

Assessment, ROD, Proposed Plan and Five-Year Reviews.

Determination That the Site Meets the Criteria for Deletion in the NCP

EPA has determined that this Site poses no significant threat to public health or the environment because the landfill has been capped, removing direct contact exposure (*i.e.*, ingestion or dermal contact of soil) to the public. In addition, the Municipality of Barceloneta put in place deed restrictions for future land use and groundwater extraction. The potential impacts to the groundwater have been addressed and groundwater monitoring indicates MCLs are being met at the landfill unit boundary. Groundwater monitoring will continue to ensure groundwater protection continues to be achieved.

V. Deletion Action

The EPA, with concurrence of the Puerto Rico Environmental Quality Board, has determined that all appropriate response actions under CERCLA, other than operation, maintenance, monitoring and five-year reviews have been completed. Therefore, EPA is deleting the Site from the NPL.

Because EPA considers this action to be noncontroversial and routine, EPA is taking it without prior publication. This action will be effective October 3, 2011 unless EPA receives adverse comments by September 19, 2011. If adverse comments are received within the 30-day public comment period, EPA will publish a timely withdrawal of this direct final notice of deletion before the effective date of the deletion, and it will not take effect. EPA will prepare a response to comments and continue with the deletion process on the basis of the notice of intent to delete and the comments already received. There will be no additional opportunity to comment.

List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous waste, Hazardous substances, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: August 8, 2011.

Judith Enck,

Regional Administrator, Region 2.

For the reasons set out in this document, 40 CFR part 300 is amended as follows:

PART 300—[AMENDED]

■ 1. The authority citation for part 300 continues to read as follows:

Authority: 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601–9657; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; E.O. 12580, 52 FR 2923; 3 CFR, 1987 Comp., p. 193.

■ 2. Table 1 of Appendix B to part 300 is amended by removing Barceloneta Landfill”, “Florida Afuera, PR”.

[FR Doc. 2011–21123 Filed 8–17–11; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 90

[PS Docket No. 06–229; WT Docket 06–150; WP Docket 07–100; FCC 11–6]

Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Commission adopts an initial set of rules necessary to ensure the development of a nationwide interoperable public safety broadband network. The establishment of a common air interface for 700 MHz public safety broadband networks will create a foundation for interoperability and provide a clear path for the deployment and evolution of the nationwide network.

DATES: *Effective:* August 18, 2011, except § 90.1407(f) which contains information collections requirements that have not been approved by OMB. The Federal Communications Commission will publish a document in the **Federal Register** announcing the effective date. The incorporation by reference of certain publications listed in the rules is approved by the Director of the Federal Register as of August 18, 2011.

FOR FURTHER INFORMATION CONTACT: Jennifer Manner, Federal Communications Commission, Public Safety and Homeland Security Bureau, 445 12th Street, SW., Room 7–C761, Washington, DC 20554. Telephone: (202)–418–3619, e-mail: jennifer.manner@fcc.gov.

SUPPLEMENTARY INFORMATION: In the *Third Report and Order*, FCC 11–6, adopted January 25, 2011, and released January 26, 2011, the Commission adopted rules to promote development

of a nationwide interoperable public safety broadband network. The Commission designated Long Term Evolution (LTE), in particular at least 3GPP Standard, Evolved Universal Terrestrial Radio Access (E–UTRA) Release 8 (LTE) and associated Evolved Packet Core (EPC), as the common technology platform for the nationwide network. The Commission also required that public safety broadband network operators submit to the Public Safety and Homeland Security Bureau a certification that their networks support required LTE interfaces. The Commission also stayed certain Part 90 rules that were designed to implement a mandatory public-private partnership that has not materialized. These rules include 47 CFR 90.1403(b)(1), (2), (3), (5), (8); 90.1405 through 90.1430; and 90.1435. The *Third Report and Order* is available at http://www.fcc.gov/Daily_Releases/Daily_Business/2011/db0204/FCC-11-6A1.pdf.

As required by the Regulatory Flexibility Act, the Commission certifies that the requirements of the *Third Report and Order* will not have a significant economic impact on a substantial number of small entities. The *Third Report and Order* contains new or modified information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104–13. It will be submitted to the Office of Management and Budget (OMB) for review under Section 3507(d) of the PRA. OMB, the general public, and other Federal agencies are invited to comment on the new or modified information collection requirements contained in this proceeding. The Commission shall send a copy of the *Third Report and Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A).

List of Subjects in 47 CFR Part 90

Administrative practice and procedure, Business and industry, Civil defense, Common carriers, Communications equipment, Emergency medical services, Incorporation by reference, Individuals with disabilities, Radio, Reporting and recordkeeping requirements.

Federal Communications Commission.

Marlene H. Dortch,
Secretary.

For the reasons discussed in the preamble, The Federal Communications Commission amends 47 CFR part 90 as follows:

PART 90—PRIVATE LAND MOBILE RADIO SERVICES

■ 1. The authority citation for part 90 continues to read as follows:

Authority: Sections 4(i), 11, 303(g), 303(r), and 332(c)(7) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 161, 303(g), 303(r), and 332(c)(7) unless otherwise noted.

