

11.6.4 Tobacco Product Shipments to APO/FPO/DPO

Shipments of cigarettes and smokeless tobacco may not be sent to APO/FPO/DPO destination addresses to which the mailing of tobacco is restricted (see 703.2.3.1). To the extent cigarettes or smokeless tobacco are permitted to be mailed to an APO/FPO/DPO destination addresses, such mailings under the certain individuals exception must comply with all of the requirements of 11.6, with the exception that mailings may be entered as either Express Mail Military Service (EMMS) or Priority Mail service with Delivery Confirmation. Regardless of the service elected, the mailing must bear the full name and mailing address of the sender and recipient.

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We will publish an amendment to 39 CFR part 111 to reflect these changes.

Stanley F. Mires,

Chief Counsel, Legislative.

[FR Doc. 2010-20835 Filed 8-23-10; 8:45 am]

BILLING CODE 7710-12-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R04-OAR-2009-0043-201024; FRL-9192-6]

Approval and Promulgation of Air Quality Implementation Plans; North Carolina and South Carolina; Charlotte-Gastonia-Rock Hill, North Carolina-South Carolina; Notice of Completeness Determination for the Purpose of Stopping Sanctions Clock

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Letter to Governor Regarding Completeness and Stopping of Sanctions Clock.

SUMMARY: EPA is now giving notice of an action that EPA has already taken to find two State Implementation Plan (SIP) revisions complete and stop sanctions clocks associated with the Charlotte-Gastonia-Rock Hill North Carolina, South Carolina 1997 8-hour ozone nonattainment area (hereafter referred to as the “bi-state Charlotte Area”). Pursuant to the Clean Air Act (CAA) and its implementing regulations, EPA has made an affirmative determination of completeness for the attainment demonstrations submitted by the States of North Carolina and South Carolina the bi-state Charlotte Area. On May 27, 2010, letters announcing this

determination were sent to the Governors of North Carolina and South Carolina, effectively stopping the sanctions clock started on May 8, 2009, by a finding of failure to submit the attainment demonstrations. This notice is simply an announcement of a determination that EPA has already made.

ADDRESSES: EPA has established a docket for this action under Docket Identification No. EPA-R04-OAR-2009-0043. All documents in the docket are listed on the <http://www.regulations.gov> Web site. Although listed in the index, some information is not publicly available, *i.e.*, Confidential Business Information 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 through <http://www.regulations.gov> or in hard copy at the Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street, SW., Atlanta, Georgia 30303-8960. EPA requests that if at all possible, you contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office’s official hours of business are Monday through Friday, 8:30 to 4:30, excluding Federal holidays.

FOR FURTHER INFORMATION CONTACT: Nacosta C. Ward, Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street, SW., Atlanta, Georgia 30303-8960. The telephone number is (404) 562-9140. Ms. Ward can also be reached via electronic mail at ward.nacosta@epa.gov.

SUPPLEMENTARY INFORMATION: Effective June 15, 2004, the bi-state Charlotte Area was designated nonattainment for the 8-hour ozone national ambient air quality standards (NAAQS) with a moderate classification. The bi-state Charlotte Area is comprised of Cabarrus, Gaston, Lincoln, Mecklenburg, Rowan, Union and a portion of Iredell (Davidson and Coddle Creek Townships) Counties in North Carolina; and a portion of York County, South Carolina. For the 1997 8-hour ozone NAAQS, States were required to submit an attainment demonstration, reasonable further progress plan, and

reasonable available control technology submittals (for areas classified as moderate or above) by June 15, 2007. EPA received the required submittals from North Carolina on June 15, 2007, and South Carolina on August 31, 2007.

On December 19, 2008, and December 22, 2008, the States of North Carolina and South Carolina, respectively, submitted letters to EPA withdrawing their attainment demonstrations for the bi-state Charlotte Area. On May 8, 2009, EPA published a finding of failure to submit final rulemaking for North Carolina and South Carolina for these required SIPs. 74 FR 21550.

On November 12, 2009, and April 5, 2010, North Carolina submitted all components of the North Carolina attainment demonstration SIP for North Carolina’s portion of the bi-state Charlotte Area. On November 13, 2009, and April 29, 2010, South Carolina submitted all components of the attainment demonstration SIP for South Carolina’s portion of the bi-state Charlotte Area. EPA has done a completeness review, in accordance with Section 2.0 “Criteria” of Appendix V of 40 CFR Part 51—Criteria for Determining the Completeness of Plan Submissions, to ensure that the States have submitted all of the required information for the SIP submissions.

