

imprecise coordinates. With this document the Coast Guard is correcting the coordinates of the boundaries to the three Yarmouth special anchorages listed in 33 CFR 110.5, in response to more detailed information received from the National Ocean Service (NOS). These changes will not affect the locations or the size of the anchorages.

**DATES:** This correction is effective November 3, 2008.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call Mr. John J. Mauro, First Coast Guard District Prevention and Waterways, (617) 223-8355, E-mail: *John.J.Mauro@uscg.mil*.

**SUPPLEMENTARY INFORMATION:**

**Background**

On March 12, 2008, we published a final rule entitled Anchorage Regulations; Yarmouth, ME, Casco Bay in the **Federal Register** (73 FR 13125) establishing three Special Anchorage areas in Yarmouth, Maine, Casco Bay. However, NOS notified the Coast Guard that the geographic coordinates for Madeleine and Sandy Point Special Anchorage and Drinkwater Point and Princes Point Special Anchorages used in the NPRM and final rules created a boundary that did not entirely enclose the anchorage areas. NOS is able to plot very precise coordinates, and determined that the published coordinates allowed a "gap" of a few yards in the boundaries of these anchorages. The Coast Guard has reviewed the updated coordinates and graphics sent by NOS and agrees with NOS's assessment. We have issued this correction with the updated coordinates for the boundaries according to NOS's assessment. We will notify mariners of this correction via the Local Notice to Mariners once this rule appears in the **Federal Register**.

**Need for Correction**

As published, the final rule contains errors that need to be clarified. The boundaries of an anchorage area should completely enclose the area, without any gaps that could create confusion when represented on a chart.

**List of Subjects in 33 CFR Part 110**

Anchorage grounds.

■ For the reasons discussed in the preamble, the Coast Guard corrects 33 CFR part 110 by making the following correcting amendments:

**PART 110—ANCHORAGE REGULATIONS**

■ 1. The authority citation for part 110 continues to read as follows:

**Authority:** 33 U.S.C. 471; 1221 through 1236, 2030, 2035, 2071; 33 CFR 1.05-1; Department of Homeland Security Delegation No. 0170.1.

■ 2. Revise § 110.5 paragraph (f) to read as follows:

**§ 110.5 Casco Bay, Maine.**

\* \* \* \* \*

(f) Yarmouth Harbor and adjacent waters—(1) Littlejohn Island/Doyle Point Cousins Island Special Anchorage. All of the waters enclosed by a line connecting the following points: Starting from the northernmost point of Littlejohn Island at latitude 43°45'51.6" N, longitude 70°06'57.0" W; thence to latitude 43°45'46.8" N, longitude 70°06'53.4" W; thence to latitude 43°45'25.8" N, longitude 70°07'22.8" W; thence to latitude 43°45'16.8" N, longitude 70°07'40.8" W; thence to latitude 43°44'57.0" N, longitude 70°08'27.0" W; thence to latitude 43°44'59.9" N, longitude 70°08'30.0" W. DATUM: NAD 83.

(2) Madeleine and Sandy Point Special Anchorage. All of the waters enclosed by a line connecting the following points: Starting from a point northeast of Birch Point on Cousins Island at latitude 43°45'15.1" N, longitude 70°09'16.8" W; thence to latitude 43°45'21.0" N, longitude 70°09'30.0" W; thence to latitude 43°45'37.8" N, longitude 70°09'10.8" W; thence to latitude 43°45'57.0" N, longitude 70°08'58.8" W; thence to latitude 43°46'01.3" N, longitude 70°08'45.0" W. DATUM: NAD 83.

(3) Drinkwater Point and Princes Point Special Anchorage. All of the waters enclosed by a line connecting the following points: Starting south of Drinkwater Point in Yarmouth, Maine at latitude 43°46'26.8" N, longitude 70°09'17.0" W; thence to latitude 43°46'21.0" N, longitude 70°09'09.6" W; thence to latitude 43°46'04.2" N, longitude 70°09'46.2" W; thence to latitude 43°45'28.8" N, longitude 70°10'24.0" W; thence to latitude 43°45'43.2" N, longitude 70°10'24.0" W. DATUM: NAD 83.

