

**ACTION:** Notice of proposed rulemaking; extension of comment period.

**SUMMARY:** In response to an industry member request, the Alcohol and Tobacco Tax and Trade Bureau extends the comment period for Notice No. 73, Labeling and Advertising of Wines, Distilled Spirits, and Malt Beverages, a notice of proposed rulemaking published in the **Federal Register** on July 31, 2007, for an additional 90 days.

**DATES:** Written comments must be received on or before January 27, 2008.

**ADDRESSES:** You may send comments on this notice to one of the following addresses:

- <http://www.regulations.gov> (Federal e-rulemaking portal; follow the instructions for submitting comments); or

- Director, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, P.O. Box 14412, Washington, DC 20044-4412.

You may view copies of this notice, Notice No. 73, and any comments we receive about the proposals described in Notice No. 73 under the appropriate docket number on the Regulations.gov Web site at <http://www.regulations.gov>. A link to the Regulations.gov Web site is also available on the TTB Web site at [http://www.ttb.gov/regulations\\_laws/all\\_rulemaking.shtml](http://www.ttb.gov/regulations_laws/all_rulemaking.shtml). In addition, you may view copies of the same materials described above by appointment at the TTB Information Resource Center, 1310 G Street, NW., Washington, DC 20220. To make an appointment, telephone (202) 927-2400.

**FOR FURTHER INFORMATION CONTACT:** Lisa M. Gesser, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, P.O. Box 128, Morganza, MD 20660; telephone (301) 290-1460; or Joanne C. Brady, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, P.O. Box 45797, Philadelphia, PA 19149; telephone (215) 333-7050.

**SUPPLEMENTARY INFORMATION:** On July 31, 2007, The Alcohol and Tobacco Tax and Trade Bureau (TTB) published Notice No. 73, Labeling and Advertising of Wines, Distilled Spirits, and Malt Beverages, in the **Federal Register** (72 FR 41860). In that notice of proposed rulemaking, TTB requests public comment on possible changes to the labeling and advertising requirements of alcohol beverage products regulated by TTB. When published, the comment period for TTB Notice No. 73 was scheduled to close on October 29, 2007.

After the publication of Notice No. 73, TTB received a request from Wine America, a national association of

American wineries to extend the comment period for an additional 90 days beyond the October 29, 2007 closing date. In support of their extension request, Wine America indicates that the wine industry is now entering the grape harvest season, which is its busiest time of the year. They further note that because of this, wine industry members would not have adequate time to address the rulemaking comment request in a comprehensive manner.

In response to this request, TTB extends the comment period for Notice No. 73 for an additional 90 days. Therefore, comments on Notice No. 73 are now due on or before January 27, 2008.

#### Drafting Information

Lisa M. Gesser of the Regulations and Procedures Division drafted this notice.

Signed: September 10, 2007.

**John J. Manfreda,**

*Administrator.*

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**BILLING CODE 4810-31-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 52 and 81

[EPA-R09-OAR-2006-0583; FRL-8470-9]

#### Extension of Public Comment Period for Proposed Rule on Approval and Promulgation of Implementation Plans; Designation of Areas for Air Quality Planning Purposes; State of California; PM-10; Affirmation of Determination of Attainment for the San Joaquin Valley Nonattainment Area

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

**ACTION:** Extension of public comment period.

**SUMMARY:** The EPA is announcing an extension of the public comment period for the proposed rule entitled "Approval and Promulgation of Implementation Plans; Designation of Areas for Air Quality Planning Purposes; State of California; PM-10; Affirmation of Determination of Attainment for the San Joaquin Valley Nonattainment Area." The proposed rule was initially published in the **Federal Register** on August 27, 2007. Written comments on the proposed rule were to be submitted to EPA on or before September 26, 2007 (a 30-day comment period). The EPA is extending the public comment period until October 26, 2007.

**DATES:** The public comment period for this proposed rule is extended until October 26, 2007.

**ADDRESSES:** Submit your comments, identified by docket number EPA-R09-OAR-2006-0583, by one of the following methods:

(1) *Federal eRulemaking portal:*

<http://www.regulations.gov>.

(2) *E-mail:* [lo.doris@epa.gov](mailto:lo.doris@epa.gov).

(3) *Mail or deliver:* Doris Lo (AIR-2), 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](http://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 the [www.regulations.gov](http://www.regulations.gov) or e-mail.

[www.regulations.gov](http://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](http://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 directly below.

#### FOR FURTHER INFORMATION CONTACT:

Doris Lo, EPA Region IX, (415) 972-3959, [lo.doris@epa.gov](mailto:lo.doris@epa.gov).

**SUPPLEMENTARY INFORMATION:** The proposed rule was signed by the Regional Administrator on August 15, 2007 and published in the **Federal Register** on August 27, 2007 (72 FR 49046). EPA has received a request for an additional 30 days to comment on the proposed rule and is granting that request. Therefore EPA is extending the comment period until October 26, 2007.

Dated: September 13, 2007.

