

Date	Location	Contact No.
December 7, 2010	National Mine Health and Safety Academy, 1301 Airport Road, Beaver, WV 25813	304-256-3201
January 11, 2011	Marriott Evansville Airport, 7101 Highway, 41 North Evansville, IN 47725	812-867-7999
January 13, 2011	Sheraton Birmingham, 2101 Richard Arrington Jr., Blvd., North Birmingham, AL 35203	205-324-5000
January 25, 2011	Marriott Salt Lake City, 75 S West Temple, Salt Lake City, UT 84101	801-531-0800
February 8, 2011	The George Washington Hotel, 60 South Main Street, Washington, PA 15301	724-225-3200
February 10, 2011	Jenny Wiley State Resort Park, Wilkinson/Stumbo Conference Center, 75 Theatre Court, Prestonsburg, KY 41653.	606-889-1790
February 15, 2011	Mine Safety and Health Administration, 25th Floor Conference Room, 1100 Wilson Blvd., Arlington, VA 22209.	202-693-9440

II. Correction

MSHA published the proposed rule on October 19, 2010 (75 FR 64412); it is available on MSHA's Web site at <http://www.msha.gov/REGS/FEDREG/PROPOSED/2010PROP/2010-25249.pdf>. The following error in the preamble to the proposed rule is corrected to read as follows:

1. On page 64421, third column, first line, "mg³" should read "m³".

Dated: November 24, 2010.

Joseph A. Main,

Assistant Secretary of Labor for Mine Safety and Health.

[FR Doc. 2010-30099 Filed 11-29-10; 8:45 am]

BILLING CODE 4510-43-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62

[EPA-R03-OAR-2010-0771; FRL-9233-5]

Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants; State of Delaware; Control of Emissions From Existing Hospital/Medical/Infectious Waste Incinerator (HMIWI) Units, Negative Declaration and Withdrawal of EPA Plan Approval

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to approve the State of Delaware's negative declaration and request for EPA withdrawal of its section 111(d)/129 plan (the plan) approval for HMIWI units. Submittal of a negative declaration or state plan revision is a requirement of the Clean Air Act (CAA). In the Final Rules section of this **Federal Register**, EPA is approving the State of Delaware's negative declaration and request for EPA withdrawal of its plan approval for HMIWI units. 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receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule.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 December 30, 2010.

ADDRESSES: Submit your comments, identified by Docket ID Number EPA-R03-OAR-2010-0771 by one of the following methods:

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

B. *E-mail:* wilkie.walter@epa.gov.

C. *Mail:* EPA-R03-OAR-2010-0771, Walter K. Wilkie, Associate Director, Air Protection, Division, Office of Air Monitoring and Analysis, Mailcode 3AP40, 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-2010-0771. 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 State agency submittals are available at the Delaware Department of Natural Resources and Environmental Control, 89 Kings Highway, P.O. Box 1401, Dover, Delaware 19903.

FOR FURTHER INFORMATION CONTACT: James B. Topsale, P.E., at (215) 814-2190, or by e-mail at topsale.jim@epa.gov. Please note that while questions may be posed via phone and e-mail, formal comments must be submitted in writing, as indicated in the **ADDRESSES** section of this document.

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: November 17, 2010.

W.C. Early,

Acting Regional Administrator, EPA Region III.

[FR Doc. 2010-30103 Filed 11-29-10; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

48 CFR Part 252

Defense Federal Acquisition Regulation Supplement; Definition of Sexual Assault (DFARS Case 2010-D023)

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Proposed rule with request for comments.

SUMMARY: DoD is proposing to amend the Defense Federal Acquisition Regulation Supplement (DFARS), regarding Contractor Personnel Authorized to Accompany U.S. Armed Forces Deployed Outside the United States, to ensure contractor employees are aware of the DoD definition of “sexual assault” as defined in DoD Directive 6495.01, Sexual Assault Prevention and Response (SAPR) Program. In addition to ensuring an awareness of the definition, the proposed change will inform contractors that, for contractor employees accompanying U.S. Armed Forces, such offenses are covered under the Uniform Code of Military Justice.

DATES: Comments on this proposed rule should be submitted in writing to the address shown below on or before January 31, 2011, to be considered in the formation of the final rule.

