

226° radials; to Coyle. From Kennedy, NY; Kingston, NY; Albany, NY; Massena, NY.

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#### J-55 [Amended]

From Dolphin, FL; INT Dolphin 331° and Gators, FL, 160° radials; INT Gators 160° and Craig, FL, 192° radials; Craig; INT Craig 004° and Savannah, GA, 193° radials; Savannah; Charleston, SC; Florence, SC; INT Florence 003° and Raleigh-Durham, NC, 224° radials; Raleigh-Durham; INT Raleigh-Durham 035° and Hopewell, VA, 234° radials; Hopewell; INT Hopewell 030° and Nottingham, MD, 174° radials. From Sea Isle, NJ; INT Sea Isle 050° and Hampton, NY, 223° radials; Hampton; Providence, RI; Boston, MA; Kennebunk, ME; Presque Isle, ME.

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Issued in Washington, DC, on January 26, 2010.

**Edith V. Parish,**

*Manager, Airspace & Rules Group.*

[FR Doc. 2010-2468 Filed 2-3-10; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

### 24 CFR Parts 201 and 203

[Docket No. FR-5075-N-02]

**RIN 2502-A145**

#### Federal Housing Administration: Insurance for Manufactured Housing: Reopening of Public Comment Period

**AGENCY:** Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

**ACTION:** Proposed rule; reopening of public comment period.

**SUMMARY:** On September 15, 2008, HUD published a proposed rule entitled “Federal Housing Administration: Insurance for Manufactured Housing.” The comment period for the proposed rule ended on November 14, 2008. This notice identifies an additional issue related to the rule that has resulted from HUD’s implementation of a June 2008 final rule pertaining to the federal manufactured home installation program. Accordingly, HUD reopens the comment period for the proposed rule to present this additional issue for consideration in relation to the September 2008 proposed rule and to solicit public comment only on this additional issue.

**DATES:** *Comment Due Date:* March 8, 2010.

**ADDRESSES:** Interested persons are invited to submit comments regarding this proposed rule to the Regulations Division, Office of General Counsel,

Department of Housing and Urban Development, 451 7th Street, SW., Room 10276, Washington, DC 20410-0500. There are two methods for submitting public comments. All submissions must refer to the above docket number and title.

1. *Submission of Comments by Mail.* Comments may be submitted by mail to the Regulations Division, Office of General Counsel, Department of Housing and Urban Development, 451 7th Street, SW., Room 10276, Washington, DC 20410-0001.

2. *Electronic Submission of Comments.* Interested persons may submit comments electronically through the Federal eRulemaking Portal at <http://www.regulations.gov>. HUD strongly encourages commenters to submit comments electronically. Electronic submission of comments allows the commenter maximum time to prepare and submit a comment, ensures timely receipt by HUD, and enables HUD to make them immediately available. Comments submitted electronically through the <http://www.regulations.gov> Web site can be viewed by other commenters and interested members of the public. Commenters should follow the instructions provided on that site to submit comments electronically.

**Note:** To receive consideration as public comments, comments must be submitted through one of the two methods specified above. Again, all submissions must refer to the docket number and title of the rule.

*No Facsimile Comments.* Facsimile (FAX) comments are not acceptable.

*Public Inspection of Public Comments.* All properly submitted comments and communications submitted to HUD will be available for public inspection and copying between 8 a.m. and 5 p.m. weekdays at the above address. Due to security measures at the HUD Headquarters building, an advance appointment to review the public comments must be scheduled by calling the Regulations Division at 202-708-3055 (this is not a toll-free number). Individuals with speech or hearing impairments may access this number via TTY by calling the Federal Information Relay Service at 800-877-8339. Copies of all comments submitted are available for inspection and downloading at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Peter Gillispie, Home Valuation Policy Division, Office of Housing, Department of Housing and Urban Development, 451 7th Street, SW., Room 9270, Washington, DC 20410-8000, telephone number 202-708-2121 (this is not a toll-

free number). Individuals with speech or hearing impairments may access this number through TTY by calling the toll-free Federal Information Relay Service at 800-877-8339.

**SUPPLEMENTARY INFORMATION:** HUD published a proposed rule on September 15, 2008 (73 FR 53346), that would amend HUD’s regulations governing manufactured homes that are to be the security for Federal Housing Administration (FHA) Title I-insured loans and Title II-insured mortgages. The September 15, 2008 rule proposed to permit, as eligible for FHA insurance, mortgages on manufactured homes to be installed in accordance with the Model Installation Standards, which were the subject of notice and rulemaking that resulted in a final rule published on October 19, 2007. Current regulations provide that manufactured homes that are to be the security for FHA Title I-insured loans must be installed in accordance with the manufacturer’s requirements or erected on a permanent foundation, and manufactured homes that are to be the security for Title II-insured mortgages must be erected on a permanent foundation. Acceptance of mortgages on manufactured homes installed in accordance with the Model Installation Standards would provide for greater flexibility of design, thereby permitting additional options for affordable housing. Under the proposal presented by the September 15, 2008 proposed rule, FHA mortgage insurance would become available for eligible manufactured homes in all states and territories, upon promulgation of a final rule.

