

Because this action addresses agency procedures and practice, the rulemaking requirements of the Administrative Procedure Act do not apply.

**Regulatory Flexibility Act:** Because notice and opportunity for comment are not required pursuant to 5 U.S.C. 553 or any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 et seq.) are inapplicable. Therefore, a regulatory flexibility analysis is not required and has not been prepared.

**Paperwork Reduction Act:** This document does not contain a collection-of-information requirement subject to the Paperwork Reduction Act (PRA). Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with a collection of information subject to the Paperwork Reduction Act unless that collection displays a currently valid OMB Control Number.

#### List of Subjects in 15 CFR Part 4

Freedom of information, Privacy.

■ For the reasons set forth in the preamble, amend part 45 of title 14 of the Code of Federal Regulations as follows:

#### PART 4—DISCLOSURE OF GOVERNMENT INFORMATION

■ 1. The authority citation for part 4 continues to read as follows:

**Authority:** 5 U.S.C. 301; 5 U.S.C. 552; 5 U.S.C. 552a; 5 U.S.C. 553; 31 U.S.C. 3717; 44 U.S.C. 3101; Reorganization Plan No. 5 of 1950.

##### § 4.24 [Amended]

■ 2. Amend § 4.24(d)(2) to revise to read as follows:

\* \* \* \* \*

(d) \* \* \*

(2) *Not in person.* If the individual making a request does not appear in person before a Privacy Officer or other employee authorized to determine identity, then identity must be determined by:

(i) A certification of a notary public or equivalent officer empowered to administer oaths must accompany the request under the circumstances prescribed in § 4.23(b)(9). The certification in or attached to the letter must be substantially in accordance with the following text:

City of \_\_\_\_ County of \_\_\_\_ (Name of individual), who affixed (his) (her) signature below in my presence, came before me, a (title), in and for the aforesaid County and State, this \_\_\_\_ day of \_\_\_\_, 20\_\_, and established (his)

(her) identity to my satisfaction. My commission expires \_\_\_\_.

Signature: \_\_\_\_; or

(ii) Statement of identity made under 28 U.S.C. 1746, a law that permits statements to be made under penalty of perjury as a substitute for notarization.

\* \* \* \* \*

Dated: February 20, 2008.

**Brenda Dolan,**

*Departmental Freedom of Information and Privacy Act Officer.*

[FR Doc. E8-3573 Filed 2-26-08; 8:45 am]

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#### SOCIAL SECURITY ADMINISTRATION

[Docket No. SSA-2007-0045]

#### 20 CFR Parts 404, 405 and 416

RIN 0960-AG53

#### Suspension of New Claims to the Federal Reviewing Official Review Level; Correction

**AGENCY:** Social Security Administration.

**ACTION:** Final rule; correction.

**SUMMARY:** The Social Security Administration is correcting a final rule that appeared in the *Federal Register* on January 15, 2008 (73 FR 2411). The document amends our disability administrative adjudication processes to suspend new claims to the Federal reviewing official (FedRO) level, now operating in the Boston region. Claims already transferred to the Office of the Federal Reviewing Official (OFedRO) for FedRO review will continue to be processed by the OFedRO and a related component of the disability determination process, the Medical and Vocational Expert System (MVES), commonly known as the Office of Medical and Vocational Expertise (OMVE).

**DATES:** This correction is effective February 27, 2008.

#### FOR FURTHER INFORMATION CONTACT:

Dean S. Landis, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235-6401, (410) 965-0520 for information about this notice. For information on eligibility or filing for benefits, call our national toll-free number, 1-800-772-1213 or TTY 1-800-325-0778, or visit our Internet site, Social Security Online, at <http://www.socialsecurity.gov>.

**SUPPLEMENTARY INFORMATION:** The final rule had an effective date of March 15, 2008. The Congressional Review Act requires a 60-day delay in the effective date of a major rule from the date of publication in the *Federal Register* or

receipt of the rule by Congress, whichever is later. (5 U.S.C.

