

Reform Act of 1995 (Pub. L. 104–4). For the same reason, this action also does not significantly or uniquely affect the communities of tribal governments, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action will not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999), because it merely authorizes state requirements as part of the State RCRA hazardous waste program without altering the relationship or the distribution of power and responsibilities established by RCRA. This action also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant and it does not make decisions based on environmental health or safety risks. This rule is not subject to Executive Order 13211, “Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use” (66 FR 28355 (May 22, 2001)) because it is not a significant regulatory action under Executive Order 12866.

Under RCRA 3006(b), EPA grants a state’s application for authorization as long as the state meets the criteria required by RCRA. It would thus be inconsistent with applicable law for EPA, when it reviews a state authorization application, to require the use of any particular voluntary consensus standard in place of another standard that otherwise satisfies the requirements of RCRA. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. As required by section 3 of Executive Order 12988 (61 FR 4729, February 7, 1996), in issuing this rule, EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct. EPA has complied with Executive Order 12630 (53 FR 8859, March 15, 1988) by examining the takings implications of the rule in accordance with the “Attorney General’s Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings” issued under the Executive Order. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

### List of Subjects in 40 CFR Part 271

Environmental protection, Administrative practice and procedure, Confidential business information, Hazardous waste, Hazardous waste transportation, Indian lands, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements.

**Authority:** This action is issued under the authority of sections 2002(a), 3006, and 7004(b) of the Solid Waste Disposal Act as amended 42 U.S.C. 6912(a), 6926, 6974(b).

Dated: December 6, 2010.

**Carol Rushin,**

*Acting Regional Administrator, Region 8.*

[FR Doc. 2010–32480 Filed 12–23–10; 8:45 am]

**BILLING CODE 6560–50–P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 10–2365; MB Docket No. 02–151; RM–10453]

#### Television Broadcasting Services; Yuma, AZ

**AGENCY:** Federal Communications Commission.

**ACTION:** Dismissal.

**SUMMARY:** The Commission dismisses the petition for rulemaking filed by Arizona Western College, requesting that the Commission amend the pre-transition DTV Table Allotments to allot digital channel 24 at Yuma, Arizona. The pre-transition DTV Table of Allotments is now obsolete as the DTV transition is over and the Post-Transition Table of DTV Allotments has replaced the pre-transition DTV Table of Allotments. Therefore, the petition for rulemaking filed by Arizona Western College is dismissed.

**FOR FURTHER INFORMATION CONTACT:**

Adrienne Y. Denysyk,  
*adrienne.denysyk@fcc.gov*, Media Bureau, (202) 418–1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission’s *Order*, MB Docket No. 02–151, adopted December 15, 2010, and released December 16, 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://www.fcc.gov/cgb/ecfs/>). (Documents will be available electronically in ASCII, Word 97, and/or Adobe Acrobat.) 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 e-mail <http://www.BCPIWEB.com>. To request this document in accessible formats (computer diskettes, large print, audio recording, and Braille), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Commission’s Consumer and 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.

This document is not subject to the Congressional Review Act. (The Commission, is, therefore, not required to submit a copy of this *Order* to the Government Accountability Office, pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A) since this proposed rule is dismissed, herein.)

**Clay C. Pendarvis,**

*Associate Chief, Video Division, Media Bureau, Federal Communications Commission.*

[FR Doc. 2010–32481 Filed 12–23–10; 8:45 am]

**BILLING CODE 6712–01–P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 10–2358; MB Docket No. 01–323; RM–10337]

#### Television Broadcasting Services; Vernal and Santaquin, UT, and Ely and Caliente, NV

**AGENCY:** Federal Communications Commission.

**ACTION:** Dismissal.

**SUMMARY:** The Commission dismisses the pending rulemaking petition filed by TV 6, L.L.C., former permittee of KBCJ, analog channel 6, Vernal, Utah, and Kaleidescope Foundation Inc., former permittee of KBNY, analog channel 6, Ely, Nevada, requesting to reallocate their analog channels from Vernal to Santaquin, Utah and from Ely to Caliente, Nevada. The Commission was required by the DTV Delay Act to

terminate all licenses for full-power television stations and broadcasting by full power stations in the analog service by June 13, 2009. Therefore, the Commission no longer has the authority to act on rulemaking proposals in the full-power analog television service.

