

corrective action. By entering into any relationship under this section, the provider is not relieved of any responsibility to the Postal Service, and such must be stated in any memorialization of the relationship.

**Stanley F. Mires,**

*Attorney, Legal Policy & Legislative Advice.*

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 70

[Regional Docket Nos. V-2010-1, FRL-9498-6]

#### Clean Air Act Operating Permit Program; Petition for Objection to State Operating Permit for Carmeuse Stone and Lime

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Denial of petition.

**SUMMARY:** This document announces that the EPA Administrator has denied a petition from the Sierra Club asking EPA to object to a Title V operating permit for Carmeuse Stone and Lime (Carmeuse) issued by the Wisconsin Department of Natural Resources (WDNR).

Sections 307(b) and 505(b)(2) of the Act provide that a petitioner may ask for judicial review of those portions of the petition which EPA denies in the United States Court of Appeals for the appropriate circuit. Any petition for review shall be filed within 60 days from the date this notice appears in the **Federal Register**, pursuant to section 307 of the Act.

**ADDRESSES:** You may review copies of the final Order, the petition, and other supporting information at the EPA Region 5 Office, 77 West Jackson Boulevard, Chicago, Illinois 60604. If you wish to examine these documents, you should make an appointment at least 24 hours before visiting day. Additionally, the final Order for the Carmeuse petition is available electronically at: <http://www.epa.gov/region7/air/title5/petitiondb/petitiondb.htm>.

**FOR FURTHER INFORMATION CONTACT:** Genevieve Damico, Chief, Air Permits Section, Air Programs Branch, Air and Radiation Division, EPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, telephone (312) 353-4761.

**SUPPLEMENTARY INFORMATION:** The Act affords EPA a 45-day period to review, and object, as appropriate, to Title V operating permits proposed by state permitting authorities. Section 505(b)(2) of the Act authorizes any person to petition the EPA Administrator within 60 days after the expiration of the EPA review period to object to a Title V operating permit if EPA has not done so. A petition must be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided by the state, unless the petitioner demonstrates that it was impracticable to raise issues during the comment period, or the grounds for the issues arose after this period.

On December 15, 2009, EPA received a petition from the Sierra Club requesting that EPA object to the Title V operating permit for Carmeuse. The Petitioner alleged that the permit is not in compliance with the requirements of the Act. Specifically, the Petitioner alleged that: (1) A Prevention of Significant Deterioration permit issued by EPA in 1979 did not allow Carmeuse to burn petroleum coke as a fuel and the permit never was modified to allow for it; (2) WDNR was not authorized to revise EPA's 1979 permit; and (3) a construction permit issued by WDNR in 1995 was flawed because WDNR did not use the correct permit process, and did not do the netting analysis or the modeling and increment analyses correctly.

On November 4, 2011, the Administrator issued an Order denying the Sierra Club's petition. The Order explains the reasons behind EPA's conclusion.

Dated: November 16, 2011.

**Susan Hedman,**

*Regional Administrator, Region 5.*

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## DEPARTMENT OF AGRICULTURE

### 48 CFR Part 422

**RIN 0599-AA19**

#### Office of Procurement and Property Management; Agriculture Acquisition Regulation, Labor Law Violations

**AGENCY:** Office of Procurement and Property Management, Department of Agriculture.

**ACTION:** Proposed rule.

**SUMMARY:** The Office of Procurement and Property Management (OPPM) of the Department of Agriculture (USDA)

proposes to amend the Agriculture Acquisition Regulation (the "AGAR") to add a new clause at subpart 422.70 entitled "Labor Law Violations." In the final rule section of the **Federal Register**, the Agency is publishing this action as a direct final rule without prior proposal because OPPM views this as a non-controversial action and expects no adverse comments. If no adverse comments are received in response to the direct final rule, no further action will be taken on this proposed rule, and the action will become effective at the time specified in the direct final rule. If the Agency receives adverse comments, a timely document will be published withdrawing the direct final rule, and all public comments received will be addressed in a subsequent final rule based on this action.

**DATES:** Interested parties should submit written comments to the Department of Agriculture, OPPM on or before January 30, 2012 to be considered in the formulation of a final rule.

**ADDRESSES:** Submit comments identified in the subject line as "48 CFR 422 Proposed Rule" by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Email:* [Procurement@usda.gov](mailto:Procurement@usda.gov).

- *Mail:* Office of Procurement and Property Management, Procurement Policy Division, MAIL STOP 9306, U.S. Department of Agriculture, 1400 Independence Avenue SW., Washington, DC 20250-9303.

- *Hand Delivery/Courier:* Room 262, Reporters' Building, 300 7th Street SW., Washington, DC.

*Instructions:* All submissions must be identified as "48 CFR 422 Proposed Rule" for this proposed rulemaking. Please include your name, company name (if applicable), email address and/or phone number where you can be contacted if additional clarification is required regarding your comment(s).

**FOR FURTHER INFORMATION CONTACT:** Donna Calacone, Office of Procurement and Property Management, at (202) 205-4036 or by mail at OPPM, MAIL STOP 9304, U.S. Department of Agriculture, 1400 Independence Avenue SW., Washington, DC 20250-9303. Please cite "48 CFR 422 (Proposed Rule)" in all correspondence.

#### **SUPPLEMENTARY INFORMATION:**

##### **A. Background**

The U.S. Department of Agriculture (USDA) highly respects and follows the policies and laws regarding worker labor protections particularly as they