

number of fuels approved into SIPs under section 211(c)(4)(C) as of September 1, 2004. Therefore, EPA is again approving the BACM demonstration in the MAG plan for the on-road source category without CARB diesel. Because EPA has found that CARB diesel is not feasible for nonroad engines and equipment because of the uncertainties with fuel availability, storage and segregation and concerns about program effectiveness due to owners and operators fueling outside the Maricopa County area, we are again approving BACM demonstration in the MAG plan for the nonroad source category without CARB diesel. For the reasons discussed above, EPA is also again approving the MSM demonstration in the MAG plan and is confirming that we appropriately granted in 2002 and 2006 the State's request for an extension of the attainment deadline for the area from December 31, 2001 to December 31, 2006. These actions are codified at 40 CFR 52.123(j)(2), (4) and (7) and remain in effect. See 67 FR at 48739.

IV. Statutory and Executive Order Reviews

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a "significant regulatory action" and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355, May 22, 2001). This action merely approves state law as meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule approves pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it 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).

This rule also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175

(65 FR 67249, November 9, 2000). This action also does not have Federalism implications because it does 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). This action merely approves a state rule implementing a Federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. Executive Order 12898 (59 FR 7629, February 16, 1994) establishes a Federal policy for incorporating environmental justice into Federal agency actions by directing agencies to identify and address, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority and low-income populations. Today's action will not have disproportionately high and adverse effects on any communities in the area, including minority and low-income communities.

This rule also is not subject to Executive Order 13045 "Protection of Children from Environmental Health Risks and Safety Risks" (62 FR 19885, April 23, 1997), because it is not economically significant.

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. 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.*).

The Congressional Review Act, 5 U.S.C. section 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 rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule 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).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the

appropriate circuit by October 14, 2008. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. 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, Intergovernmental relations, Particulate matter, Reporting and recordkeeping requirements.

Dated: August 4, 2008.

Laura Yoshii,

Acting Regional Administrator, Region IX.

[FR Doc. E8-18626 Filed 8-13-08; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 63

[EPA-R09-OAR-2008-0555; FRL-8701-7]

Delegation of National Emission Standards for Hazardous Air Pollutants for Source Categories; State of Arizona, Arizona Department of Environmental Quality, Pima County Department of Environmental Quality

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is amending certain regulations to reflect the current delegation status of national emission standards for hazardous air pollutants (NESHAP) in Arizona. Several NESHAP were delegated to the Arizona Department of Environmental Quality on June 4, 2008, and to the Pima County Department of Environmental Quality on June 16, 2008. The purpose of this action is to update the listing in the Code of Federal Regulations.

DATES: This rule is effective on October 14, 2008, without further notice, unless EPA receives adverse comments by September 15, 2008. If we receive such comments, we will publish a timely withdrawal in the **Federal Register** to notify the public that this direct final rule will not take effect.

ADDRESSES: Submit comments, identified by docket number EPA-R09-OAR-2008-0555, by one of the following methods:

1. *Federal eRulemaking Portal:* www.regulations.gov. Follow the on-line instructions.

2. *E-mail:* steckel.andrew@epa.gov.

3. *Mail or delivery:* Andrew Steckel (AIR-4), U.S. Environmental Protection Agency Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901.

Instructions: All comments will be included in the public docket without change and may be made available online at www.regulations.gov, including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as such and should not be submitted through www.regulations.gov or e-mail.

www.regulations.gov is an "anonymous access" system, and EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send e-mail directly to EPA, your e-mail address will be automatically captured and included as part of the public comment. 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.

Docket: The index to the docket for this action is available electronically at www.regulations.gov and in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California. While all documents in the docket are listed in the index, some information may be publicly available only at the hard copy location (e.g., copyrighted material), and some may not be publicly available in either location (e.g., CBI). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: Mae Wang, EPA Region IX, (415) 947-4124, wang.mae@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document, "we," "us" and "our" refer to EPA.