As explained in the letters sent by EPA to the Governors of North and South Carolina, on May 27, 2010,¹ EPA has determined that the States have corrected the deficiency identified in EPA’s promulgated finding of failure to submit the required attainment demonstration SIPs for the bi-state Charlotte Area. Specifically, EPA has determined that both North Carolina and South Carolina have submitted complete SIP submittals for the bi-state Charlotte Area to meet the CAA requirement for attainment demonstrations for moderate nonattainment areas under the 1997 8-hour ozone NAAQS. EPA will make a determination on the approvability of these attainment demonstration SIPs for the bi-state Charlotte Area in a separate action. This announcement only relates to a completeness determination for the attainment demonstration SIPs for the bi-state Charlotte Area, and is separate from EPA’s determination of approvability of these attainment demonstrations. This action is simply a notice of a determination that EPA already made through correspondence

¹ In the May 27, 2010, letters, EPA inadvertently identified incorrect submittal dates for North Carolina and South Carolina’s SIP submissions. On June 18, 2010, EPA sent letters to North Carolina and South Carolina to correct the dates of the SIP submissions.

with the Governors of North and South Carolina.

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

Dated: August 11, 2010.

A. Stanley Meiburg,

Acting Regional Administrator, Region 4.

[FR Doc. 2010-20989 Filed 8-23-10; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 55

[EPA-R01-OAR-2010-0442; A-1-FRL-9167-7]

Outer Continental Shelf Air Regulations Consistency Update for Massachusetts

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is approving an update to a portion of the Outer Continental Shelf (“OCS”) Air Regulations. Requirements applying to OCS sources located within 25 miles of States’ seaward boundaries must be updated periodically to remain consistent with the requirements of the corresponding onshore area (“COA”), as mandated by the Clean Air Act (“the Act”). The portion of the OCS air regulations that is being updated pertains to the requirements for OCS sources in the Commonwealth of Massachusetts. The intended effect of approving the OCS requirements for the Commonwealth of Massachusetts is to regulate emissions from OCS sources in accordance with the requirements onshore. The change to the existing requirements discussed below is incorporated by reference into the Code of Federal Regulations and is listed in the appendix to the OCS air regulations.

DATES: This direct final rule will be effective October 25, 2010, unless EPA receives adverse comments by September 23, 2010. If adverse comments are received, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect. The incorporation by reference of certain publications listed in this rule is approved by the Director of the Federal Register as of October 25, 2010.

ADDRESSES: Submit your comments, identified by Docket ID Number EPA-R01-OAR-2010-0442 by one of the following methods:

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

2. **E-mail:** mcdonnell.ida@epa.gov.

3. **Fax:** (617) 918-0653.

4. **Mail:** “Docket Identification Number EPA-R01-OAR-2010-0442”, Ida McDonnell, U.S. Environmental Protection Agency, EPA New England Regional Office, Office of Ecosystem Protection, Air Permits, Toxics and Indoor Air Unit, 5 Post Office Square—Suite 100, (Mail Code OEP05-2), Boston, MA 02109-3912.

5. **Hand Delivery or Courier.** Deliver your comments to: Ida McDonnell, Manager, Air Permits, Toxics and Indoor Air Unit, Office of Ecosystem Protection, U.S. Environmental Protection Agency, EPA New England Regional Office, 5 Post Office Square—Suite 100, (Mail Code OEP05-2), Boston, MA 02109-3912. Such deliveries are only accepted during the Regional Office’s normal hours of operation. The Regional Office’s official hours of business are Monday through Friday, 8:30 to 4:30, excluding legal holidays.

Instructions: Direct your comments to Docket ID No. EPA-R01-OAR-2010-0442. 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 through <http://www.regulations.gov>, or e-mail, information that you consider to be CBI or otherwise protected. 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 www.regulations.gov or in hard copy at Office of Ecosystem Protection, U.S. Environmental Protection Agency, EPA New England Regional Office, 5 Post Office Square—Suite 100, Boston, MA. EPA requests that if at all possible, you contact the contact listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office’s official hours of business are Monday through Friday, 8:30 to 4:30, excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: Ida E. McDonnell, Air Permits, Toxics and Indoor Air Unit, U.S. Environmental Protection Agency, EPA New England Regional Office, 5 Post Office Square—Suite 100, (Mail Code OEP05-2), Boston, MA 02109-3912, telephone number (617) 918-1653, fax number (617) 918-0653, e-mail mcdonnell.ida@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document whenever “we,” “us,” or “our” is used, we mean EPA.

Organization of this document. The following outline is provided to aid in locating information in this preamble.

- I. Background and Purpose
- II. EPA’s Evaluation
- III. EPA’s Action
- IV. Statutory and Executive Order Reviews

I. Background and Purpose

On September 4, 1992, EPA promulgated 40 CFR part 55,¹ which established requirements to control air pollution from Outer Continental Shelf (OCS) sources in order to attain and maintain federal and state ambient air quality standards and to comply with the provisions of part C of title I of the Act. Part 55 applies to all OCS sources offshore of the States except those located in the Gulf of Mexico west of 87.5 degrees longitude. Section 328 of

¹ The reader may refer to the Notice of Proposed Rulemaking, December 5, 1991 (56 FR 63774), and the preamble to the final rule promulgated September 4, 1992 (57 FR 40792) for further background and information on the OCS regulations.