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(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: March 3, 2008.

**Jennifer Spaeth,**

*Director, Office of Federal Advisory Committee Policy.*

[FR Doc. E8-4564 Filed 3-10-08; 8:45 am]

**BILLING CODE 4140-01-M**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

[Docket No. USCG-2008-0168]

#### Prince William Sound Regional Citizens' Advisory Council (PWSRCAC) Charter Renewal.

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of recertification.

**SUMMARY:** The purpose of this notice is to inform the public that the Coast Guard has recertified the Prince William Sound Regional Citizens' Advisory Council (PWSRCAC) as an alternative voluntary advisory group for Prince William Sound, Alaska. This certification allows the PWSRCAC to monitor the activities of terminal facilities and crude oil tankers under the Prince William Sound Program established by statute.

**DATES:** This recertification is effective for the period from February 29, 2008 through February 28, 2009.

**FOR FURTHER INFORMATION CONTACT:** Commander, Seventeenth Coast Guard District (dpi), by phone at (907) 463-2821, or by mail at P.O. Box 25517, Juneau, Alaska 99802.

#### SUPPLEMENTARY INFORMATION:

##### Background and Purpose

As part of the Oil Pollution Act of 1990, Congress passed the Oil Terminal and Oil Tanker Environmental Oversight and Monitoring Act of 1990 (the Act), 33 U.S.C. 2732, to foster a long-term partnership among industry, government, and local communities in overseeing compliance with environmental concerns in the operation of crude oil terminals and oil tankers.

On October 18, 1991, the President delegated his authority under 33 U.S.C. 2732(o) to the Secretary of Transportation in Executive Order 12777, section 8(g) (see 56 FR 54757;

October 22, 1991) for purposes of certifying advisory councils, or groups, subject to the Act. On March 3, 1992, the Secretary redelegated that authority to the Commandant of the USCG (see 57 FR 8582; March 11, 1992). The Commandant redelegated that authority to the Chief, Office of Marine Safety, Security and Environmental Protection (G-M) on March 19, 1992 (letter #5402).

On July 7, 1993, the USCG published a policy statement, 58 FR 36504, to clarify the factors that shall be considered in making the determination as to whether advisory councils, or groups, should be certified in accordance with the Act.

The Assistant Commandant for Marine Safety and Environmental Protection (G-M), redelegated recertification authority for advisory councils, or groups, to the Commander, Seventeenth Coast Guard District on February 26, 1999 (letter #16450).

On September 16, 2002, the USCG published a policy statement, 67 FR 58440, that changed the recertification procedures such that applicants are required to provide the USCG with comprehensive information every three years (triennially). For each of the two years between the triennial application procedure, applicants submit a letter requesting recertification that includes a description of any substantive changes to the information provided at the previous triennial recertification. Further, public comment is not solicited prior to recertification during streamlined years, only during the triennial comprehensive review.

The Alyeska Pipeline Service Company pays the PWSRCAC \$2.9 million annually in the form of a longterm contract. In return for this funding, the PWSRCAC must annually show that it "fosters the goals and purposes" of OPA 90 and is "broadly representative of the communities and interests in the vicinity of the terminal facilities and Prince William Sound." The PWSRCAC is an independent, nonprofit organization founded in 1989. Though it receives Federal oversight like many independent, non-profit organizations, it is not a Federal agency. The PWSRCAC is a local organization that predates the passage of OPA 90. The existence of the PWSRCAC was specifically recognized in OPA 90 where it is defined as an "alternate voluntary advisory group."

Alyeska funds the PWSRCAC, and the Coast Guard makes sure the PWSRCAC operates in a fashion that is broadly consistent with OPA 90.

### Discussion of Comments

On January 24, 2008 the USCG published a Notice of Availability; request for comments for recertification of Prince William Sound Regional Citizens' Advisory Council in the **Federal Register** (73 FR 4251). We received 16 letters commenting on the proposed action. No public meeting was requested, and none was held. Of the 16 comments received, all 16 were positive. These letters in support of the recertification consistently cited PWSRCAC's broad representation of the respective community's interests, appropriate actions to keep the public informed, improvements to both spill response preparation and spill prevention, and oil spill industry monitoring efforts that combat complacency—as intended by the Act.

**Recertification:** By letter dated February 27, 2008, the Commander, Seventeenth Coast Guard certified that the PWSRCAC qualifies as an alternative voluntary advisory group under 33 U.S.C. 2732(o). This recertification terminates on February 28, 2009.

Dated: February 28, 2008.

**Arthur E. Brooks,**

*Rear Admiral, U.S. Coast Guard Commander, Seventeenth Coast Guard District.*

[FR Doc. E8-4820 Filed 3-10-08; 8:45 am]

**BILLING CODE 4910-15-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

[Docket No. USCG-2007-0004]

#### Random Drug Testing Rate for Covered Crewmembers

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of minimum random drug testing rate.

**SUMMARY:** The Coast Guard has set the calendar year 2008 minimum random drug testing rate at 50 percent of covered crewmembers.

**DATES:** The minimum random drug testing rate is effective January 1, 2008 through December 31, 2008. Marine employers must submit their 2007 Management Information System (MIS) reports no later than April 15, 2008.

**ADDRESSES:** Annual MIS reports may be submitted to Commandant (CG-545), U.S. Coast Guard Headquarters, 2100 Second Street, SW., Room 2404, Washington, DC 20593-0001 or by electronic submission to the following Internet address: <http://homeport.uscg.mil/Drugtestreports>.