

*National Environmental Policy Act*

This rule does not require an environmental impact statement because section 702(d) of SMCRA (30 U.S.C. 1292(d)) provides that agency decisions on proposed State regulatory program provisions do not constitute major Federal actions within the meaning of section 102(2)(C) of the National Environmental Policy Act (42 U.S.C. 4332(2)(C)).

*Paperwork Reduction Act*

This rule does not contain information collection requirements that require approval by OMB under the Paperwork Reduction Act (44 U.S.C. 3507 *et seq.*).

*Regulatory Flexibility Act*

The Department of the Interior certifies that a portion of the provisions in this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) because they are based upon counterpart Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions for the counterpart Federal regulations. The Department of the Interior also certifies that the provisions in this rule that are not based upon counterpart Federal regulations will not have a significant economic impact on a substantial number of small entities under the

Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This determination is based on the fact that the provisions are administrative and procedural in nature and are not expected to have a substantive effect on the regulated industry.

*Small Business Regulatory Enforcement Fairness Act*

This rule is not a major rule under 5 U.S.C. 804(2), the Small Business Regulatory Enforcement Fairness Act. This rule: (a) Does not have an annual effect on the economy of \$100 million; (b) Will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; and (c) Does not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises. This determination is based upon the fact that a portion of the State provisions are based upon counterpart Federal regulations for which an analysis was prepared and a determination made that the Federal regulation was not considered a major rule. For the portion of the State provisions that is not based upon counterpart Federal regulations, this determination is based upon the fact that the State provisions are administrative and procedural in nature and are not expected to have a substantive effect on the regulated industry.

*Unfunded Mandates*

This rule will not impose an unfunded mandate on State, local, or

tribal governments or the private sector of \$100 million or more in any given year. This determination is based upon the fact that a portion of the State submittal, which is the subject of this rule, is based upon counterpart Federal regulations for which an analysis was prepared and a determination made that the Federal regulation did not impose an unfunded mandate. For the portion of the State provisions that is not based upon counterpart Federal regulations, this determination is based upon the fact that the State provisions are administrative and procedural in nature and are not expected to have a substantive effect on the regulated industry.

**List of Subjects in 30 CFR Part 946**

Intergovernmental relations, Surface mining, Underground mining.

Dated: May 29, 2007.

**Brent Wahlquist,**

*Regional Director, Appalachian Region.*

■ For the reasons set out in the preamble, 30 CFR Part 946 is amended as set forth below:

**PART 946—VIRGINIA**

■ 1. The authority citation for part 946 continues to read as follows:

**Authority:** 30 U.S.C. 1201 *et seq.*

■ 2. Section 946.15 is amended in the table by adding a new entry in chronological order by “Date of final publication” to read as follows:

**§ 946.15 Approval of Virginia regulatory program amendments.**

\* \* \* \* \*

Original amendment submission date	Date of final publication	Citation/description
* February 13, 2007 .....	* July 5, 2007 .....	* 4 VAC 25-130-785.25(c)(deleted); 4 VAC 25-130-816.116 and 817.116(c)(2)(ii).

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**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 100**

[CGD09-07-052]

RIN 1625-AA08

**Special Local Regulations for Marine Events; Port Huron to Mackinac Island Race**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce Special Local Regulations for the Port Huron to Mackinac Island Race. This action is necessary to safely control vessel movements in the vicinity of the race and provide for the safety of the general boating public and commercial shipping. During this period, no person or vessel may enter the regulated area without the permission of the Coast Guard Patrol Commander.

**DATES:** Effective July 21, 2007 at 11 a.m. to July 24, 2007 at 11:59 p.m.

**FOR FURTHER INFORMATION CONTACT:** Mr. Frank Jennings, Jr., Enforcement Branch, Ninth Coast Guard District, 1240 East 9th Street, Cleveland, OH at (216) 902-6095.

**SUPPLEMENTARY INFORMATION:** We are publishing this document to provide notice that under the provisions of 33 CFR 100.901, the Port Huron to Mackinac Race Special Local Regulations will be enforced from 11 a.m. on July 21, 2007 to 11:59 p.m. on July 24, 2007. The Special Local Regulations apply to the waters of the Black River, St. Clair River and lower Lake Huron from:

Latitude	Longitude
42[deg]58.8[min] N ....	082[deg]26[min] W, to
42[deg]58.4[min] N ....	082[deg]24.8[min] W, thence
northward along the International Boundary to	
43[deg]02.8[min] N ....	082[deg]23.8[min] W, to
43[deg]02.8[min] N ....	
thence southward along the U.S. shoreline to	
42[deg]58.9[min] N ....	082[deg]26[min] W, thence to
42[deg]58.8[min] N ....	082[deg] 26[min] W.

In order to ensure the safety of spectators and participating vessels, the Special Local Regulations will be enforced for the duration of the event. The Coast Guard will patrol the race area under the direction of a designated Coast Guard Patrol Commander. Vessels desiring to transit the regulated area may do so only with prior approval of the Patrol Commander and when so directed by that officer. The Patrol Commander may be contacted on Channel 16 (156.8 MHz) by the call sign "Coast Guard Patrol Commander." Vessels not participating in the race shall not make a wake nor endanger participants in the event or any other craft. Vessels participating in the race and patrol craft may create a wake but shall not endanger other vessels and are not required to check-in nor out with the Patrol Commander while participating in the race.