**Note to paragraph (f).** An ordinance of the Town of Yarmouth, Maine requires the approval of the Yarmouth Harbor Master for the location and type of moorings placed in these special anchorage areas. All anchoring in the areas are under the supervision of the Yarmouth Harbor Master or other such authority as may be designated by the authorities of the Town of Yarmouth, Maine. All moorings are to be so placed that no moored vessel will extend beyond the limit of the anchorage area.

Dated: September 16, 2008.

**Liam J. Slein,**

*Captain, U.S. Coast Guard, Acting Commander, First Coast Guard District.*

[FR Doc. E8-23200 Filed 10-1-08; 8:45 am]

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**NATIONAL ARCHIVES AND RECORDS ADMINISTRATION**

**36 CFR Part 1228**

[FDMS Docket NARA-07-0004]

RIN 3095-AB43

**Federal Records Management; Media Neutral Schedules**

**AGENCY:** National Archives and Records Administration.

**ACTION:** Correcting amendment.

**SUMMARY:** This document contains a correction to the final regulations, which were published in the **Federal Register** of Thursday, November 15, 2007 (72 FR 64155). The regulations allowed agencies to make new Federal records schedules and certain existing approved records schedules applicable to series of records regardless of the medium in which the records are created and maintained.

**DATES:** October 2, 2008.

**FOR FURTHER INFORMATION CONTACT:** Laura McCarthy at 301-837-1640.

**SUPPLEMENTARY INFORMATION:**

**Background**

The final regulations that are the subject of this correction made new Federal records schedules media neutral unless otherwise specified and allowed schedules previously approved for hard copy records to be applied to electronic versions of the files if certain conditions are met. The regulation applies to all Federal agencies, including the National Archives and Records Administration (NARA).

**Need for Correction**

As published, the final regulations contain an error in § 1228.24(b)(3); the paragraph requires an effective date and not the instruction to use the effective date of the rule.

**List of Subjects in 36 CFR Part 1228**

Archives and records.

■ Accordingly, 36 CFR part 1228 is corrected by making the following correcting amendment:

**PART 1228—DISPOSITION OF FEDERAL RECORDS**

■ 1. The authority citation for part 1228 continues to read as follows:

Authority: 44 U.S.C. chs. 21, 29, and 33.

■ 2. In § 1228.24, revise paragraph (b)(3) to read as follows:

**§ 1228.24 Formulation of agency records schedules.**

\* \* \* \* \*

(b) \* \* \*

(3) Records schedules submitted to NARA for approval on or after December 17, 2007, are media neutral, i.e., the disposition instructions apply to the described records in all media, unless the schedule identifies a specific medium for a specific series.

\* \* \* \* \*

Dated: September 25, 2008.

Adrienne C. Thomas,

Deputy Archivist of the United States.

[FR Doc. E8-23379 Filed 10-1-08; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA-R05-OAR-2007-1100; FRL-8723-9]

**Approval and Promulgation of Air Quality Implementation Plans; Ohio; Removal of Vehicle Inspection and Maintenance Programs for Cincinnati and Dayton**

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

**ACTION:** Final rule.

**SUMMARY:** EPA is approving a State Implementation Plan (SIP) revision submitted by the State of Ohio which allows the State to discontinue the vehicle inspection and maintenance (I/M) program in the Cincinnati-Hamilton and Dayton-Springfield areas, also known as the E-Check program. The revision specifically requests that the E-Check program regulations be moved from the active control measures portion of the SIP to the contingency measures portion of the Cincinnati-Hamilton and Dayton-Springfield ozone maintenance plans. The Ohio Environmental Protection Agency (Ohio EPA) submitted this request on April 4, 2005, and supplemented it on May 20, 2005, February 14, 2006, May 9, 2006, October 6, 2006, and February 19, 2008. EPA is approving Ohio's request because the State has demonstrated that discontinuing the I/M program in the Cincinnati-Hamilton and Dayton-Springfield areas will not interfere with the attainment and maintenance of the 8-hour ozone National Ambient Air Quality Standard (NAAQS) and the fine particulate NAAQS or with the

attainment and maintenance of other air quality standards.