ADDRESSES: You may submit comments, identified by DFARS Case 2010-D023, using any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *E-mail:* dfars@osd.mil. Include DFARS Case 2010-D023 in the subject line of the message.
- *Fax:* 703-602-0350.
- *Mail:* Defense Acquisition Regulations System, Attn: Mr. Julian E. Thrash, OUSD (AT&L) DPAP/DARS, Room 3B855, 3060 Defense Pentagon, Washington, DC 20301-3060.

• Comments received generally will be posted without change to <http://www.regulations.gov>, including any personal information provided.

• To confirm receipt of your comment(s), please check <http://www.regulations.gov> approximately two to three days after submission to verify posting (except allow 30 days for posting of comments submitted by mail).

FOR FURTHER INFORMATION CONTACT: Mr. Julian E. Thrash, 703-602-0310.

SUPPLEMENTARY INFORMATION:

I. Background

DoD Inspector General audit D-2010-052, entitled “Efforts to Prevent Sexual Assault/Harassment Involving DoD Contractors During Contingency Operations,” dated April 16, 2010, provided recommendations for the Under Secretary of Defense for Acquisition, Technology, and Logistics to develop requirements in all DoD contracts supporting contingency operations to ensure contractor employees accompanying U.S. Armed Forces are aware of the definition of “sexual assault,” as defined in DoD Directive 6495.01, Sexual Assault Prevention and Response (SAPR) Program (<http://www.dtic.mil/whs/directives/corres/pdf/649501p.pdf>).

This proposed change will add a new item for compliance with laws and regulations at DFARS 252.225-7040(d)(3). This change would require that contractor employees accompanying U.S. Armed Forces are aware of the DoD definition of “sexual assault” as defined in DoD Directive 6495.01, Sexual Assault Prevention and Response Program. It would also inform contractor employees accompanying U.S. Armed Forces, that such offenses are covered under the Uniform Code of Military Justice, Title 10, Chapter 47 (<http://www.constitution.org/mil/ucmj19970615.htm>).

II. Executive Order 12866

This is a significant regulatory action and therefore was subject to review under section 6(b) of Executive Order 12866, Regulatory Planning and Review, dated September 20, 1993. This is not a major rule under 5 U.S.C. 804.

III. Regulatory Flexibility Act

DoD does not expect this rule to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because the rule does not impose any additional requirements on small businesses. DFARS 252.225-7040(e)(2)(iv) already informs contractors that contractor personnel authorized to accompany U.S. Armed Forces in the field are subject to the

jurisdiction of the Uniform Code of Military Justice. This proposed change clarifies that sexual assault is an offense covered under the Uniform Code of Military Justice. Therefore, DoD has not performed an Initial Regulatory Flexibility Analysis.

DoD invites comments from small business concerns and other interested parties on the expected impact of this rule on small entities.

DoD will also consider comments from small entities concerning the existing regulations in subparts affected by this rule in accordance with 5 U.S.C. 610. Interested parties must submit such comments separately and should cite 5 U.S.C. 610 (DFARS case 2010-D023) in correspondence.

IV. Paperwork Reduction Act

The Paperwork Reduction Act does not apply, because the rule does not impose any information collection requirements that require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

List of Subjects in 48 CFR Part 252

Government procurement.

Clare M. Zebrowski,

Editor, Defense Acquisition Regulations System.

Therefore, DoD proposes to amend 48 CFR part 252 as follows:

PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

1. The authority citation for 48 CFR part 252 continues to read as follows:

Authority: 41 U.S.C. 421 and 48 CFR chapter 1.

2. Amend section 252.225-7040 by adding paragraph (d)(3), to read as follows:

252.225-7040 Contractor Personnel Authorized to Accompany U.S. Armed Forces Deployed Outside the United States.

* * * * *

(d) * * *

(3) The Contractor shall ensure contractor employees accompanying U.S. Armed Forces are aware of the DoD definition of “sexual assault” in DoDD 6495.01, Sexual Assault Prevention and Response Program, at <http://www.dtic.mil/whs/directives/corres/pdf/649501p.pdf>, and advise them that such offenses are covered under the Uniform Code of Military Justice (see paragraph (e)(2)(iv) of this clause).

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[FR Doc. 2010-30090 Filed 11-29-10; 8:45 am]

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