ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 272
[FRL–9293–8]

Wisconsin: Incorporation by Reference of Approved State Hazardous Waste Management Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to codify in the regulations entitled “Approved State Hazardous Waste Management Programs,” Wisconsin’s authorized hazardous waste program. EPA will incorporate by reference into the Code of Federal Regulations (CFR) those provisions of the State regulations that are authorized and that the EPA will enforce under the Solid Waste Disposal Act, commonly referred to as the Resource Conversation and Recovery Act (RCRA).

DATES: Send written comments by June 8, 2011.

ADDRESSES: Send written comments to Jean Gromnicki, U.S. EPA, Region 5, 77 West Jackson Boulevard, Mail Code LR–8J, Chicago, Illinois 60604. You may also submit comments electronically or through hand delivery/courier; please follow the detailed instructions in the ADDRESSES section of the immediate final rule which is located in the Rules and Regulations section of this Federal Register.


SUPPLEMENTARY INFORMATION: In the “Rules and Regulations” section of this Federal Register, EPA is codifying and incorporating by reference the State’s hazardous waste program as an immediate final rule. EPA did not make a proposal prior to the immediate final rule because we believe these actions are not controversial and do not expect comments that oppose them. We have explained the reasons for this codification and incorporation by reference in the preamble to the immediate final rule. If we do not get written comments which oppose this incorporation by reference during the comment period, the immediate final rule will become effective on the date it establishes, and we will not take further action on this proposal. If we get comments that oppose these actions, we will withdraw the immediate final rule and it will not take effect. We will then respond to public comments in a later final rule based on this proposal. You may not have another opportunity for comment. If you want to comment on this action, you must do so at this time. For additional information, please see the immediate final rule published in the “Rules and Regulations” section of this Federal Register.

Authority: This action is issued under the authority of sections 2002(a), 3006 and 7004(b) of the Solid Waste and Disposal Act, as amended. 42 U.S.C. 6912(a), 6926, 6974(b).

Dated: March 24, 2011.

Susan Hedman, Regional Administrator, Region 5.

BILLING CODE 6560–50–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration


RIN 2126–AB26

Hours of Service of Drivers

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice; availability of supplemental documents; reopening of comment period.

SUMMARY: FMCSA has placed four additional documents in the public docket of its recent notice of proposed rulemaking (NPRM) concerning hours of service (HOS) for commercial motor vehicle drivers. The Agency is reopening the comment period on the NPRM to allow for review and discussion of these documents and FMCSA’s possible consideration of their findings in the development of the final rule. Comments will only be considered on the four documents listed below.

DATES: Comments are due by June 8, 2011.

ADDRESSES: You may submit comments identified by Federal Docket Management System Number FMCSA–2011–0039 using any of the following methods:


• Fax: 202–493–2251.

• Mail: Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590–0001.

• Hand Delivery: West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590–0001, between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays. The telephone number is 202–366–9329.

Instructions: All submissions must include the Agency name and docket number (FMCSA–2011–0039) for this rulemaking. To avoid duplication, please use only one of these four methods. Note that all comments received will be posted without change to http://www.regulations.gov, including any personal information provided. Please refer to the Privacy Act heading for further information.

Comments received after the comment closing date will be included in the docket and we will consider late comments only to the extent practicable. FMCSA may issue a final rule at any time after the close of the comment period.

Docket: For access to the docket to read background documents or comments received, go to http://www.regulations.gov at any time or to West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays.

Privacy Act: Anyone is able to search the electronic form for all comments.
received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review the U.S. Department of Transportation’s (DOT) complete Privacy Act Statement in the Federal Register published on January 17, 2008 (73 FR 3316), or you may visit http://edocket.access.gpo.gov/2008/pdf/E8-785.pdf.


SUPPLEMENTARY INFORMATION:

Availability of Supplemental Documents

For a full background on this rulemaking, please see the preamble to the NPRM (75 FR 82170, December 29, 2010). The docket (FMCSA–2004–19608) contains all of the background information for this rulemaking, including comments. FMCSA has placed these four research reports in the docket;


The two Sando, et al., reports discuss research similar to that which the Florida Department of Transportation Transit Office submitted to the docket on March 4, 2011 (docket item 23834: Sando, T., Moses, R., Angel, M., and Mtoi, E., “Safety Implications of Transit Operator Schedule Policies,” University of North Florida and Florida Department of Transportation, October 2010). The two additional reports by Sando and his colleagues were published by the Transportation Research Board of the National Academies for its 2011 90th Annual Meeting. They were provided to 2011 Annual Meeting participants on digital video disk and are available for downloading at http://www.trb.org.

FMCSA may consider these four reports in its rulemaking and invites comment on their relevance to the NPRM.

Rulemaking Schedule

FMCSA advises the public of an adjustment to the rulemaking schedule agreed to in litigation before the U.S. Court of Appeals for the District of Columbia Circuit (Case No. 09–1094). Pursuant to an October 26, 2009, agreement between Public Citizen, et al. (Petitioners), and FMCSA, the Agency was to publish a final rule within 21 months of the date of the settlement agreement. FMCSA will receive and analyze all comments to this notice before it completes its work on a final rule, however. This extra comment period will require additional time that was not envisioned in 2009, and thus the Agency will be unable to publish a final rule by July 26, 2011. FMCSA has advised Petitioners of this delay to the rule by July 26, 2011. FMCSA has received and analyzed comments to this notice before it

DATES: Comments should be received on or before July 8, 2011. Late-filed comments will be considered to the extent practicable.

ADDRESSES: You may submit comments to Docket No. FRA–2011–0025 by any of the following methods:

- Federal e-Rulemaking Portal: Go to http://www.regulations.gov and follow the instructions for sending your comments electronically.
- Mail: Docket Management Facility: U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590–0001. If you submit comments by mail and would like to know that they reached the facility, please enclose a stamped, self-addressed envelope or postcard.
- Hand Delivery or Courier: West Building, Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.
- Fax: 202–493–2251 To avoid duplication, please use only one of these four methods. All comments received will be posted without change to http://www.regulations.gov and will include any personal information you provide.

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

49 CFR Chapter II

[Docket No. FRA–2011–0025]

Study on Protection of Certain Railroad Risk Reduction Data From Discovery or Use in Litigation

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice and request for public comment.

SUMMARY: In accordance with section 109 of the Rail Safety Improvement Act of 2008 (RSIA), FRA is soliciting public comment on the issue of whether it is in the public interest, including public safety and the legal rights of persons injured in railroad accidents, to withhold from discovery or use in litigation in a Federal or State court proceeding for damages involving personal injury or wrongful death against a carrier any report, survey, schedule, list, or data compiled or collected for the purpose of evaluating, planning, or implementing a railroad safety risk reduction program required under the RSIA, including a railroad carrier’s analysis of its safety risks and its statement of the mitigation measures with which it will address those risks.

Issued on: May 3, 2011.

Anne S. Ferro,

Administrator.

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