**DATES:** This final rule is effective on November 3, 2008.

**ADDRESSES:** EPA has established a docket for this action under Docket ID No. EPA-R05-OAR-2007-1100. All documents in the docket are listed in the [www.regulations.gov](http://www.regulations.gov) index. Although listed in the index, some information is not publicly available, e.g., Confidential Business Information or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in [www.regulations.gov](http://www.regulations.gov) or in hard copy at the U.S. Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. This facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. We recommend that you telephone Francisco J. Acevedo at (312) 886-6061 before visiting the Region 5 office.

**FOR FURTHER INFORMATION CONTACT:** Francisco J. Acevedo, Environmental Protection Specialist, Criteria Pollutant Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-6052.

**SUPPLEMENTARY INFORMATION:** Throughout this document whenever "we," "us," or "our" is used, we mean EPA. This supplementary information section is arranged as follows:

- I. What is the background for this action?
- II. What is our response to comments received on the notice of proposed rulemaking?
- III. What action is EPA taking?
- IV. Statutory and Executive Order Reviews

**I. What is the background for this action?**

The Cincinnati-Hamilton and Dayton-Springfield areas were required to implement "basic" I/M programs under section 182(b)(4) of the Clean Air Act (CAA) because they were originally designated as moderate 1-hour ozone nonattainment areas. In order to maximize nitrogen oxides (NO<sub>x</sub>), volatile organic compound (VOC), and carbon monoxide (CO) emissions reductions from the I/M program, Ohio EPA chose to implement an "enhanced" program in those areas and incorporated an on-board diagnostic (OBD) component into the programs. EPA fully approved Ohio's I/M programs on April 4, 1995 (60 FR 16989). The E-Check programs began operation on January 2,

1996, to meet nonattainment area requirements for the ozone NAAQS effective at the time.<sup>1</sup> The Cincinnati ozone nonattainment area also includes three counties (Boone, Campbell, and Kenton Counties) in northern Kentucky.

Both the Cincinnati-Hamilton area and the Dayton-Springfield area have since been redesignated to attainment with respect to the 1-hour ozone NAAQS. The Cincinnati-Hamilton area was redesignated to attainment of the 1-hour ozone NAAQS on June 21, 2005 (70 FR 35946). The Dayton-Springfield area was redesignated to attainment of the 1-hour ozone NAAQS on May 5, 1995 (60 FR 22289). On August 13, 2007 (72 FR 45169), EPA approved the redesignation of the Dayton-Springfield area to attainment with respect to the 8-hour ozone NAAQS.

EPA approved maintenance plans for each of these areas in connection with these redesignations. These approved maintenance plans show that control measures in place in these areas are sufficient for overall emissions to remain beneath the attainment level of emissions until the end of the maintenance period. In both cases, the conformity budget in the maintenance plans reflects mobile source emissions without E-Check, and the maintenance plans demonstrate that the applicable standard will continue to be met without E-Check. In accordance with the CAA and EPA redesignation guidance, states are free to adjust control strategies in the maintenance plan as long as they can satisfy section 110(l). With such a demonstration of non-interference with attainment or other applicable requirements, control programs may be discontinued and removed from the SIP.

Ohio EPA submitted a revision to the Cincinnati-Hamilton and Dayton-Springfield portions of the Ohio SIP on April 4, 2005, and supplemented it on May 20, 2005, February 14, 2006, May 9, 2006, October 6, 2006, and February 19, 2008. This revision requested that the Ohio I/M programs in the Cincinnati-Hamilton and Dayton-Springfield areas be moved from the active control measures portion of the ozone SIP to the contingency measures portion of the Cincinnati-Hamilton and Dayton-Springfield Maintenance Plans.

As part of its submittal, Ohio EPA demonstrated continued maintenance of the 1-hour ozone standard without taking credit for reductions from the Cincinnati-Hamilton E-Check program,

<sup>1</sup> Although the E-Check program began on January 1, 1996, there was a vehicle I/M program operating in the Cincinnati-Hamilton area prior to that date, and prior to November 15, 1990.