Temporary Deviation To Be Established

The schedule considered in this notice would provide daily, unscheduled, bridge closures up to thirty minutes in duration.

This temporary deviation requires the AK RR to remain in the open position at all times except during periods when it is closed for the passage of rail traffic.

Conrail, the bridge operator, has established a dedicated hot line at 973–690–2454 for coordination of anticipated bridge closures. Tide restrained, deep draft vessels shall call the hot line daily to advise of expected times of vessel transit through the AKRR. The bridge may not close for the passage of trains during any high tide period (2 hours before until 1⁄2 hour passage of trains during any high tide)

This deviation from the operating regulations is authorized under 33 CFR 117.35.


Gary Kassof,
Bridge Program Manager, First Coast Guard District.

[FR Doc. E8–31070 Filed 12–30–08; 8:45 am]
administrative review procedures that the responsible official may use in some cases when approving plans, plan amendments, or plan revisions during the transition period for the rule. A final rule was published in volume 73 of the Federal Register, page 21468, April 21, 2008. This document makes corrections to the April 21 rule.

DATES: Effective Date: These corrections are effective December 31, 2008.

ADDRESSES: Written inquiries about this correction notice may be sent to the Director, Ecosystem Management Coordination Staff, USDA Forest Service, 1400 Independence Ave., SW., Mailstop Code 1104, Washington, DC 20250–1104.

FOR FURTHER INFORMATION CONTACT: Ecosystem Management Coordination Staff’s Planning Specialist Regis Terney at (202) 205–1552.

SUPPLEMENTARY INFORMATION:

Background

In volume 73 of the Federal Register, page 21468, April 21, 2008 (73 FR 21468) the United States Department of Agriculture (Department) published a final rule setting forth directions for developing, amending, revising, and monitoring land management plans (the planning rule). On May 27, 2008, the Office of the Federal Register informed the Department that citing “36 CFR 217” in the Code of Federal Regulations (CFR) was not appropriate because “36 CFR 217” no longer exists. Currently, part 219 refers several times to the administrative review procedures “at 36 CFR part 217 in effect prior to November 9, 2000, (see 36 CFR parts 200 to 299, revised as of July 1, 2000).”

Need for Correction

These Code of Federal Regulations references must be removed because (1) they refer to an outdated edition of the CFR, (2) part 217 has not been codified in the CFR since 2000, and (3) the reference is confusing to people who will not find part 217 in the CFR. Therefore the Department is issuing a technical correction to section 219.14(b)(2) and section 219.14(b)(3)(iii) of the planning rule.

The planning rule’s transition provisions, at 36 CFR 219.14(b), allow a responsible official to provide either objection procedures, as provided by section 219.13 of the planning rule, or the administrative appeal procedures formerly codified under 36 CFR part 217 for administrative review of land management plans or plan amendments in some situations. In the place of “36 CFR part 217” in the corrected rule, the Department cites the Federal Register notices for the procedures formerly codified at 36 CFR part 217.

The Department identifies these procedures as the “optional appeal procedures available during the planning rule transition period.” This format eliminates references to the previous coding of the administrative appeal and review procedures in the CFR to avoid confusion as to the proper status of those procedures. The “optional appeal procedures available during the planning rule transition period,” are 54 FR 3357 (January 23, 1989), as amended at 54 FR 13807 (August 21, 1989); 55 FR 7895 (March 6, 1990); 56 FR 4918 (February 6, 1991); 56 FR 46550 (September 13, 1991); and 58 FR 58915 (November 4, 1993). The “optional appeal procedures available during the planning rule transition period,” are available at http://www.fs.fed.us/emc/applit/includes/PlanAppealProceduresDuringTransition.pdf.

List of Subjects in 36 CFR Part 219

Administrative practice and procedure, Environmental impact statements, Indians, Intergovernmental relations, National forests, Reporting and recordkeeping requirements, Science and technology.

Accordingly, 36 CFR part 219 is corrected by making the following correcting amendments:

PART 219—PLANNING

1. The authority citation for subpart A continues to read as follows:


Subpart A—National Forest System Land Management Planning

2. In §219.14 revise paragraphs (b)(2) and (b)(3)(iii) to read as follows:

§219.14 Effective dates and transition.

* * * * *

(b) Plan Amendments. With respect to plans approved or revised pursuant to the planning regulation in effect before November 9, 2000, (see 36 CFR parts 200 to 299, Revised as of July 1, 2000), a 3-year transition period for plan amendments begins on April 21, 2008. During the transition period, plan amendments may continue using the provisions of the planning regulation in effect before November 9, 2000, or may conform to the requirements of this subpart. If the responsible official uses the provisions of the prior planning regulations, the responsible official may elect to use either the objection procedures of this subpart or the optional appeal procedures available during the planning rule transition period. The optional appeal procedures available during the planning rule transition period are published at 54 FR 3357 (January 23, 1989), as amended at 54 FR 13807 (April 5, 1989); 54 FR 34509 (August 21, 1989); 55 FR 7895 (March 6, 1990); 56 FR 4918 (February 6, 1991); 56 FR 46550 (September 13, 1991); and 58 FR 58915 (November 4, 1993). Plan amendments initiated after the transition period must conform to the requirements of this subpart.

Dated: December 24, 2008.

Hank Kashdan,
Deputy Chief, Business Operations.

[FR Doc. E8–31165 Filed 12–30–08; 8:45 am]
BILLING CODE 3410–11–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[FRL–8759–5]

Clean Air Act Prevention of Significant Deterioration (PSD) Construction Permit Program; Interpretation of Regulations That Determine Pollutants Covered by the Federal PSD Permit Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of issuance of the Administrator’s interpretation.

SUMMARY: On December 18, 2008, the Administrator issued an interpretive memorandum entitled “EPA’s Interpretation of Regulations That Determine Pollutants Covered by Federal Prevention of Significant Deterioration (PSD) Permit Program.” This memorandum clarifies the scope of