consensus standards'' (VCS) if available and applicable when developing programs and policies unless doing so would be inconsistent with applicable law or otherwise impractical.

The EPA believes that VCS are inapplicable to this action. Today's action does not require the public to perform activities conducive to the use of VCS.

List of Subjects in 40 CFR Part 52

Air pollution control, Environmental protection, Intergovernmental relations, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: May 20, 2011.

Keith Takata,

Acting Regional Administrator, Region IX.

Title 40, chapter I, of the Code of Federal Regulations is proposed to be 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 52.233 is amended by adding paragraph (h) to read as follows:

§ 52.233 Review of new sources and modifications.

* * * * *

(h) *Regulation for review of major stationary sources and major modifications for nitrogen oxides.* (1) Upon the effective date of this regulation, the requirements of this paragraph are applicable to any source under the jurisdiction of the APCDs listed below that is a major stationary source or major modification for nitrogen oxides in a ''serious'' ozone nonattainment area under 40 CFR part 51, Appendix S, and that is not otherwise subject to new source review under the applicable SIP for the area.

(i) Feather River AQMD.

(ii) Placer County APCD.

(iii) Sacramento Metropolitan AQMD.

(2) Except for a major stationary source that is subject to new source review under the applicable SIP for the area, no owner or operator shall commence construction of a new stationary source that emits or has the potential to emit 50 tons per year or more of nitrogen oxides, without first obtaining approval from the Administrator.

(3) Except for a major modification that is subject to new source review under the applicable SIP for the area, no owner or operator shall commence construction of a modification to an existing stationary source that results in a net emissions increase of 25 tons per year or more of nitrogen oxides, without first obtaining approval from the Administrator.

(4) For any major stationary source or major modification subject to this paragraph in accordance with the emission thresholds identified in paragraphs (h)(2) and (3) of this section, the Administrator shall approve the construction of such source or modification if the owner or operator demonstrates that construction of such source or modification satisfies the requirements of Sacramento Metropolitan AQMD Rule 202, as approved on June 19, 1985 (50 FR 25417).

* * * * *

3. Section 52.270 is amended by adding paragraphs (b)(2)(iv), (b)(3)(iv), and (b)(4)(iv) to read as follows:

§ 52.270 Significant deterioration of air quality.

* * * * *

(b) * * *

(2) * * *

(iv) Those projects which are major stationary sources or major modifications for nitrogen oxides as precursors to ozone under § 52.21.

(3) * * *

(iv) Those projects which are major stationary sources or major modifications for nitrogen oxides as precursors to ozone under § 52.21.

(4) * * *

(iv) Those projects which are major stationary sources or major modifications for nitrogen oxides as precursors to ozone under § 52.21.

[FR Doc. 2011–13397 Filed 5–27–11; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 141

[FRL–9313–3]

Public Meeting: Preliminary Regulatory Determinations for the Third Contaminant Candidate List (CCL 3)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Announcement of meeting.

SUMMARY: The 1996 Safe Drinking Water Act Amendments require the EPA to determine every five years, whether to regulate at least five contaminants from the current Contaminant Candidate List (CCL) with a national primary drinking water regulation. The process of making decisions about whether to regulate any of the unregulated contaminants on the CCL is called Regulatory Determinations. On October 8, 2009, EPA published the third Contaminant Candidate List (CCL 3) containing 116 unregulated contaminants. The Agency is currently in the preliminary process of deciding whether to regulate at least five CCL 3 contaminants (i.e., Regulatory Determinations 3). The purpose of this notice is to announce that EPA will be hosting a public stakeholder meeting on June 16, 2011, from 1 p.m. to 5 p.m., to discuss and obtain input on EPA's process for Regulatory Determination 3 along with the contaminants and the technical information that the Agency is considering. EPA expects to publish the preliminary regulatory determinations for at least five CCL 3 contaminants in mid-2012 and final regulatory determinations by August 2013.

DATES: The public meeting will be held in the Washington, DC metropolitan area on Thursday, June 16, 2011, from 1 p.m. to 5 p.m., Eastern Daylight Savings Time. Participants will be notified of the specific meeting room upon confirmation of registration.

FOR FURTHER INFORMATION CONTACT: For technical inquiries regarding EPA's Regulatory Determinations for contaminants on CCL 3 contact: Mr. Zeno Bain at (202) 564–5970 or by e-mail: *bain.zeno@epa.gov.* For additional information about the drinking water Contaminant Candidate List and the Regulatory Determinations process, please visit: *http://water.epa.gov/scitech/drinkingwater/dws/ccl/index.cfm.* Additional information on these and other EPA activities under the Safe Drinking Water Act is also available at the Safe Drinking Water Hotline at (800) 426–4791.

SUPPLEMENTARY INFORMATION:

Registration: Individuals planning to attend the Stakeholder Meeting must register for the meeting by contacting Melissa Simic at (202) 564–7722 or by sending an e-mail to *simic.melissa@epa.gov* no later than Wednesday, June 8, 2011. There is no charge for attending the meeting but seats are limited, so register as soon as possible. Please note that attendees will be required to pass through security checks at the front desk and obtain a visitor's badge. Pre-registration for this meeting will help us facilitate your check-in.

Special Accommodations: The meeting will be held in a building which is accessible to persons using wheel chairs or scooters. For

information on access or accommodations for individuals with disabilities, please contact Melissa Simic at (202) 564–7722 or by e-mail at *simic.melissa@epa.gov.* Please allow at least five business days prior to the meeting to give EPA time to process your request.

