

**List of Subjects in 42 CFR Part 73**

Biologics, Incorporation by reference, Packaging and containers, Penalties, Reporting and recordkeeping requirements, Transportation.

Dated: August 5, 2009.

**Kathleen Sebelius,**  
*Secretary.*

For the reasons stated in the preamble, we are proposing to amend 42 CFR part 73 as follows:

**PART 73—SELECT AGENTS AND TOXINS**

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

**Authority:** 42 U.S.C. 262a; sections 201–204, 221 and 231 of Title II of Public Law 107–188, 116 Stat. 637 (42 U.S.C. 262a).

2. Amend § 73.3 by revising the entry for “South American Haemorrhagic Fever viruses” in paragraph (b) and the reference to it in paragraph (f)(3)(i) to read as follows:

**§ 73.3 HHS select agents and toxins.**

\* \* \* \* \*

(b) \* \* \*

South American Haemorrhagic Fever viruses (Chapare, Junin, Machupo, Sabia, Flexal, Guanarito)

\* \* \* \* \*

(f) \* \* \*

(3) \* \* \*

(i) \* \* \* South American Haemorrhagic Fever viruses (Chapare, Junin, Machupo, Sabia, Flexal, Guanarito) \* \* \*.

\* \* \* \* \*

**§ 73.5 [Amended]**

3. Amend paragraph (a)(3)(i) of § 73.5 by removing the phrase “South American Haemorrhagic Fever viruses (Junin, Machupo, Sabia, Flexal, Guanarito)” and adding in its place “South American Haemorrhagic Fever viruses (Chapare, Junin, Machupo, Sabia, Flexal, Guanarito)”.

**§ 73.9 [Amended]**

4. Amend paragraph (c)(1) of § 73.9 by removing the phrase “South American Haemorrhagic Fever viruses (Junin, Machupo, Sabia, Flexal, Guanarito)” and adding in its place “South American Haemorrhagic Fever viruses (Chapare, Junin, Machupo, Sabia, Flexal, Guanarito)”.

[FR Doc. E9–19737 Filed 8–18–09; 8:45 am]

**BILLING CODE 4160–17–P**

**FEDERAL MARITIME COMMISSION****46 CFR Part 535**

[Docket No. 09–02]

**RIN 3072–AC35**

**Repeal of Marine Terminal Agreement Exemption**

**AGENCY:** Federal Maritime Commission.

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

**SUMMARY:** In a proposed rule published in the Federal Register on July 2, 2009, the Federal Maritime Commission proposed to repeal the exemption from the 45-day waiting period requirement applicable to certain Marine Terminal Agreements. The Commission also proposed to correct a typographical error in its regulations. This document extends the comment period.

**DATES:** Comments on the proposed rule published July 2, 2009 (74 FR 31666), are due by September 8, 2009.

**ADDRESSES:** Address all comments concerning this proposed rule to: Karen V. Gregory, Secretary, Federal Maritime Commission, 800 North Capitol Street, NW., Room 1046, Washington, DC 20573–0001, *Secretary@fmc.gov*, (202) 523–5725.

**FOR FURTHER INFORMATION CONTACT:**

Peter J. King, General Counsel, Federal Maritime Commission, 800 North Capitol Street, NW., Room 1018, Washington, DC 20573–0001, *generalcounsel@fmc.gov*, (202) 523–5740.

**Karen V. Gregory,**  
*Secretary.*

[FR Doc. E9–19901 Filed 8–18–09; 8:45 am]

**BILLING CODE P**

**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 73**

[DA 09–1727; MB Docket No. 09–130; RM–11538]

**Radio Broadcasting Services; Maupin, OR**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Audio Division at the request of Maupin Broadcasting Company proposes the allotment of Channel 244C2 at Maupin, Oregon, as its first local service. A staff engineering analysis indicates that Channel 244C2 can be allotted to Maupin consistent

with the minimum distance separation requirements of the Rules with a site restriction 1.2 kilometers (0.7 miles) west located at reference coordinates 45–10–24 NL and 121–05–43 WL.

