

practices under the Commission's rules for trading facilities, implemented pursuant to the Commodity Futures Modernization Act of 2000, based on the Commission's experience in applying those rules since they were originally adopted in 2001; and revise the application and review process for designation as a derivatives clearing organization. The original comment period closed on September 9, 2005.

By letter dated September 6, 2005, the New York Mercantile Exchange ("NYMEX") requested that the comment period be extended 15 days, to September 26, 2005. NYMEX requested the additional time because, due to current extreme energy market conditions, the Exchange staff will be unable to properly circulate its response and obtain the necessary committee approvals and other review necessary to file a comment prior to the original close of the comment period on September 9, 2005.

In response to this request, and in order to ensure that an adequate opportunity is provided for the submission of meaningful comments, the Commission will reopen and extend the comment period on the proposed rules.

**DATES:** Responses must be received by September 26, 2005.

**ADDRESSES:** Comments should be sent to the Commodity Futures Trading Commission, Three Lafayette Center, 1155 21st Street, NW., Washington, DC 20581, attention: Office of the Secretariat. Comments may be sent by facsimile transmission to 202-418-5521 or, by e-mail to [secretary@cftc.gov](mailto:secretary@cftc.gov). Reference should be made to "Proposed Clarifying Amendments for Exempt Markets, Derivatives Transaction Execution Facilities and Designated Contract Markets, and Procedural Changes for Derivatives Clearing Organization Registration Applications."

**FOR FURTHER INFORMATION CONTACT:** Donald Heitman, Senior Special Counsel (telephone 202-418-5041, e-mail [dheitman@cftc.gov](mailto:dheitman@cftc.gov)), Division of Market Oversight, or Lois Gregory, Special Counsel (telephone 202-418-5521, e-mail [lgregory@cftc.gov](mailto:lgregory@cftc.gov)), Division of Clearing and Intermediary Oversight, Commodity Futures Trading Commission, Three Lafayette Center, 1155 21st Street, NW., Washington, DC 20581.

Issued in Washington, DC, on September 8, 2005, by the Commission.

**Jean A. Webb,**

*Secretary of the Commission.*

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Parts 1 and 301

[REG-168892-03]

RIN 1545-BD00

#### Attained Age of the Insured Under Section 7702; Hearing Cancellation

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Cancellation of notice of public hearing on proposed rulemaking.

**SUMMARY:** This document cancels a public hearing on proposed regulations explaining how to determine the attained age of an insured for purposes of testing whether a contract qualifies as a life insurance contract for Federal Income Tax purposes.

**DATES:** The public hearing originally scheduled for September 14, 2005 at 10 a.m., is cancelled.

#### FOR FURTHER INFORMATION CONTACT:

LaNita Van Dyke of the Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration), at (202) 622-7180 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:** A notice of proposed rulemaking and notice of public hearing that appeared in the **Federal Register** on Tuesday, May 24, 2005, (70 FR 29671), announced that a public hearing was scheduled for September 14, 2005, at 10 a.m., in the IRS Auditorium, Internal Revenue Service Building, 1111 Constitution Avenue, NW., Washington, DC. The subject of the public hearing is under section 7702 of the Internal Revenue Code.

The public comment period for these regulations expired on August 24, 2005. The notice of proposed rulemaking and notice of public hearing, instructed those interested in testifying at the public hearing to submit a request to speak and an outline of the topics to be addressed. As of Friday, September 09, 2005, no one has requested to speak.

Therefore, the public hearing scheduled for September 14, 2005, is cancelled.

**Guy R. Traynor,**

*Acting Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel, (Procedure and Administration).*

[FR Doc. 05-18262 Filed 9-9-05; 2:42 pm]

**BILLING CODE 4830-01-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[R08-OAR-2005-UT-0003; FRL-7961-6]

#### Approval and Promulgation of Air Quality Implementation Plans; State of Utah; Ogden City Revised Carbon Monoxide Maintenance Plan and Approval of Related Revisions

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to take direct final action approving State Implementation Plan (SIP) revisions submitted by the State of Utah. On November 29, 2004, the Governor of Utah submitted revisions to Utah's Rule R307-110-12, "Section IX, Control Measures for Area and Point Sources, Part C, Carbon Monoxide," which incorporates a revised maintenance plan for the Ogden carbon monoxide (CO) maintenance area for the CO National Ambient Air Quality Standard (NAAQS). The revised maintenance plan contains revised transportation conformity budgets for the years 2005 and 2021. In addition, the Governor submitted revisions to Utah's Rule R307-110-35, "Section X, Vehicle Inspection and Maintenance Program, Part E, Weber County," which incorporates a revised vehicle inspection and maintenance program for Weber County. In this action, EPA is approving the Ogden City CO revised maintenance plan, the revised transportation conformity budgets, the revised vehicle inspection and maintenance program for Weber County, and the revisions to rules R307-110-12 and R307-110-35. This action is being taken under section 110 of the Clean Air Act.

In the "Rules and Regulations" section of this **Federal Register**, EPA is approving the State's SIP revisions as a direct final rule without prior proposal because the Agency views this as a noncontroversial SIP revision and anticipates no adverse comments. A detailed rationale for the approval is set

forth in the preamble to the direct final rule. If EPA receives no adverse comments, EPA will not take further action on this proposed rule. If EPA receives adverse comments, EPA will withdraw the direct final rule and it will not take effect. EPA will address 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 must do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.