Dated: May 24, 2011.

Eric M. Bissonette,

Acting Director, Office of Ground Water and Drinking Water.

[FR Doc. 2011–13404 Filed 5–27–11; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

45 CFR Part 170

RIN 0991–AB77

Permanent Certification Program for Health Information Technology; Revisions to ONC-Approved Accreditor Processes

AGENCY: Office of the National Coordinator for Health Information Technology (ONC), Department of Health and Human Services.

ACTION: Proposed rule.

SUMMARY: Under the authority granted to the National Coordinator for Health Information Technology (the National Coordinator) by section 3001(c)(5) of the Public Health Service Act (PHSA) as added by the Health Information Technology for Economic and Clinical Health (HITECH) Act, this rule proposes a process for addressing instances where the ONC-Approved Accreditor (ONC–AA) engages in improper conduct or does not perform its responsibilities under the permanent certification program. This rule also proposes to address the status of ONC-Authorized Certification Bodies (ONC–ACBs) in instances where there may be a change in the accreditation organization serving as the ONC–AA and clarifies the responsibilities of the new ONC–AA.

DATES: To be assured consideration, written or electronic comments must be received at one of the addresses provided below, no later than 5 p.m. on August 1, 2011.

ADDRESSES: Because of staff and resource limitations, we cannot accept comments by facsimile (FAX) transmission. You may submit comments, identified by RIN 0991–AB77, by any of the following methods (please do not submit duplicate comments).

- *Federal eRulemaking Portal:* Follow the instructions for submitting comments. Attachments should be in Microsoft Word or Excel, Adobe PDF; however, we prefer Microsoft Word. *http://www.regulations.gov*.
- *Regular, Express, or Overnight Mail:* Department of Health and Human Services, Office of the National Coordinator for Health Information Technology, Attention: Revisions to ONC–AA Processes Proposed Rule, Hubert H. Humphrey Building, Suite 729D, 200 Independence Ave., SW., Washington, DC 20201. Please submit one original and two copies.
- *Hand Delivery or Courier:* Office of the National Coordinator for Health Information Technology, Attention: Revisions to ONC–AA Processes Proposed Rule, Hubert H. Humphrey Building, Suite 729D, 200 Independence Ave., SW., Washington, DC 20201. Please submit one original and two copies. (Because access to the interior of the Hubert H. Humphrey Building is not readily available to persons without Federal government identification, commenters are encouraged to leave their comments in the mail drop slots located in the main lobby of the building.)

Inspection of Public Comments: All comments received before the close of the comment period will be available for public inspection, including any personally identifiable or confidential business information that is included in a comment. Please do not include anything in your comment submission that you do not wish to share with the general public. Such information includes, but is not limited to: a person's social security number; date of birth; driver's license number; state identification number or foreign country equivalent; passport number; financial account number; credit or debit card number; any personal health information; or any business information that could be considered to be proprietary. We will post all comments received before the close of the comment period at *http://www.regulations.gov*.

Docket: For access to the docket to read background documents or comments received, go to *http://www.regulations.gov* or the Department of Health and Human Services, Office of the National Coordinator for Health Information Technology, Hubert H. Humphrey Building, Suite 729D, 200 Independence Ave., SW., Washington, DC 20201 (call ahead to the contact listed below to arrange for inspection).

FOR FURTHER INFORMATION CONTACT: Steven Posnack, Director, Federal Policy Division, Office of Policy and Planning, Office of the National Coordinator for Health Information Technology, 202–690–7151.

SUPPLEMENTARY INFORMATION:

Acronyms

EHR Electronic Health Record
HHS Department of Health and Human Services
HIT Health Information Technology
HITECH Health Information Technology for Economic and Clinical Health
ONC Office of the National Coordinator for Health Information Technology
ONC–AA ONC-Approved Accreditor
ONC–ACB ONC-Authorized Certification Body
ONC–ATCB ONC-Authorized Testing and Certification Body
PHSA Public Health Service Act
RFA Regulatory Flexibility Act
SBA Small Business Administration

Table of Contents

I. Background
A. Statutory Basis for the Permanent Certification Program
B. Regulatory Background of the Permanent Certification Program
1. Initial Set of Standards, Implementation Specifications, and Certification Criteria Interim Final and Final Rules
2. Medicare and Medicaid EHR Incentive Programs Proposed and Final Rules
3. HIT Certification Programs Proposed Rule and the Temporary and Permanent Certification Programs Final Rules
C. Overview of the Permanent Certification Program
II. Provisions of the Proposed Rule
A. Removal of the ONC–AA for Improper Conduct or Failure To Perform Its Responsibilities
1. Conduct Violations
2. Performance Violations
3. Proposed Removal of the ONC–AA
4. Opportunity To Respond to a Proposed Removal Notice
5. Removal of the ONC–AA
6. Extent and Duration of Removal Under the Permanent Certification Program
B. Effects of Removing and/or Replacing the ONC–AA
1. ONC–ACB Status
2. New ONC–AA
III. Response to Comments
IV. Collection of Information Requirements
V. Regulatory Impact Statement

I. Background

[If you choose to comment on the background section, please include at the beginning of your comment the caption ''Background'' and any additional information to clearly identify the information about which you are commenting.]

A. Statutory Basis for the Permanent Certification Program

The Health Information Technology for Economic and Clinical Health (HITECH) Act, Title XIII of Division A