**DATES:** Comments must be filed on or before September 24, 2009, and reply comments on or before October 9, 2009.

**ADDRESSES:** Secretary, Federal Communications Commission, 445 Twelfth Street, SW., Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, as follows: Mathew H. McCormick, Esq., c/o Maupin Broadcasting Company, Fletcher, Heald & Hildreth, PLC, 1300 North 17th Street, 11th Floor, Arlington, Virginia 22209.

**FOR FURTHER INFORMATION CONTACT:**

Rolanda F. Smith, Media Bureau, (202) 418–2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission’s Notice of Proposed Rule Making, MB Docket No. 09–130, adopted July 30, 2009, and released August 3, 2009. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC’s Reference Information Center at Portals II, CY–A257, 445 Twelfth Street, SW., Washington, DC 20554. This document may also be purchased from the Commission’s duplicating contractors, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY–B402, Washington, DC 20554, telephone 1–800–378–3160 or via e-mail <http://www.BCPIWEB.com>. 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**

Radio, Radio 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.

**§ 73.202 [Amended]**

2. Section 73.202(b), the Table of FM Allotments under Oregon, is amended by adding Maupin, Channel 244C2.

**Andrew J. Rhodes,**

*Senior Counsel, Allocations, Audio Division, Media Bureau, Federal Communications Commission.*

[FR Doc. E9-19872 Filed 8-18-09; 8:45 am]

**BILLING CODE 6712-01-P**

**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 73**

[DA 09-1795; MB Docket No. 09-146; RM-11553]

**Television Broadcasting Services; Chicago, IL**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission has before it a petition for rulemaking filed by WLS Television, Inc. ("WLS"), the licensee of station WLS-TV, DTV channel 7, Chicago, Illinois. WLS-TV requests the substitution of transition DTV channel 44 for its post-transition DTV channel 7 at Chicago.

**DATES:** Comments must be filed on or before September 3, 2009, and reply comments on or before September 14, 2009.

**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: Tom W. Davidson, Esq., Akin Gump Strauss Hauer & Feld, LLP, 1333 New Hampshire Ave., NW., Washington, DC 20026.

**FOR FURTHER INFORMATION CONTACT:**

Adrienne Y. Denysyk,  
*adrienne.denysyk@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. 09-146, adopted August 11, 2009, and released August 12, 2009. 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](mailto: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(i) [Amended]**

2. Section 73.622(i), the Post-Transition Table of DTV Allotments under Illinois, is amended by adding DTV channel 44 and removing DTV channel 7 at Chicago.

Federal Communications Commission.

**Clay C. Pendarvis,**

*Associate Chief, Video Division, Media Bureau.*

[FR Doc. E9-19875 Filed 8-18-09; 8:45 am]

**BILLING CODE 6712-01-P**

**DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service****50 CFR Part 17**

[FWS-R8-ES-2008-0049;1111 FY08 MO-B2]

**Endangered and Threatened Wildlife and Plants; 12-Month Finding on a Petition To List the Ashy Storm-Petrel as Threatened or Endangered**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of 12-month petition finding.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), announce a 12-month finding on a petition to list the ashy storm-petrel (*Oceanodroma homochroa*) as threatened or endangered, under the Endangered Species Act of 1973, as amended (Act). After a thorough review of all available scientific and commercial information, we find that listing the ashy storm-petrel is not warranted. We ask the public to continue to submit to us any new information concerning the status of, and threats to, this species. This information will help us to monitor and encourage the conservation of this species.

**DATES:** The finding announced in the document was made on August 19, 2009.

**ADDRESSES:** This finding is available on the Internet at <http://www.regulations.gov> and <http://www.fws.gov/arcata/>. Supporting documentation we used in preparing this finding is available for public inspection, by appointment, during normal business hours at the U.S. Fish and Wildlife Service, Arcata Fish and Wildlife Office, 1655 Heindon Road, Arcata, CA 95521; telephone 707-822-7201; facsimile 707-822-8411. Please submit any new information, materials, comments, or questions concerning this finding to the above address.

**FOR FURTHER INFORMATION CONTACT:**

Randy Brown, (Acting) Field