

- 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 disproportionate human health or environmental effects with practical, appropriate, 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 rules, 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).

Parties with objections to this direct final rule are encouraged to file a comment in response to the parallel notice of proposed rulemaking for this action published in the Proposed Rules section of today's **Federal Register**, rather than file an immediate petition for judicial review of this direct final rule, so that EPA can withdraw this direct final rule and address the

comment in the proposed rulemaking. 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, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: September 7, 2011.

Jared Blumenfeld,
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 paragraphs (378)(i)(A)(3), and (c)(388)(i)(A)(5), (C), (D) and to read as follows:

§ 52.220 Identification of plan.

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* * * * *
(c) * * *
(378) * * *
(i) * * *
(A) * * *
(3) Rule 1148.1, "Oil and Gas
Production Wells," adopted on March 5,
2004.
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(388) * * *
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(i) * * *
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(A) * * *
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(5) Rule 1171, "Solvent Cleaning
Operations," amended February 1, 2008.
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(C) Santa Barbara County Air Pollution Control District.

(1) Rule 321, "Solvent Cleaning Machines and Solvent Cleaning," revised September 20, 2010.

(D) Sacramento Metropolitan Air Quality Management District.

(1) Rule 466, "Solvent Cleaning," amended October 28, 2010.

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[FR Doc. 2011-24688 Filed 9-28-11; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare and Medicaid

42 CFR Part 411

Exclusions From Medicare and Limitations on Medicare Payment

CFR Correction

In Title 42 of the Code of Federal Regulations, Parts 400 to 413, revised as of October 1, 2010, make the following corrections:

- 1. On page 472, in § 411.353, in paragraph (g)(1)(i), remove the word "complied" and add "complies" in its place.
- 2. On page 483, in § 411.357:
 - a. In paragraph (b)(4)(ii)(A), remove the word "by" and add "through" in its place, and
 - b. In paragraph (b)(4)(ii)(B), remove the phrase "between the parties" and add "by the lessor to the lessee" in its place.
- 3. On page 488, in § 411.357, in paragraph (l)(3)(ii), remove the phrase "between the parties" and add "by the lessor to the lessee" in its place.
- 4. On page 490, in § 411.357:
 - a. Remove paragraphs (p)(1)(ii) and (iii);
 - b. Designate the last sentence of (p)(1)(i) introductory text as paragraph (p)(1)(ii) introductory text;
 - c. In new paragraph (p)(1)(ii)(A), remove the phrase "performed or" and add "performed on or" in its place; and
 - d. In new paragraph (p)(1)(ii)(B), remove the phrase "between the parties" and add "by the lessor to the lessee" in its place.

[FR Doc. 2011-25286 Filed 9-28-11; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 61

Tariffs

CFR Correction

In Title 47 of the Code of Federal Regulations, Parts 40 to 69, revised as of October 1, 2010, on page 189, in § 61.3, redesignate paragraphs (aa) through (zz) as paragraphs (bb) through (aaa), and reinstate old paragraph (z) as paragraph (aa) to read as follows:

§ 61.3 Definitions.

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(aa) *Other participating carrier.* A carrier subject to the Act that publishes