Table of Contents

- I. Background
 - A. Delegation of NESHAP
 - B. ADEQ Delegations
 - C. PDEQ Delegations
- II. EPA Action
- III. Statutory and Executive Order Reviews

I. Background

A. Delegation of NESHAP

Section 112(l) of the Clean Air Act, as amended in 1990 (CAA), authorizes EPA to delegate to state or local air

pollution control agencies the authority to implement and enforce the standards set out in the Code of Federal Regulations, Title 40 (40 CFR), part 63, National Emission Standards for Hazardous Air Pollutants for Source Categories. On November 26, 1993, EPA promulgated regulations, codified at 40 CFR part 63, Subpart E (hereinafter referred to as "Subpart E"), establishing procedures for EPA's approval of state rules or programs under section 112(l) (see 58 FR 62262). Subpart E was later amended on September 14, 2000 (see 65 FR 55810).

Any request for approval under CAA section 112(l) must meet the approval criteria in 112(l)(5) and Subpart E. To streamline the approval process for future applications, a state or local agency may submit a one-time demonstration that it has adequate authorities and resources to implement and enforce any CAA section 112 standards. If such demonstration is approved, then the state or local agency would no longer need to resubmit a demonstration of these same authorities and resources for every subsequent request for delegation of CAA section 112 standards. However, EPA maintains the authority to withdraw its approval if the State does not adequately implement or enforce an approved rule or program.

B. ADEQ Delegations

On July 17, 1998, EPA published a direct final action delegating to the Arizona Department of Environmental Quality (ADEQ) several NESHAP and approving ADEQ's delegation mechanism for future standards (see 63 FR 38478). That action explained the procedure for EPA to grant delegations to ADEQ by letter, with periodic **Federal Register** listings of standards that have been delegated. On April 17, 2008, ADEQ requested delegation of the following NESHAP contained in 40 CFR part 63:

- Subpart DDDD—NESHAP: Plywood and Composite Wood Products
- Subpart DDDDD—NESHAP for Industrial, Commercial, and Institutional Boilers and Process Heaters

On June 4, 2008, EPA granted delegation to ADEQ for these NESHAP, along with any amendments to previously-delegated NESHAP, as of July 1, 2006. Today's action is serving to notify the public of the June 4, 2008, delegations and to codify these delegations into the Code of Federal Regulations.

C. PDEQ Delegations

On June 28, 1999, EPA published a direct final action delegating to the Pima

County Department of Environmental Quality (PDEQ) several NESHAP and approving PDEQ's delegation mechanism for future standards (see 64 FR 34560). That action explained the procedure for EPA to grant delegations to PDEQ by letter, with periodic **Federal Register** listings of standards that have been delegated. On May 23, 2008, PDEQ requested delegation of the following NESHAP contained in 40 CFR part 63:

- Subpart J—NESHAP for Polyvinyl Chloride and Copolymers Production
- Subpart MM—NESHAP for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semicemical Pulp Mills
- Subpart XX—National Emission Standards for Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations
- Subpart DDDD—NESHAP: Plywood and Composite Wood Products
- Subpart WWWW—National Emission Standards for Hospital Ethylene Oxide Sterilizers
- Subpart YYYYY—NESHAP for Area Sources: Electric Arc Furnace Steelmaking Facilities
- Subpart ZZZZZ—NESHAP for Iron and Steel Foundries Area Sources
- Subpart BBBB—NESHAP for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities
- Subpart CCCCC—NESHAP for Source Category: Gasoline Dispensing Facilities
- Subpart DDDDD—NESHAP for Polyvinyl Chloride and Copolymers Production Area Sources
- Subpart EEEEE—NESHAP for Primary Copper Smelting Area Sources
- Subpart FFFFF—NESHAP for Secondary Copper Smelting Area Sources
- Subpart GGGGG—NESHAP for Primary Nonferrous Metals Area Sources—Zinc, Cadmium, and Beryllium
- Subpart HHHHH—NESHAP: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources
- Subpart LLLLL—NESHAP for Acrylic and Modacrylic Fibers Production Area Sources
- Subpart MMMMM—NESHAP for Carbon Black Production Area Sources
- Subpart NNNNN—NESHAP for Chemical Manufacturing Area Sources: Chromium Compounds
- Subpart OOOOO—NESHAP for Flexible Polyurethane Foam Production and Fabrication Area Sources
- Subpart PTTTT—NESHAP for Lead Acid Battery Manufacturing Area Sources
- Subpart QQQQQ—NESHAP for Wood Preserving Area Sources

- Subpart RRRRRR—NESHAP for Clay Ceramics Manufacturing Area Sources
 - Subpart SSSSSS—NESHAP for Glass Manufacturing Area Sources
 - Subpart TTTTTT—NESHAP for Secondary Nonferrous Metals Processing Area Sources
- On June 16, 2008, EPA granted delegation to PDEQ for these NESHAP, along with any amendments to previously-delegated NESHAP, as of February 1, 2008. Today's action is serving to notify the public of the June 16, 2008, delegations and to codify these delegations into the Code of Federal Regulations.