801(a)(3)(A).) The rule was published on January 15, 2008, but it was not received by Congress until January 23, 2008. Therefore, the rule did not have the required 60-day delay in its effective date. Therefore, in FR Doc. E8-148 appearing on page 2411 in the *Federal Register* of Tuesday, January 15, 2008, the following corrections are made:

1. On page 2411, in the first column, in the **DATES** caption, "March 15, 2008" is corrected to read "March 23, 2008".

#### § 405.240 [Corrected]

■ 2. On page 2415, in the second column, in § 405.240, in paragraph (a), "March 17, 2008" is corrected to read "March 23, 2008".

**Paul Kryglik,**

*Social Security Regulations Officer.*

[FR Doc. E8-3645 Filed 2-26-08; 8:45 am]

BILLING CODE 4191-02-P

#### DEPARTMENT OF HOMELAND SECURITY

#### Coast Guard

#### 33 CFR Part 100

[Docket No. USCG-2007-0076]

RIN 1625-AA08

#### Special Local Regulations for Marine Events; Severn River, College Creek, Weems Creek and Carr Creek, Annapolis, MD

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is suspending the special local regulations for an event in our regulation for Severn River, College Creek, Weems Creek and Carr Creek, Annapolis, Maryland and establishing a new temporary date for that event. This rulemaking is intended to accommodate a change in event date for the year 2008. The marine event set out in this temporary rule includes the Safety at Sea Seminar sponsored by the U.S. Naval Academy. This rule is intended to restrict vessel traffic in portions of the Severn River during the period of this marine event and is necessary to provide for the safety of life on navigable waters during the event.

**DATES:** This rule is effective from March 21, 2008, through March 31, 2008.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket are part of docket USCG-2007-0076 and are available online at [www.regulations.gov](http://www.regulations.gov). They are also

available for inspection or copying two locations: the Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays, and Commander (dpi), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004, between 9 a.m. and 2 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call Dennis Sens, Project Manager, Fifth Coast Guard District, Prevention Division, at (757) 398-6204.

#### **SUPPLEMENTARY INFORMATION:**

##### **Regulatory Information**

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing an NPRM. Publishing an NPRM would be impracticable and contrary to public interest since immediate action is needed to minimize potential danger to the public during the event. The danger posed by life raft demonstrations, pyrotechnics live-fire exercise, and a helicopter rescue makes special local regulations necessary to provide for the safety of event participants including persons in the water and support craft, spectator craft and other vessels transiting the event area. For the safety concerns noted, it is in the public interest to have these regulations in effect during the event. The Coast Guard will issue broadcast notice to mariners to advise vessel operators of navigational restrictions. On scene Coast Guard and local law enforcement vessels will also provide actual notice to mariners.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**.

##### **Background and Purpose**

For 2008, we will suspend 33 CFR 100.518 and issue a temporary rule to accommodate changes to the enforcement period for a U.S. Naval Academy sponsored marine event. The date for the Safety at Sea marine event will be March 29, 2008, the fifth Saturday in March, instead of the fourth Saturday in March as currently stated in 33 CFR 100.518. The event will be enforced from 11 a.m. to 2 p.m. and if the event's daily activities should conclude prior to 2 p.m., enforcement of this temporary regulation may be

terminated for that day at the discretion of the Patrol Commander.

The U.S. Naval Academy who is the sponsor for this event intends to hold it annually on the dates provided in 33 CFR 100.518, however, in 2008, this is not possible. To accommodate the availability of the various marine event participants a new date was necessary to support the conduct of the event.

##### **Discussion of Rule**

The Coast Guard is suspending the regulations at 33 CFR 100.518 on from March 21, 2008, until March 31, 2008, and establishing a temporary paragraph 100.518(c)(1)(iv) that will be in effect during the time of the suspension in its place. The suspension and creation of a new temporary paragraph is necessary to reflect a new enforcement date. This change is needed to control vessel traffic during the event to enhance the safety of participants, spectators and transiting vessels.

##### **Regulatory Evaluation**

This rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order.

