

(f) *Ultrafiltered milk* means raw or pasteurized milk that is passed over one or more semipermeable membranes to partially remove water, lactose, minerals, and water-soluble vitamins without altering the casein:whey protein ratio of the milk and resulting in a liquid product.

(g) *Ultrafiltered nonfat milk* means raw or pasteurized nonfat milk that is passed over one or more semipermeable membranes to partially remove water, lactose, minerals, and water-soluble vitamins without altering the casein:whey protein ratio of the nonfat milk and resulting in a liquid product.

Dated: October 7, 2005.

**Leslye M. Fraser,**

*Director, Office of Regulations and Policy,  
Center for Food Safety and Applied Nutrition.*

[FR Doc. 05-20874 Filed 10-18-05; 8:45 am]

BILLING CODE 4160-01-S

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[R05-OAR-2005-IN-0003; FRL-7981-9]

### Approval and Promulgation of Air Quality Implementation Plans; Indiana

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve a request from the Indiana Department of Environmental Management (IDEM) to revise the Indiana State Implementation Plan (SIP) in three areas: To amend the definition of "particulate matter," and "ambient air quality standards," add new rules consistent with these amended definitions, and amend rules pertaining to sulfur dioxide (SO<sub>2</sub>) and nitrogen dioxide (NO<sub>2</sub>) ambient standards; to update the references to the Code of Federal Regulations (CFR) from the 2000 edition to the 2002 edition; and to add "credible evidence provisions" into state rules consistent with federal requirements.

In the final rules section of this **Federal Register**, EPA is approving the SIP revision as a direct final rule without prior proposal, because EPA views this as a noncontroversial revision and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If we do not receive any adverse comments in response to these direct final and proposed rules, we do not contemplate taking any further action in relation to this proposed rule. If EPA

receives adverse comments, we will withdraw the direct final rule and will respond to all public comments in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

**DATES:** Written comments must be received on or before November 18, 2005.

**ADDRESSES:** Submit comments, identified by Regional Material in EDocket (RME) ID No. R05-OAR-2005-IN-0003 by one of the following methods:

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

*Agency Web site:* <http://docket.epa.gov/rmepub/>. RME, EPA's electronic public docket and comment system, is EPA's preferred method for receiving comments. Once in the system, select "quick search," then key in the appropriate RME Docket identification number. Follow the online instructions for submitting comments.

*E-mail:* [mooney.john@epa.gov](mailto:mooney.john@epa.gov).

*Fax:* (312) 886-5824.

*Mail:* You may send written comments to:

John M. Mooney, Chief, Criteria Pollutant Section, (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

*Hand delivery:* Deliver your comments to: John M. Mooney, Chief, Criteria Pollutant Section (AR-18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, 18th floor, Chicago, Illinois 60604.

Such deliveries are only accepted during the Regional Office's normal hours of operation. The Regional Office's official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m. excluding federal holidays.

*Instructions:* Direct your comments to RME ID No. R05-OAR-2005-IN-0003. EPA's policy is that all comments received will be included in the public docket without change, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through RME, [regulations.gov](http://regulations.gov), or e-mail. The EPA RME Web site and the [Federal.regulations.gov](http://Federal.regulations.gov) Web site are "anonymous access" systems, which means EPA will not know your identity or contact information unless you

provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through RME or [regulations.gov](http://regulations.gov), your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. 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. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional instructions on submitting comments, go to section I(B) of the **SUPPLEMENTARY INFORMATION** section of this document.

*Docket:* All documents in the electronic docket are listed in the RME index at <http://www.epa.gov/rmepub/>. Although listed in the index, some information is not publicly available, *i.e.*, CBI or other information whose disclosure is restricted by statute. Publicly available docket materials are available either electronically in RME or in hard copy at Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. (Please telephone Julie Henning at (312) 886-4882 before visiting the Region 5 Office.)

**FOR FURTHER INFORMATION CONTACT:** Julie Henning, Environmental Protection Specialist, State and Tribal Planning Section, Air Programs Branch (AR-18J), USEPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-4882. [Henning.julie@epa.gov](mailto:Henning.julie@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### I. General Information

- A. What Should I Consider as I Prepare My Comments for EPA?
- II. What Action Is EPA Taking Today?
- III. Where Can I Find More Information About This Proposal and the Corresponding Direct Final Rule?

#### **I. General Information**

##### *A. What Should I Consider as I Prepare My Comments for EPA?*

1. *Submitting CBI.* Do not submit CBI to EPA through RME, [regulations.gov](http://regulations.gov) or e-mail. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD ROM that you mail to EPA, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific

information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for Preparing Your Comments.* When submitting comments, remember to:

a. Identify the rulemaking by docket number and other identifying information (subject heading, **Federal Register** date and page number).

b. Follow directions—The agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.

c. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.

d. Describe any assumptions and provide any technical information and/or data that you used.

e. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.

f. Provide specific examples to illustrate your concerns, and suggest alternatives.

g. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

h. Make sure to submit your comments by the comment period deadline identified.