**FOR FURTHER INFORMATION CONTACT:**

Joyce L. Bernstein,  
[joyce.bernstein@fcc.gov](mailto:joyce.bernstein@fcc.gov), (202) 418-1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Order*, MB Docket No. 01-323, adopted December 14, 2010, and released December 15, 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://www.fcc.gov/cgb/ecfs/>). (Documents will be available electronically in ASCII, Word 97, and/or Adobe Acrobat.) 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 e-mail <http://www.BCPIWEB.com>. To request this document in accessible formats (computer diskettes, large print, audio recording, and Braille), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Commission's Consumer and 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.

This document is not subject to the Congressional Review Act. (The Commission, is, therefore, not required to submit a copy of this *Order* to the Government Accountability Office, pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A) since this proposed rule is dismissed, herein.)

Federal Communications Commission.

**Clay C. Pendarvis,**

*Associate Chief, Video Division, Media Bureau.*

[FR Doc. 2010-32492 Filed 12-23-10; 8:45 am]

**BILLING CODE 6712-01-P**

**DEPARTMENT OF TRANSPORTATION**

**Office of the Secretary**

**49 CFR Part 7**

[Docket No. OST-2010-0297]

RIN 2105-AD99

**Public Availability of Information; Freedom of Information Act**

**AGENCY:** Office of the Secretary (OST), Department of Transportation (DOT).

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Department of Transportation (DOT) is proposing to revise and republish its regulations implementing the Freedom of Information Act (FOIA). The purposes for the revision are to update the regulations to be consistent with amendments to FOIA that were signed into law on December 31, 2007 and October 28, 2009, to revise DOT's fee schedule and other charges, and to make provisions clearer and easier to locate. The regulations are being republished in their entirety because of numerous changes to the organization and headings.

**DATE:** Comments are due February 25, 2011.

**ADDRESSES:** You may submit comments, identified by the docket number in the heading of this document, by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Mail:* Docket Management Facility, M-30, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building, Ground Floor, Room W12-140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Avenue SE., West Building, Ground Floor, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m. Eastern Time, Monday through Friday, except Federal holidays.
- *Fax:* 202-493-2251.

Regardless of how you submit comments, you should mention the docket number of this document.

You may call the Docket Management Facility at 202-366-9826 for assistance.

*Instructions:* For detailed instructions on submitting comments and additional information on the rulemaking process, *see* the Public Participation heading of the **SUPPLEMENTARY INFORMATION** section of this document. Note that all comments received will be posted without change to [http://](http://www.regulations.gov)

[www.regulations.gov](http://www.regulations.gov), including any personal information provided.

*Privacy Act:* Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review the complete User Notice and Privacy Notice for Regulations.gov at: <http://www.regulations.gov/search/Regs/home.html#privacyNotice>.

*Docket:* For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>, or the street address listed above. Follow the online instructions for accessing the dockets.

**FOR FURTHER INFORMATION CONTACT:** Beth Kramer, Departmental FOIA Attorney, Office of the General Counsel, Department of Transportation, Washington, DC, at [beth.kramer@dot.gov](mailto:beth.kramer@dot.gov) or (202) 366-0365, or Robert I. Ross, Senior Attorney, Office of the General Counsel, Department of Transportation, Washington, DC, at [bob.ross@dot.gov](mailto:bob.ross@dot.gov) or (202) 366-9156.

**SUPPLEMENTARY INFORMATION:** These regulations implementing the Freedom of Information Act (FOIA), 5 U.S.C. 552, were last revised on August 17, 1998, to reflect changes required by the Electronic Freedom of Information Act Amendments of 1996 (Pub. L. 104-231); on August 26, 2002, to make technical corrections to reflect the creation of the Transportation Security Administration; and on June 12, 2008, to make technical corrections to names of DOT components and locations and phone numbers for DOT's FOIA Offices and Primary Electronic Access Facility. On December 31, 2007, the OPEN Government Act of 2007 (Pub. L. 110-175) was signed into law, amending FOIA. On October 28, 2009, FOIA was amended by the OPEN FOIA Act of 2009 (Pub. L. 111-83).

This revision proposes to update the regulations to make them consistent with the OPEN Government Act of 2007 and OPEN FOIA Act of 2009, to revise DOT's fee schedule and other charges, and to make provisions clearer and easier to locate. New provisions implementing the OPEN Government Act of 2007 have been included in the following sections addressing the following subjects: § 7.2 (definitions of "record" and "representative of the news media"); § 7.22(a) and (c) (Chief FOIA Officer and FOIA Public Liaisons); § 7.24(d) and (e) (receipt of requests); § 7.35 (tolling of time limits); and § 7.43(f) (ability to charge fees when a