II. EPA Action

Today's document serves to notify the public of the delegation of NESHAP to ADEQ on June 4, 2008, and to PDEQ on June 16, 2008. Today's action will codify these delegations into the Code of Federal Regulations.

III. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a delegation request that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7412(l); 40 CFR 63.91(b). Thus, in reviewing state delegation submissions, our role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely updates the list of approved delegations in the Code of Federal Regulations and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a "significant regulatory action" subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- 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, as appropriate, disproportionate human health or environmental effects, using practicable 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 delegation submission 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 rule, 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).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by October 14, 2008. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. 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 63

Environmental protection, Administrative practice and procedure, Air pollution control, Hazardous substances, Intergovernmental relations, Reporting and recordkeeping requirements.

Authority: This action is issued under the authority of Section 112 of the Clean Air Act, as amended, 42 U.S.C. 7412.

Dated: July 25, 2008.

Amy Zimpfer,

Acting Director, Air Division, Region IX.

■ Title 40, chapter I, part 63 of the Code of Federal Regulations is amended as follows:

PART 63—[AMENDED]

■ 1. The authority citation for part 63 continues to read as follows:

Authority: 42 U.S.C. 7401, *et seq.*

Subpart E—Approval of State Programs and Delegation of Federal Authorities

■ 2. Section 63.99 is amended by revising paragraph (a)(3) to read as follows:

§ 63.99 Delegated Federal authorities.

(a) * * *

(3) The following table lists the specific part 63 standards that have been delegated unchanged to the air pollution control agencies in the State of Arizona. The (X) symbol is used to indicate each category that has been delegated.

DELEGATION STATUS FOR PART 63 STANDARDS—ARIZONA

| Subpart | Description | ADEQ ¹ | MCAQD ² | PDEQ ³ | PCAQCD ⁴ |
|---------|---|-------------------|--------------------|-------------------|---------------------|
| A | General Provisions | X | X | X | X |
| F | Synthetic Organic Chemical Manufacturing Industry | X | X | X | X |
| G | Synthetic Organic Chemical Manufacturing Industry: Process Vents, Storage Vessels, Transfer Operations, and Wastewater. | X | X | X | X |
| H | Organic Hazardous Air Pollutants: Equipment Leaks | X | X | X | X |