We expect the economic impact of this temporary rule to be so minimal that a full Regulatory Evaluation is unnecessary. The effect of this rule merely amends the dates on which the existing regulations would be enforced. It would not impose any additional restrictions on vessel traffic. Additionally, Coast Guard Sector Baltimore Waterway Branch will conduct outreach with local area maritime stakeholders to apprise them of this change to help facilitate adjustment of their waterway use plans accordingly.

##### **Small Entities**

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we have considered whether this rule would have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

This temporary rule would affect the following entities, some of which might be small entities: The owners or operators of vessels intending to transit or anchor in a portion of the Severn River during the event.

This temporary rule would not have a significant economic impact on a substantial number of small entities for the following reasons. This rule merely establishes the dates on which the existing regulations would be enforced. It would not impose any additional restrictions on vessel traffic.

##### **Assistance for Small Entities**

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-121), we offer to assist small entities in understanding the rule so that they can better evaluate its effects on them and participate in the rulemaking process.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1-888-REG-FAIR (1-888-734-3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

##### **Collection of Information**

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520).

##### **Federalism**

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

##### **Unfunded Mandates Reform Act**

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of

\$100,000,000 or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

#### Taking of Private Property

This rule will not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

#### Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

#### Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

#### Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

#### Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

#### Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency

provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

#### Environment

We have analyzed this rule under Commandant Instruction M16475.1D which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, this rule is categorically excluded, under figure 2–1, paragraph (34)(h), of the Instruction, from further environmental documentation.

Under figure 2–1, paragraph (34)(h), of the Instruction, an "Environmental Analysis Check List" and a "Categorical Exclusion Determination" are not required for this rule.

#### List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

#### Words of Issuance and Regulatory Text

■ For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 100 as follows:

#### PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

■ 1. The authority citation for part 100 continues to read as follows:

Authority: 33 U.S.C. 1233.

■ 2. From March 21, 2008 until March 31, 2008, suspend § 100.518(c).

■ 3. From March 21, 2008 until March 31, 2008, add temporary § 100.518(d) to read as follows:

\* \* \* \* \*

(d) *Enforcement period.* (1) This section will be enforced from 5 a.m. to 6 p.m. on days when the following events are held:

(i) Safety at Sea Seminar, March 29, 2008;

(ii) Naval Academy Crew Races held on the last weekend in March and every weekend in April and May;

(iii) Blue Angels Air Show, held on the fourth Tuesday and Wednesday in May.

(2) Should the event's daily activities conclude prior to 6 p.m., enforcement of this section may be terminated for that day at the discretion of the Coast Guard Patrol Commander.

(3) The Commander, Fifth Coast Guard District will publish a notice in the Fifth Coast Guard District Local Notice to Mariners announcing the specific event dates and times. Notice will also be made via marine Safety Radio Broadcast on VHF–FM marine band radio channel 22 (157.1 MHz).

Dated: February 6, 2008.

Fred M. Rosa, Jr.,

Rear Admiral, U.S. Coast Guard, Commander, Fifth Coast Guard District.

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BILLING CODE 4910–15–P

#### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 52

[EPA–R06–OAR–2005–TX–0015; FRL–8532–1]

**Approval and Promulgation of Air Quality Implementation Plans; Texas; Revisions To Control Volatile Organic Compound Emissions; Volatile Organic Compound Control for El Paso, Gregg, Nueces, and Victoria Counties and the Ozone Standard Nonattainment Areas of Beaumont/Port Arthur, Dallas/Fort Worth, and Houston/Galveston**

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

**ACTION:** Final rule.

**SUMMARY:** EPA is approving certain control measures adopted by the State of Texas on the following dates: September 7, 2001, July 18, 2002, January 28, 2003, November 7, 2003, and December 17, 2004. The effect of this action is to finalize the proposed approval of these measures published on September 28, 2006 in the **Federal Register** (71 FR 56920) because they enhance the Texas VOC Reasonably Available Control Technology (RACT) State Implementation Plan (SIP) by improving volatile organic compound (VOC) emission controls in Texas. This action is being taken under Section 110(l) and part D of the Clean Air Act.

**DATES:** This rule will be effective on March 28, 2008.