

DATES: The docket for the petition for rulemaking PRM-50-71 is closed on November 6, 2008.

ADDRESSES: You can access publicly available documents related to this petition for rulemaking using the following methods:

Federal e-Rulemaking Portal: Further NRC action on the issues raised by this petition will be accessible at the federal rulemaking portal, <http://www.regulations.gov>, by searching on rulemaking docket ID: NRC-2000-0004 and docket ID: NRC-2008-0332. The NRC also tracks all rulemaking actions in the "NRC Regulatory Agenda: Semiannual Report (NUREG-0936)."

NRC's Public Document Room (PDR): The public may examine and have copied for a fee, publicly available documents at the NRC's PDR, Public File Area O-1F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland.

NRC's Agencywide Document Access and Management System (ADAMS): Publicly available documents created or received at the NRC are available electronically at the NRC's Electronic Reading Room at <http://www.nrc.gov/nrc/reading-rm/adams.html>. From this page, the public can gain entry into ADAMS, which provides text and image files of NRC's public documents. If you do not have access to ADAMS or if there are any problems in accessing the documents located in ADAMS, contact the NRC PDR Reference staff at 1-800-397-4209, 301-415-4737 or by e-mail to PDR.resource@nrc.gov.

FOR FURTHER INFORMATION CONTACT: Lynn M. Hall, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Telephone: 301-415-3759, or toll-free: 800-368-5642, e-mail: Lynn.Hall@nrc.gov.

SUPPLEMENTARY INFORMATION: On May 31, 2000 (65 FR 34599), the NRC published for public comment a petition for rulemaking (PRM) filed by David J. Modeen, on behalf of the Nuclear Energy Institute. The comment period closed on August 14, 2000, and the NRC received 11 comment letters. In response to this petition, the NRC amended § 50.44 of its regulations (68 FR 54123, September 16, 2003) to eliminate the requirement to use Zircaloy or ZIRLO cladding. With respect to the cladding requirements specified in § 50.46, the NRC has determined that the petitioner's request in PRM-50-71 is appropriate for consideration and, in fact, is already being considered in the ongoing "Performance-Based Emergency Core Cooling System (ECCS) Cladding

Acceptance Criteria" rulemaking. This rulemaking proposes revisions to the NRC regulations in 10 CFR Part 50 that addresses licensing of production and utilization facilities in which the remaining open issues from PRM-50-71 will be resolved. The NRC will address the comments filed in PRM-50-71 as part of this rulemaking.

Dated at Rockville, Maryland, this 9th day of October 2008.

For the Nuclear Regulatory Commission.
R.W. Borchardt,
Executive Director for Operations.
[FR Doc. E8-26459 Filed 11-5-08; 8:45 am]
BILLING CODE 7590-01-P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[REG-146895-05]

RIN 1545-BF05

Election To Expense Certain Refineries; Hearing Cancellation

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Cancellation of notice of public hearing on proposed rulemaking by cross-reference to temporary regulations.

SUMMARY: This document cancels a public hearing on proposed rulemaking by cross-reference to temporary regulations under section 179C of the Internal Revenue Code relating to the election to expense qualified refinery property.

DATES: The public hearing, originally scheduled for November 20, 2008 at 10 a.m. is cancelled.

FOR FURTHER INFORMATION CONTACT: Funmi Taylor of the Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration) at (202) 622-3628 (not a toll-free number).

SUPPLEMENTARY INFORMATION: A notice of proposed rulemaking by cross-reference to temporary regulations and a notice of public hearing that appeared in the **Federal Register** on Wednesday, July 9, 2008 (73 FR 39270) announced that a public hearing was scheduled for November 20, 2008, at 10 a.m. in the IRS Auditorium, Internal Revenue Building, 1111 Constitution Avenue, NW., Washington, DC. The subject of the public hearing is under the section 179C of the Internal Revenue Code.

The public comment period for these regulations expired on September 8,

2008. The notice of proposed rulemaking by cross-reference to temporary regulations and notice of public hearing instructed those interested in testifying at the public hearing to submit an outline of the topics to be addressed by October 14, 2008. As of Monday, October 27, 2008, no one has requested to speak. Therefore, the public hearing scheduled for November 20, 2008, is cancelled.

Guy Traynor,

Federal Register Liaison, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration).

[FR Doc. E8-26426 Filed 11-5-08; 8:45 am]
BILLING CODE 4830-01-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG-2008-0049]

Drawbridge Operation Regulations; Gulf Intracoastal Waterway (GIWW), Mile 49.8, Near Houma, Lafourche Parish, LA

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking; withdrawal.