DELEGATION STATUS FOR PART 63 STANDARDS—ARIZONA—Continued

| Subpart | Description | ADEQ ¹ | MCAQD ² | PDEQ ³ | PCAQCD ⁴ |
|---------|---|-------------------|--------------------|-------------------|---------------------|
| I | Organic Hazardous Air Pollutants: Certain Processes Subject to the Negotiated Regulation for Equipment Leaks. | X | X | X | X |
| J | Polyvinyl Chloride and Copolymers Production | X | X | X | |
| L | Coke Oven Batteries | X | X | X | X |
| M | Perchloroethylene Dry Cleaning | X | X | X | X |
| N | Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks. | X | X | X | X |
| O | Ethylene Oxide Sterilization Facilities | X | X | X | X |
| Q | Industrial Process Cooling Towers | X | X | X | X |
| R | Gasoline Distribution Facilities | X | X | X | X |
| S | Pulp and Paper | X | X | X | |
| T | Halogenated Solvent Cleaning | X | X | X | X |
| U | Group I Polymers and Resins | X | X | X | X |
| W | Epoxy Resins Production and Non-Nylon Polyamides Production | X | X | X | X |
| X | Secondary Lead Smelting | X | X | X | X |
| AA | Phosphoric Acid Manufacturing Plants | X | X | X | |
| BB | Phosphate Fertilizers Production Plants | X | X | X | |
| CC | Petroleum Refineries | X | X | X | X |
| DD | Off-Site Waste and Recovery Operations | X | X | X | X |
| EE | Magnetic Tape Manufacturing Operations | X | X | X | X |
| GG | Aerospace Manufacturing and Rework Facilities | X | X | X | X |
| HH | Oil and Natural Gas Production Facilities | X | X | X | |
| JJ | Wood Furniture Manufacturing Operations | X | X | X | X |
| KK | Printing and Publishing Industry | X | X | X | X |
| LL | Primary Aluminum Reduction Plants | X | | X | |
| MM | Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semicheical Pulp Mills. | X | X | X | |
| OO | Tanks—Level 1 | X | X | X | X |
| PP | Containers | X | X | X | X |
| QQ | Surface Impoundments | X | X | X | X |
| RR | Individual Drain Systems | X | X | X | X |
| SS | Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process. | X | X | X | |
| TT | Equipment Leaks—Control Level 1 | X | X | X | |
| UU | Equipment Leaks—Control Level 2 | X | X | X | |
| VV | Oil-Water Separators and Organic-Water Separators | X | X | X | X |
| WW | Storage Vessels (Tanks)—Control Level 2 | X | X | X | |
| XX | Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations. | X | X | X | |
| YY | Generic MACT Standards | X | X | X | |
| CCC | Steel Pickling | X | X | X | |
| DDD | Mineral Wool Production | X | X | X | |
| EEE | Hazardous Waste Combustors | X | X | X | |
| GGG | Pharmaceuticals Production | X | X | X | |
| HHH | Natural Gas Transmission and Storage Facilities | X | X | X | |
| III | Flexible Polyurethane Foam Production | X | X | X | |
| JJJ | Group IV Polymers and Resins | X | X | X | X |
| LLL | Portland Cement Manufacturing Industry | X | X | X | |
| MMM | Pesticide Active Ingredient Production | X | X | X | |
| NNN | Wool Fiberglass Manufacturing | X | X | X | |
| OOO | Manufacture of Amino/Phenolic Resins | X | X | X | |
| PPP | Polyether Polyols Production | X | X | X | |
| QQQ | Primary Copper Smelting | X | X | X | |
| RRR | Secondary Aluminum Production | X | X | X | |
| TTT | Primary Lead Smelting | X | X | X | |
| UUU | Petroleum Refineries: Catalytic Cracking, Catalytic Reforming, and Sulfur Recovery Units. | X | X | X | |
| VVV | Publicly Owned Treatment Works | X | X | X | |
| XXX | Ferroalloys Production | X | X | X | |
| AAAA | Municipal Solid Waste Landfills | X | X | X | |
| CCCC | Manufacturing of Nutritional Yeast | X | X | X | |
| DDDD | Plywood and Composite Wood Products | X | | X | |
| EEEE | Organic Liquids Distribution (non-gasoline) | X | X | X | |
| FFFF | Miscellaneous Organic Chemical Manufacturing | X | X | X | |
| GGGG | Solvent Extraction for Vegetable Oil Production | X | X | X | |
| HHHH | Wet-Formed Fiberglass Mat Production | X | X | X | |
| IIII | Surface Coating of Automobiles and Light-Duty Trucks | X | X | | |
| JJJJ | Paper and Other Web Coating | X | X | X | |
| KKKK | Surface Coating of Metal Cans | X | X | X | |
| MMMM | Miscellaneous Metal Parts and Products | X | X | X | |
| NNNN | Large Appliances | X | X | X | |
| OOOO | Printing, Coating, and Dyeing of Fabrics and Other Textiles | X | X | X | |