In the event these Special Local Regulations affect shipping, commercial vessels may request permission from the Patrol Commander to transit the area of the event by hailing call sign "Coast Guard Patrol Commander" on Channel 16 (156.8 MHz).

Dated: June 22, 2007.

**John E. Crowley, Jr.,**  
Rear Admiral, U.S. Coast Guard, Commander,  
Ninth Coast Guard District.  
[FR Doc. E7-13020 Filed 7-3-07; 8:45 am]

**BILLING CODE 4910-15-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

**[EPA-R05-OAR-2006-0046; EPA-R05-OAR-2006-0891; EPA-R05-OAR-2006-0892; FRL-8335-6]**

### Determination of Attainment, Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Ohio; Correction

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

**ACTION:** Final rule; correcting amendment.

**SUMMARY:** This document corrects an error in the final rule pertaining to the Motor Vehicle Emissions Budgets (MVEBs) for Washington County (Parkersburg-Marietta, WV-OH), Jefferson County, (Steubenville-Weirton, WV-OH), Belmont County (Wheeling, WV-OH), Stark County (Canton, OH) and Allen County (Lima, OH). The Environmental Protection Agency (EPA) proposed MVEBs for 2009 and 2018 for each of these Ohio counties. In the final approvals for the redesignation of these areas to attainment of the 8-hour ozone standard, EPA provide the 2018 MVEBs for each county but inadvertently omitted the 2009 interim MVEBs that were discussed in the proposed rules. This technical correction to these final rules provides the 2009 MVEBs.

**EFFECTIVE DATE:** This final rule is effective on July 5, 2007.

**FOR FURTHER INFORMATION CONTACT:** Steve Marquardt, Environmental Engineer, Criteria Pollutant Section, Air Programs Branch (AR-18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353-3214, [marquardt.steve@epa.gov](mailto:marquardt.steve@epa.gov).

**SUPPLEMENTARY INFORMATION:** EPA published four notices of final rulemaking to redesignate Washington County (Parkersburg-Marietta, WV-OH), Jefferson County, (Steubenville-Weirton, WV-OH), Belmont County (Wheeling, WV-OH), Stark County (Canton, OH) and Allen County (Lima, OH) areas to attainment for the 8-hour ozone standard. For each of these counties EPA had proposed approval of the 2009

and 2018 MVEBs. In each of the final rulemaking notices, EPA omitted the 2009 MVEBs from the final rules. This is a correction to add these 2009 MVEBs.

### Correction

For Allen County, and Stark County, Ohio, in the final rule published in the **Federal Register** on May 16, 2007 (70 FR 27647), on page 27649 in the first column, first paragraph: "In addition, and supported by and consistent with the ozone maintenance plan, EPA is approving the 2018 VOC and NO<sub>x</sub> MVEBs for each county for transportation conformity purposes. The 2018 motor vehicle \* \* \*" is corrected to read: "In addition, and supported by and consistent with the ozone maintenance plan, EPA is approving the 2009 and 2018 VOC and NO<sub>x</sub> MVEBs for each county for transportation conformity purposes. The 2009 MVEB for Allen County, Ohio are 5.08 tons per day of VOC and 8.28 tons per day of NO<sub>x</sub>. The 2018 MVEBs for Allen County are 2.89 tons per day VOC and 3.47 tons per day of NO<sub>x</sub>. For Stark County, Ohio, the 2009 MVEB area 10.02 tons per day of VOC and 18.03 tons per day of NO<sub>x</sub> and the 2018 MVEBs are 5.37 tons per day of VOC and 7.08 tons per day of NO<sub>x</sub>.

For Belmont County, Ohio, in the final rule published in the **Federal Register** on May 16, 2007 (70 FR 27644), on page 27645 in the first column, first paragraph: "In addition, and supported by and consistent with the ozone maintenance plan, EPA is approving the 2018 VOC and NO<sub>x</sub> MVEBs for transportation conformity purposes. The 2018 MVEBs \* \* \*" is corrected to read: "In addition, and supported by and consistent with the ozone maintenance plan, EPA is approving the 2009 and 2018 VOC and NO<sub>x</sub> MVEBs for transportation conformity purposes. For Belmont County, Ohio, the 2009 MVEBs are 2.60 tons per day of VOC and 2.22 tons per day of NO<sub>x</sub> and the 2018 MVEBs are 1.52 tons per day of VOC and 1.91 tons per day of NO<sub>x</sub>. West Virginia develops MVEBs for its portion of the area."

For Jefferson County, Ohio, in the final rule published in the **Federal Register** on May 16, 2007 (70 FR 27640), on page 27641 in the first column, first paragraph: "In addition, and supported by and consistent with the ozone maintenance plan, EPA is approving the 2018 volatile organic compound (VOC) and oxides of nitrogen (NO<sub>x</sub>) MVEBs for Jefferson County for transportation conformity purposes. The 2018 MVEBs \* \* \*" is corrected to read: "In addition, and supported by and