SUMMARY: The Coast Guard is withdrawing its notice of proposed rulemaking concerning the operation of the SR 316 Blue Bayou Pontoon Bridge across the GIWW, mile 49.8, near Houma, Lafourche Parish, Louisiana. The notice of proposed rulemaking proposed to allow the bridge to stay closed for school buses to pass when carrying children, but due to mechanical improvements of the bridge, the requester, Lafourche Parish Council, has withdrawn their request.

DATES: The notice of proposed rulemaking is withdrawn on November 6, 2008.

ADDRESSES: The docket for this withdrawn rulemaking is available for inspection or copying at the Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room 212-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find this docket on the Internet at www.regulations.gov.

FOR FURTHER INFORMATION CONTACT: If you have questions on the proposed rule

or the withdrawal, call Bart Marcules, Bridge Administration Branch, telephone (504) 671-2128. If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

SUPPLEMENTARY INFORMATION:

Background

On March 12, 2008, we published a notice of proposed rulemaking entitled "Drawbridge Operation Regulations; Gulf Intracoastal Waterway (GIWW), mile 49.8, near Houma, Lafourche Parish, LA" in the **Federal Register** (73 FR 13160). The rulemaking concerned a change to the regulation governing the operation of the SR 316 Blue Bayou Pontoon Bridge across the GIWW, mile 49.8, near Houma, Lafourche Parish, Louisiana. The bridge opens on signal, but due to high vehicular traffic and school bus traffic, Lafourche Parish requested a change. The proposed rule would have required the draw of the bridge to open on signal, except from 7 a.m. to 8:30 a.m., 4 p.m., and from 4:30 p.m. to 5:30 p.m. during the regular school year on Monday through Friday except Federal holidays.

Withdrawal

Due to mechanical improvements of the bridge and no new complaints since the mechanical improvements, the requester, Lafourche Parish Council, has withdrawn their request. Also, one comment to the Notice of Proposed Rulemaking stated that improved mechanical operations of the bridge could help this situation. The mechanical improvements have made closing the bridge a quicker process, alleviating the extensive vehicular backlog created by the opening and closing of the bridge.

Authority: This action is taken under the authority of 33 U.S.C. 499; 33 CFR 1.05-1; Department of Homeland Security Delegation No. 0170.1.

Dated: October 23, 2008.

J.R. Whitehead,

Rear Admiral, U.S. Coast Guard Commander, Eighth Coast Guard District.

[FR Doc. E8-26525 Filed 11-5-08; 8:45 am]

BILLING CODE 4910-15-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 08-1502; MB Docket No. 08-101; RM-11438]

Television Broadcasting Services; Ann Arbor, MI

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a channel substitution proposed by Paxson Communications License Company, LLC ("Paxson"), the permittee of WPXD-DT, post-transition DTV channel 31, Ann Arbor, Michigan. Paxson requests the substitution of DTV channel 19 for post-transition DTV channel 31 at Ann Arbor.

DATES: Comments must be filed on or before December 8, 2008, and reply comments on or before December 22, 2008.

ADDRESSES: Federal Communications Commission, Office of the Secretary, 445 12th Street, SW., Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve counsel for petitioner as follows: Scott S. Patrick, Esq., Dow Lohnes, PLLC, 1200 New Hampshire Avenue, NW., Suite 800, Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT: Shaun A. Maher, shaun.maher@fcc.gov, Media Bureau, (202) 418-1600.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket No. 08-101, adopted October 10, 2008, and released October 15, 2008. The full text of this document is available for public inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, CY-A257, 445 12th Street, SW., Washington, DC 20554. This document will also be available via ECFS (<http://www.fcc.gov/cgb/ecfs/>). (Documents will be available electronically in ASCII, Word 97, and/or Adobe Acrobat.) This document may be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 1-800-478-3160 or via e-mail <http://www.BCPIWEB.com>. To request this document in accessible formats (computer diskettes, large print, audio recording, and Braille), send an e-mail to fcc504@fcc.gov or call the Commission's Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432

(TTY). This document does not contain proposed information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104-13. In addition, therefore, it does not contain any proposed information collection burden "for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, *see* 44 U.S.C. 3506(c)(4).

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding. Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Television, Television broadcasting.

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

PART 73—RADIO BROADCAST SERVICES

1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334, 336.

§ 73.622 [Amended]

2. Section 73.622(i), the Post-Transition Table of DTV Allotments under Michigan, is amended by adding DTV channel 19 and removing DTV channel 31 at Ann Arbor.

Federal Communications Commission.

Clay C. Pendarvis,

Associate Chief, Video Division, Media Bureau.

[FR Doc. E8-26509 Filed 11-5-08; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 08-2116; MB Docket No. 08-193; RM-11489]

Television Broadcasting Services; Hayes Center, NE

AGENCY: Federal Communications Commission.