DELEGATION STATUS FOR PART 63 STANDARDS—ARIZONA—Continued

| Subpart | Description | ADEQ ¹ | MCAQD ² | PDEQ ³ | PCAQCD ⁴ |
|---------|--|-------------------|--------------------|-------------------|---------------------|
| PPPP | Surface Coating of Plastic Parts and Products | X | X | | |
| QQQQ | Wood Building Products | X | X | X | |
| RRRR | Surface Coating of Metal Furniture | X | X | X | |
| SSSS | Surface Coating of Metal Coil | X | X | X | |
| TTTT | Leather Finishing Operations | X | X | X | |
| UUUU | Cellulose Products Manufacturing | X | X | X | |
| VVVV | Boat Manufacturing | X | X | X | |
| WWWW | Reinforced Plastics Composites Production | X | X | X | |
| XXXX | Tire Manufacturing | X | X | X | |
| YYYY | Stationary Combustion Turbines | X | X | X | |
| ZZZZ | Stationary Reciprocating Internal Combustion Engines | X | X | | |
| AAAAA | Lime Manufacturing Plants | X | X | X | |
| BBBBB | Semiconductor Manufacturing | X | X | X | |
| CCCCC | Coke Oven: Pushing, Quenching and Battery Stacks | X | X | X | |
| DDDDD | Industrial, Commercial, and Institutional Boiler and Process Heaters | X | | | |
| EEEEE | Iron and Steel Foundries | X | X | X | |
| FFFFF | Integrated Iron and Steel | X | X | X | |
| GGGGG | Site Remediation | X | X | X | |
| HHHHH | Miscellaneous Coating Manufacturing | X | X | X | |
| IIIII | Mercury Emissions from Mercury Cell Chlor-Alkali Plants | X | X | X | |
| JJJJJ | Brick and Structural Clay Products Manufacturing | X | X | X | |
| KKKKK | Clay Ceramics Manufacturing | X | X | X | |
| LLLLL | Asphalt Roofing and Processing | X | X | X | |
| MMMMM | Flexible Polyurethane Foam Fabrication Operation | X | X | X | |
| NNNNN | Hydrochloric Acid Production | X | X | X | |
| PPPPP | Engine Test Cells/Standards | X | X | X | |
| QQQQQ | Friction Products Manufacturing | X | X | X | |
| RRRRR | Taconite Iron Ore Processing | X | X | X | |
| SSSSS | Refractory Products Manufacturing | X | X | X | |
| TTTTT | Primary Magnesium Refining | X | X | X | |
| WWWWW | Hospital Ethylene Oxide Sterilizers | | | X | |
| YYYYY | Area Sources: Electric Arc Furnace Steelmaking Facilities | | | X | |
| ZZZZZ | Iron and Steel Foundries Area Sources | | | X | |
| BBBBBB | Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities | | | X | |
| CCCCCC | Gasoline Dispensing Facilities | | | X | |
| DDDDDD | Polyvinyl Chloride and Copolymers Production Area Sources | | | X | |
| EEEEEE | Primary Copper Smelting Area Sources | | | X | |
| FFFFFF | Secondary Copper Smelting Area Sources | | | X | |
| GGGGGG | Primary Nonferrous Metals Area Sources—Zinc, Cadmium, and Beryllium | | | X | |
| HHHHHH | Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources | | | X | |
| LLLLLL | Acrylic and Modacrylic Fibers Production Area Sources | | | X | |
| MMMMMM | Carbon Black Production Area Sources | | | X | |
| NNNNNN | Chemical Manufacturing Area Sources: Chromium Compounds | | | X | |
| OOOOOO | Flexible Polyurethane Foam Production and Fabrication Area Sources | | | X | |
| PPPPPP | Lead Acid Battery Manufacturing Area Sources | | | X | |
| QQQQQQ | Wood Preserving Area Sources | | | X | |
| RRRRRR | Clay Ceramics Manufacturing Area Sources | | | X | |
| SSSSSS | Glass Manufacturing Area Sources | | | X | |
| TTTTTT | Secondary Nonferrous Metals Processing Area Sources | | | X | |

¹ Arizona Department of Environmental Quality.
² Maricopa County Air Quality Department.
³ Pima County Department of Environmental Quality.
⁴ Pinal County Air Quality Control District.

* * * * *
 [FR Doc. E8-18748 Filed 8-13-08; 8:45 am]
 BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 10

[PS Docket No. 07-287; FCC 08-164]

Commercial Mobile Alert System

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Federal Communications Commission

(Commission or FCC) complies with section 602(c) of the Warning, Alert and Response Network (WARN) Act by adopting rules that require non-commercial educational (NCE) and public broadcast television station licensees and permittees to install equipment and technologies that will provide these licensees/permittees with the ability to enable the distribution of geo-targeted Commercial Mobile Alert System (CMAS) alerts to participating Commercial Mobile Service (CMS)