**Laura Yoshii,**

*Acting Regional Administrator, Region 9.*

[FR Doc. E7-18586 Filed 9-19-07; 8:45 am]

BILLING CODE 6560-50-P

## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

#### 49 CFR Parts 171, 173, and 175

[Docket No. PHMSA-2006-25446 (HM-243)]

RIN 2137-AE19

#### Hazardous Materials: Fuel Cell Cartridges and Systems Transported on Board Passenger Aircraft in Carry-on Baggage

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), Department of Transportation (DOT).

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** PHMSA is proposing to amend the Hazardous Materials Regulations (HMR) to permit certain fuel cell cartridges and fuel cell systems designed for portable electronic devices to be transported by passengers and crew in carry-on baggage on board passenger-carrying aircraft. The proposed rule would cover fuel cells containing certain hazardous materials (flammable liquids, including methanol; formic acid; certain borohydride materials; or butane) and meeting certain performance and consumer use standards, which we are proposing to incorporate by reference into the HMR. We have evaluated the possible transportation safety risks presented by these fuel cell cartridges and systems and have determined they may safely be transported in the cabin of a passenger-carrying aircraft.

**DATES:** Written comments should be submitted on or before November 19, 2007.

**ADDRESSES:** You may submit comments identified by the docket number (PHMSA-2006-25446 (HM-243)) by any of the following methods:

- Web site:* Until September 27, 2007, electronic submissions to the DOT Docket Management System (DMS), located at <http://dms.dot.gov>. Starting on September 28, 2007, all electronic submissions must be made to the Federal Docket Management System's (FDMS) eRulemaking Portal located at <http://www.regulations.gov>, and the information in the DOT DMS will be

migrated to the FDMS. This work is being done as part of a larger project to consolidate the federal rulemaking docket systems. Please note the FDMS is significantly different from the DOT DMS and may assign a new docket number to each existing docket. Follow the instructions specific to each docket Web site for submitting comments. On December 31, 2007, the DOT DMS will be permanently decommissioned.

- Fax:* 1-202-493-2251.

- Mail:* Docket Operations, U.S.

Department of Transportation, West Building, Ground Floor, Room W12-140, Routing Symbol M-30, 1200 New Jersey Avenue, SE., Washington, DC 20590.

- Hand Delivery:* To Docket Operations, Room W12-140 on the ground floor of the West Building, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

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

*Instructions:* All submissions must include the agency name and docket number or Regulatory Identification Number (RIN) for this notice. For detailed instructions on submitting comments and additional information on the rulemaking process, see the Public Participation heading of the Supplementary Information section of this document. Note that all comments received will be posted without change to the docket management system, including any personal information provided. Please see the Privacy Act heading under **SUPPLEMENTARY INFORMATION**.

*Docket:* For access to the dockets to read background documents or comments received, go to <http://dms.dot.gov>, and after September 28, 2007, to <http://www.regulations.gov> at any time or to Docket Operations, U.S. Department of Transportation (see **ADDRESSES**).

#### FOR FURTHER INFORMATION CONTACT:

Eileen Edmonson, Office of Hazardous Materials Standards, (202) 366-8553, Pipeline and Hazardous Materials Safety Administration (PHMSA) 1200 New Jersey Avenue, SE., Washington, DC 20590, facsimile telephone number (202) 366-7435, or by e-mail to [Eileen.Edmonson@dot.gov](mailto:Eileen.Edmonson@dot.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Fuel cell cartridges and fuel cell systems are an emerging energy technology developed to provide a more

efficient, longer-lasting, and renewable power source for electrically operated equipment. Fuel cells are designed to replace, augment, or recharge existing battery sources. Various types of fuels may be used in fuel cell systems, including but not limited to gases meeting the criteria for classification as Division 2.1 (flammable gases), solids meeting the criteria for classification as Division 4.3 (dangerous when wet), and liquids meeting the criteria for classification as Class 3 (flammable) or Class 8 (corrosive) material. Specific materials used in fuel cells include methanol and other types of flammable liquids, butane, hydrogen in metal hydride, borohydrides, and formic acid.

##### II. Current HMR Requirements Applicable to the Transportation of Fuel Cells

Under the Hazardous Materials Regulations (HMR; 49 CFR parts 171-180), fuel cells generally must be transported in accordance with requirements applicable to the material they contain. Thus, a fuel cell containing a corrosive material must conform to the packaging and hazard communication requirements applicable to that corrosive material when offered for transportation. After careful evaluation of possible transportation safety risks, PHMSA adopted packaging, testing, and hazard communication requirements for transporting fuel cell systems and fuel cell cartridges containing flammable liquids, including methanol or methanol and water solutions, as cargo by all modes (final rule published December 29, 2006; 71 FR 7896). The HMR requirements are consistent with international transportation standards applicable to the transportation of fuel cell cartridges and systems containing flammable liquids in the 14th Revised Edition of the UN Recommendations on the Transport of Dangerous Goods (UN Recommendations).

##### III. International Standards Applicable to the Transportation of Fuel Cells

The International Civil Aviation Organization (ICAO) adopted provisions for transporting fuel cell systems and fuel cell cartridges containing flammable liquid as cargo on board aircraft in the 2007-2008 edition of the ICAO Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO Technical Instructions). These provisions are consistent with those for fuel cell systems and cartridges in the UN Recommendations. At that time, ICAO also adopted under Section 8; 1.1.2(r) provisions for transporting fuel cell systems and cartridges containing