**DATES:** Written comments must be received on or before October 14, 2005.

**ADDRESSES:** Submit your comments, identified by RME Docket Number R08-OAR-2005-UT-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/index.jsp>. Regional Materials in EDOCKET (RME), EPA's electronic public docket and comment system for regional actions, is EPA's preferred method for receiving comments. Follow the on-line instructions for submitting comments.
- *E-mail:* [long.richard@epa.gov](mailto:long.richard@epa.gov), [russ.tim@epa.gov](mailto:russ.tim@epa.gov), and [mastrangelo.domenico@epa.gov](mailto:mastrangelo.domenico@epa.gov).

- *Fax:* (303) 312-6064 (please alert the individual listed in the **FOR FURTHER INFORMATION CONTACT** if you are faxing comments).

- *Mail:* Richard R. Long, Director, Air and Radiation Program, Environmental Protection Agency (EPA), Region 8, Mailcode 8P-AR, 999 18th Street, Suite 300, Denver, Colorado 80202-2466.

- *Hand Delivery:* Richard R. Long, Director, Air and Radiation Program, Environmental Protection Agency (EPA), Region 8, Mailcode 8P-AR, 999 18th Street, Suite 300, Denver, Colorado 80202-2466. Such deliveries are only accepted Monday through Friday, 8 a.m. to 4:55 p.m., excluding Federal holidays. Special arrangements should be made for deliveries of boxed information.

Please see the direct final rule which is located in the Rules section of this **Federal Register** for detailed instructions on how to submit comments.

**FOR FURTHER INFORMATION CONTACT:** Domenico Mastrangelo, Air and Radiation Program, Environmental

Protection Agency (EPA), Region 8, Mailcode 8P-AR, 999 18th Street, Suite 300, Denver, Colorado 80202-2466, phone (303) 312-6436, and e-mail at: [mastrangelo.domenico@epa.gov](mailto:mastrangelo.domenico@epa.gov).

**SUPPLEMENTARY INFORMATION:** See the information provided in the Direct Final action of the same title which is located in the Rules and Regulations section of the **Federal Register**.

**Authority:** 42 U.S.C. 7401 *et seq.*

Dated: August 17, 2005.

**Stephen S. Tuber,**

*Acting Regional Administrator, Region VIII.*

[FR Doc. 05-18233 Filed 9-13-05; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 197

[FRL-7968-7]

RIN 2060-AN15

#### Opportunity to Obtain Information and Present Testimony on Proposed Public Health Environmental Radiation Protection Standards for Yucca Mountain, NV; Notice of Public Hearings

**AGENCY:** Environmental Protection Agency.

**ACTION:** Proposed rule; notice of public hearings.

**SUMMARY:** The Environmental Protection Agency (EPA) will conduct public hearings to receive comments on its proposed amendments to the Public Health and Environmental Radiation Protection Standards for Yucca Mountain, Nevada in Amargosa Valley, NV; Las Vegas, NV; and Washington, DC.

The amended proposed standards were published in the **Federal Register** on August 22, 2005. The 60-day public comment period closes on October 21, 2005.

**DATES:** The schedule for the hearings is as follows:

- Amargosa Valley, NV, October 3, 2005, from 7 p.m. to 9 p.m. This hearing will be preceded by an information session from 4 p.m. to 5:30 p.m., and a roundtable discussion from 5:30 p.m. to 6:30 p.m.
- Las Vegas, NV, October 4, 2005, from 7 p.m. to 9 p.m. This hearing will be preceded by an information session from 4 p.m. to 5:30 p.m., and a roundtable discussion from 5:30 p.m. to 6:30 p.m.
- Las Vegas, NV, October 5, 2005, from 11 a.m. to 12 a.m. This hearing

will be preceded by an information session from 10 a.m. to 11 a.m.

- Washington, DC, October 11, 2 p.m. to 4 p.m. This hearing will be preceded by an information session from 1 p.m. to 2 p.m. Specific locations for each city are detailed in the next section,

**ADDRESSES.** Procedures for preregistering for and testifying at these public hearings are detailed in the "Hearings Procedures" subsection (under Unit II) of the **SUPPLEMENTARY INFORMATION** section.

**ADDRESSES:** EPA's public hearings to receive comments on the Agency's amended proposed radiation protection standards for Yucca Mountain, Nevada will be held on:

- October 3, 2005 at the Amargosa Valley Community Center, 821 East Farm Road, Amargosa Valley, NV;
- October 4 and 5, 2005 at The Cashman Center, 850 North Las Vegas Blvd, Las Vegas, NV;
- October 11, 2005 at the EPA East Building, Room 1153, 1202 Constitution Ave, NW. (Federal Triangle Metro Stop). For additional information regarding the purpose and format of the hearings, please refer to Unit II of the **SUPPLEMENTARY INFORMATION** section.

Submit your comments, identified by Docket ID No. OAR-2005-0083, by one of the following methods:

- *Electronically:* If you submit an electronic comment as prescribed below, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment. Also include this contact information on the outside of any disk or CD ROM you submit, and in any cover letter accompanying the disk or CD ROM. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case we cannot read your comment due to technical difficulties or we need further information on the substance of your comment. EPA's policy is that we will not edit your comment, and any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, we may not be able to consider your comment.

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

- *Agency Web site:* <http://www.epa.gov/edocket>. EDOCKET, EPA's