comments and EPA Responses
- III. EPA Action
- IV. Statutory and Executive Order Reviews

### I. Proposed Action

On December 18, 2009 (74 FR 67154), EPA proposed to approve the following rules into the California SIP.

Local agency	Rule No.	Rule title	Amended	Submitted
SJVAPCD .....	4104	Reduction of Animal Matter .....	12/17/92	8/24/07
SJVAPCD .....	4404	Heavy Oil Test Station—Kern County .....	12/17/92	8/24/07
SJVAPCD .....	4641	Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations.	12/17/92	8/24/07
SJVAPCD .....	4672	Petroleum Solvent Dry Cleaning Operations .....	12/17/92	8/24/07

We proposed to approve these rules because we determined that they complied with the relevant CAA requirements. Our proposed action contains more information on the rules and our evaluation.

### II. Public Comments and EPA Responses

EPA’s proposed action provided a 30-day public comment period. We did not receive any comments on the proposed action.

### III. EPA Action

No comments were submitted that change our assessment that the submitted rules comply with the relevant CAA requirements. Therefore, as authorized in section 110(k)(3) of the Act, EPA is fully approving these rules into the California SIP.

### IV. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Act 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 approves State law as meeting Federal requirements and does not impose additional requirements beyond those imposed by State law. For that reason, this 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 Clean Air Act; 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 rule 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.

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by May 10, 2010. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements (see section 307(b)(2)).

### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: February 12, 2010.

**Jane Diamond,**

*Acting Regional Administrator, Region IX.*

■ Part 52, Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

**PART 52—[AMENDED]**

■ 1. The authority citation for Part 52 continues to read as follows:

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

**Subpart F—California**

■ 2. Section 52.220 is amended by adding paragraph (c)(351) (i)(C) to read as follows:

**§ 52.220 Identification of plan.**

\* \* \* \* \*

(c) \* \* \*  
(351) \* \* \*  
(i) \* \* \*

(C) San Joaquin Valley Unified Air Pollution Control District.

(1) Rule 4104, "Reduction of Animal Matter," Rule 4404, "Heavy Oil Test Station—Kern County," adopted May 21, 1992 and amended on December 17, 1992.

(2) Rule 4641, "Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations," Rule 4672, "Petroleum Solvent Dry Cleaning Operations," adopted April 11, 1991 and amended on December 17, 1992.

\* \* \* \* \*

[FR Doc. 2010-4967 Filed 3-8-10; 8:45 am]

**BILLING CODE 6560-50-P**

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 73**

[DA 10-340; MB Docket No. 10-21; RM-11590]

**Television Broadcasting Services; Birmingham, AL**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission has before it a petition for rulemaking filed by Alabama Educational Television Commission, the licensee of noncommercial educational station WBIQ(TV), channel \*10, Birmingham, Alabama, requesting the substitution of channel \*39 for channel \*10 at Birmingham.

**DATES:** This rule is effective March 9, 2010.

**FOR FURTHER INFORMATION CONTACT:** Adrienne Y. Denysyk, Media Bureau, (202) 418-1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Report and Order*, MB Docket No. 10-21, adopted February 26, 2010, and released March 2, 2010. The full text of this document is available for public 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 will also be available via ECFS (<http://fjallfoss.fcc.gov/ecfs/>). This document may be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 1-800-478-3160 or via the company's Web site, <http://www.bcipweb.com>. To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

This document does not contain information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104-13. In addition, therefore, it does not contain any 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.

The Commission will send a copy of this *Report and Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional review Act, *see* 5 U.S.C. 801(a)(1)(A).

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

Television, Television broadcasting.

■ For the reasons discussed in the preamble, the Federal Communications Commission amends 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.

**§ 73.622 [Amended]**

■ 2. Section 73.622(i), the Post-Transition Table of DTV Allotments under Alabama, is amended by adding

channel \*39 and removing channel \*10 at Birmingham.

Federal Communications Commission.

**Clay C. Pendarvis,**

*Associate Chief, Video Division, Media Bureau.*

[FR Doc. 2010-4980 Filed 3-8-10; 8:45 am]

**BILLING CODE 6712-01-P**

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 80**

[WT Docket No. 04-257 and RM-10743; FCC 10-6]

**Maritime Communications**

**ACTION:** Final rule; correction.

**SUMMARY:** The Federal Communications Commission published in the **Federal Register** of February 2, 2010 (75 FR 5241), a document in the Maritime Radio Services, WT Docket No. 04-257, which included a Final Rules Appendix that reflected the amended adoption of a certain rule. This document corrects the amendment of that section as set forth below.

**DATES:** March 9, 2010.

**FOR FURTHER INFORMATION CONTACT:** Stana Kimball, Mobility Division, Wireless Telecommunications Bureau, at [Stanislava.Kimball@FCC.gov](mailto:Stanislava.Kimball@FCC.gov) or at (202) 418-1306, or TTY (202) 418-7233.

**SUPPLEMENTARY INFORMATION:** The Federal Communications Commission published a document in the **Federal Register** of February 2, 2010 (75 FR 5241) to ensure that its rules governing the Maritime Radio Services continue to promote maritime safety, maximize effective and efficient use of the spectrum available for maritime communications, accommodate technological innovation, avoid unnecessary regulatory burdens, and maintain consistency with international maritime standards to the extent consistent with the United States public interest. This document corrects a rule amendment set forth in the document published in the **Federal Register** of February 2, 2010 (75 FR 5241).

In rule FR Doc. 2010-2095 published on February 2, 2010 (75 FR 5241), make the following correction:

**§ 80.385 [Corrected]**

■ On page 5241, in the third column, revise paragraph (a)(1) to read as follows:

“(a) \* \* \*

(1) The Automated Maritime Communications System (AMTS) is an automated maritime telecommunications system.”