## II. What Action Is EPA Taking Today?

EPA is proposing to approve revisions to the Indiana SIP in three areas: (1) To amend the definition of “particulate matter,” and “ambient air quality standards,” add new rules consistent with these amended definitions, and amend rules pertaining to SO<sub>2</sub> and NO<sub>2</sub> ambient standards; (2) to update the references to the Code of Federal Regulations (CFR) from the 2000 edition to the 2002 edition; and (3) to add credible evidence provisions into state rules consistent with federal requirements.

## III. Where Can I Find More Information About This Proposal and the Corresponding Direct Final Rule?

For additional information, see the Direct Final Rule which is located in the Rules section of this **Federal Register**. Copies of the request and the EPA’s analysis are available electronically at RME or in hard copy at the above address. (Please telephone Julie

Henning at (312) 886–4882 before visiting the Region 5 Office.)

Dated: September 23, 2005.

**Norman Niedergang,**

*Acting Regional Administrator, Region 5.*

[FR Doc. 05–20820 Filed 10–18–05; 8:45 am]

**BILLING CODE 6560–50–P**

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## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

#### 46 CFR Part 389

[Docket No. MARAD–2005–22050]

RIN 2133–AB67

#### Determination of Availability of Coastwise-Qualified Launch Barges

**AGENCY:** Maritime Administration, Department of Transportation.

**ACTION:** Notice of reopening and extension of comment period.

**SUMMARY:** The Maritime Administration is hereby giving notice that the closing date for filing comments on the Determination of Availability of Coastwise-Qualified Launch Barges Notice of Proposed Rulemaking (NPRM) (Docket No. MARAD 2005–22050) has been extended to the close of business (5 p.m. EST) on December 13, 2005.

**DATES:** The comment date of the NPRM published in the **Federal Register** on August 15, 2005 (70 FR 47771) is extended from October 14, 2005, to December 13, 2005.

(Authority: 49 CFR 1.66)

Dated: October 12, 2005.

By order of the Maritime Administrator.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

[FR Doc. 05–20700 Filed 10–18–05; 8:45 am]

**BILLING CODE 4910–81–P**

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## FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Parts 22, 24, and 27

[WT Docket Nos. 03–264; FCC 05–144]

#### Amendment of Various Rules Affecting Wireless Radio Services

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** In this document, the Federal Communications Commission (Commission) requests comment on whether to implement a spectral density model to its radiated power rules for

wireless radio services (WRS); further increase its radiated power limits; specify radiated power as an average rather than peak; and apply the radiated power rule changes to other services. In a related document, the Commission has streamlined and harmonized licensing provisions in the WRS that were identified in part during the Commission’s 2000 and 2002 biennial regulatory reviews.

**DATES:** Submit comments on or before December 19, 2005, and submit reply comments on or before January 17, 2006. For detailed instructions for submitting comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:**

Wilbert E. Nixon, Jr. and/or B.C. “Jay” Jackson, Jr. of the Mobility Division, Wireless Telecommunications Bureau, at 202–418–0620 or via e-mail at [Wilbert.Nixon@fcc.gov](mailto:Wilbert.Nixon@fcc.gov) and/or [Jay.Jackson@fcc.gov](mailto:Jay.Jackson@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the *Further Notice of Proposed Rulemaking (FNPRM)* portion of the Commission’s *Report and Order and Further Notice of Proposed Rulemaking*, FCC 05–144, in WT Docket Nos. 03–264, adopted July 22, 2005, and released August 9, 2005. The Commission is also concurrently publishing a summary of the *Report and Order* in the **Federal Register**. The full text of the document is available for public inspection and copying during regular business hours at the FCC Reference Information Center, 445 12th St., SW., Room CY–A257, Washington, DC 20554. The complete text may be purchased from the Commission’s duplicating contractor: Best Copy & Printing, Inc., 445 12th Street, SW., Room CY–B402, Washington, DC, 20554, telephone 800–378–3160, facsimile 202–488–5563, or via e-mail at [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com). The full text may also be downloaded at: <http://www.fcc.gov>. Alternative formats are available to persons with disabilities by contacting Brian Millin at (202) 418–7426 or TTY (202) 418–7365 or at [Brian.Millin@fcc.gov](mailto:Brian.Millin@fcc.gov).

#### Synopsis of the Further Notice of Proposed Rulemaking

##### I. Introduction and Background

1. In the Report and Order portion of the *Report and Order and Further Notice of Proposed Rulemaking*, we revise the broadband PCS transmitting power rule by eliminating the transmitter output power limit portion of that rule. We note, however, that various proposals before us concerning