■ 2. Section 90.7 is amended by adding definitions for “Public Safety Broadband Network Operator” and “Service Availability” and revising the definition for “Upper 700MHz D Block license” to read as follows:

§ 90.7 Definitions.

* * * * *

Public Safety Broadband Network Operator. A Public Safety Network Operator is a public safety entity that is authorized by lease or other permitted mechanism under the Public Safety Broadband License to operate a public safety broadband network in the 763–768 MHz and 793–798 MHz bands.

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Service Availability. The use of a public safety broadband network on a day-to-day basis for operational purposes by at least fifty users.

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Upper 700 MHz D Block license. The Upper 700 MHz D Block license authorizes services in the 758–763 MHz and 788–793 MHz bands.

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■ 3. Section 90.203 is amended by adding paragraph (p) to read as follows:

§ 90.203 Certification required

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(p) *Equipment certification for transmitters in the 763–769 and 793–799 MHz Bands.* Applications for all transmitters must show support for at least 3GPP TS 23.401, V8.8.0 (2009–12), “3rd Generation Partnership Project; Technical Specification Group Services and System Aspects; General Packet Radio Service (GPRS) enhancements for Evolved Universal Terrestrial Radio Access Network (E-UTRAN) access (Release 8),” December, 2009, which is incorporated by reference. The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be inspected at the Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554 or National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: http://www.archives.gov/federal_register/

[code_of_federal_regulations/ibr_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html). Copies of the 3GPP Standard E-UTRA Release 8 can be obtained from 3GPP Mobile Competence Centre, c/o ETSI, 650, route des Lucioles, 06921 Sophia-Antipolis Cedex, France, Tel: +33 (0)4 92 94 42 00, Fax: +33 4 93 65 47 16, <http://www.3gpp.org>.

■ 4. Section 90.1407 is amended by adding paragraphs (d) through (f) to read as follows:

§ 90.1407 Spectrum use in the network.

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(d) Public Safety Broadband Network Operators must use at least 3GPP TS 23.401, V8.8.0 (2009–12), “3rd Generation Partnership Project; Technical Specification Group Services and System Aspects; General Packet Radio Service (GPRS) enhancements for Evolved Universal Terrestrial Radio Access Network (E-UTRAN) access (Release 8),” December, 2009 (incorporated by reference). The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be inspected at the Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554 or National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html. Copies of the 3GPP Standard E-UTRA Release 8 can be obtained from 3GPP Mobile Competence Centre, c/o ETSI, 650, route des Lucioles, 06921 Sophia-Antipolis Cedex, France, Tel: +33 (0)4 92 94 42 00, Fax: +33 4 93 65 47 16, <http://www.3gpp.org>. Later versions of this standard may be employed by Public Safety Broadband Network Operators provided they are backwards-compatible with this version.

(e) Systems in the network must support the following interfaces: Uu—LTE air interface; S6a—Visited MME to Home HSS; S8—Visited SGW to Home PGW; S9—Visited PCRF to Home PCRF for dynamic policy arbitration; S10—MME to MME support for Category 1 handover support; X2—eNodeB to eNodeB; S1-u—between eNodeB and SGW; S1-MME—between eNodeB and MME; S5—between SGW and PGW; S6a—between MME and HSS; S11—between MME and SGW; SGI—between PGW and external PDN; Gx—between PGW and PCRF (for QoS policy, filter policy and charging rules); Rx—between PCRF and AF located in a PDN; Gy/Gz—offline/online charging interfaces.

(f) A Public Safety Broadband Network Operator must submit to the Chief of the Public Safety and Homeland Security Bureau prior to deployment of any Radio Access Network equipment a certification that it will be in compliance with paragraph (e) of this section prior to the date its network achieves service availability.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 100804323–0569–02]

RIN 0648–XA617

Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Closure of the 2011 Trimester 2 Directed Loligo Squid Fishery

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Temporary rule; closure.

SUMMARY: NMFS announces that 90 percent of the Trimester 2 *Loligo* squid (*Loligo*) quota is projected to be harvested by 0001 hours, August 23, 2011. Therefore, the directed *Loligo* fishery in the Exclusive Economic Zone (EEZ) will be closed as of 0001 hours, August 23, 2011, and vessels issued a Federal permit are prohibited from possessing or landing more than 2,500 lb (1.13 mt) of *Loligo* for the remainder of Trimester 2 (through August 31, 2011). The directed *Loligo* fishery will re-open for Trimester 3 on September 1, 2011. This action is necessary to prevent the fishery from exceeding its Trimester 2 allocation of 11,190,664 lb (5,076 mt), and to allow for effective management of this stock.

DATES: Effective 0001 hours, August 23, 2011, through 2400 hours, August 31, 2011.

FOR FURTHER INFORMATION CONTACT: Lindsey Feldman, Fishery Management Specialist, 978–675–2179, Fax 978–281–9135.

SUPPLEMENTARY INFORMATION: Regulations governing the *Loligo* fishery are found at 50 CFR part 648. The regulations require specifications for maximum sustainable yield, initial optimum yield, allowable biological catch, domestic annual harvest (DAH),