On June 20, 2008, HUD published a final rule entitled “Manufactured Home Installation Program,” which established a federal manufactured home installation program in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended by the Manufactured Housing Act of 2000. The June 20, 2008, final rule governs the HUD-administered installation program that will operate in a state, unless that state certifies that it has its own qualifying program and HUD reviews the program and accepts it as meeting or exceeding the requirements HUD would apply in a HUD-administered state. The June 20, 2008 final rule also provides for HUD’s conditional acceptance, rather than full acceptance, of a state program that meets some but not all of the minimum standards. However, there have been some delays in submissions of state certifications, in HUD’s review and acceptance of state certifications, and in implementation of HUD’s

program for states in which HUD will administer the installation program. As a result, there are several states in which there is not yet either a state-certified and fully accepted installation program or an operational HUD-administered installation program.

HUD has determined that, in order to protect against undue financial risk, a manufactured home that is installed in accordance with the Model Installation Standards (rather than erected on a permanent foundation) should not be permitted to be the security for FHA Title I-insured loans or Title II-insured mortgages, until there is operating in the state where the manufactured home is located either a state-certified and fully accepted installation program or a HUD-administered installation program. (This determination does not affect the eligibility of manufactured homes to be the security for Title I-insured loans if the manufacturer's installation requirements provide for compliance with the Model Installation Standards and the manufactured home is in fact installed with the Model Installation Standards.) An operational and fully compliant installation program is critical to ensure that a manufactured home that is to be the security for a Title I-insured loan or Title II-insured mortgage is in fact installed in accordance with the Model Installation Standards.

As a result, HUD submits that it would not be appropriate to promulgate a final rule based on the September 15, 2008 proposed rule, which assumed fully compliant installation programs would be operational in all states and territories, that does not take into consideration the implementation issues that have resulted from the June 2008 final rule. HUD submits for consideration and public comment that it would be appropriate for manufactured homes in a state with an operational state-certified and fully accepted installation program, or HUD-administered installation program, to be eligible for Title I and Title II insurance, even while review, full acceptance, or implementation of installation programs in other states and territories still is pending.

Accordingly, HUD is soliciting public comment on whether HUD should: (a) Promulgate a final rule based on the September 15, 2008 proposed rule, but that is applicable to a state only at such time that the state has an operational state-certified and fully accepted installation program or a HUD-administered installation program; or (b) delay promulgation of a final rule based on the September 15, 2008 proposed rule until all states and territories have

an operational state-certified and fully accepted installation program or a HUD-administered installation program.

Dated: January 27, 2010.

**David H. Stevens,**

*Assistant Secretary for Housing—Federal Housing Commissioner.*

[FR Doc. 2010–2367 Filed 2–3–10; 8:45 am]

**BILLING CODE 4210–67–P**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

#### 29 CFR Part 1910

[Docket No. OSH–2008–0034]

RIN No. 1218–AC08

#### Revising Standards Referenced in the Acetylene Standard

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Proposed rule; withdrawal.

**SUMMARY:** With this document, OSHA is withdrawing the proposed rule that accompanied its direct-final rule revising the Acetylene Standard for general industry.

**DATES:** As of February 4, 2010, the proposed rule published August 11, 2009 (74 FR 40450), is withdrawn.

**FOR FURTHER INFORMATION CONTACT:**

*General information and press inquiries:* Contact Jennifer Ashley, Director, OSHA Office of Communications, Room N–3647, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; *telephone:* (202) 693–1999.

*Technical information:* Contact Ted Twardowski, Directorate of Standards and Guidance, Room N–3609, OSHA, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; *telephone:* (202) 693–2070; *fax:* (202) 693–1663.

*Copies of this Federal Register notice:* Electronic copies of this **Federal Register** notice are available at <http://www.regulations.gov>. This **Federal Register** notice, as well as news releases and other relevant information, are also available at OSHA's Webpage at <http://www.osha.gov>.

**SUPPLEMENTARY INFORMATION:** On August 11, 2009, OSHA published a direct-final rule to update the incorporated references in its Acetylene Standard for general industry at 29 CFR 1910.102 (74 FR 40442). OSHA also published a companion proposed rule along with the direct-final rule (74 FR 40450). In the direct-final rule, OSHA stated that it would withdraw the companion

proposed rule and confirm the effective date of the direct-final rule if it received no significant adverse comments on the direct final rule by September 10, 2009. OSHA received eight comments on the direct-final rule by that date, which it determined were not significant adverse comments. OSHA subsequently published a notice announcing this determination and confirming the effective date of the direct-final rule as November 9, 2009 (74 FR 57883). Accordingly, OSHA is not proceeding with the proposed rule and is withdrawing it from the rulemaking process.

#### List of Subjects in 29 CFR Part 1910

Acetylene, General industry, Occupational safety and health, Safety.

#### Authority and Signature

David Michaels, Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210, directed the preparation of this document. OSHA is issuing this document pursuant to Sections 4, 6, and 8 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 653, 655, and 657), 5 U.S.C. 553, Secretary of Labor's Order 5–2007 (72 FR 31160), and 29 CFR part 1911.

Signed at Washington, DC, on January 29, 2010.

**David Michaels,**

*Assistant Secretary of Labor for Occupational Safety and Health.*

[FR Doc. 2010–2313 Filed 2–3–10; 8:45 am]

**BILLING CODE 4510–26–P**

## ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 52

[EPA–R06–OAR–2009–0745; FRL–9110–1]

#### Approval and Promulgation of Implementation Plans; Albuquerque-Bernalillo County, NM; Excess Emissions

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

**ACTION:** Proposed rule.

**SUMMARY:** The EPA is proposing to approve revisions to the New Mexico State Implementation Plan (SIP) submitted by the Governor of New Mexico on behalf of the Albuquerque Environmental Health Department (AEHD) in a letter dated September 23, 2009 (the September 23, 2009 SIP submittal). The September 23, 2009 SIP submittal concerns revisions to New