

FOR FURTHER INFORMATION CONTACT: Burt Pritchett, Center for Veterinary Medicine (HFV-222), Food and Drug Administration, 7519 Standish Pl., Rockville, MD 20855, 240-453-6860, e-mail: burt.pritchett@fda.hhs.gov.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of April 25, 2008, incorrect dollar amounts were published in the document with respect to: (1) The summary of economic impacts and (2) the paperwork burden table. Regarding the economic impact of the rule, a dollar figure of \$58 million was cited as the estimated loss in annual surplus caused by import restrictions imposed on U.S. products

by other countries; the correct figure is approximately \$105 million. Regarding the paperwork burden table (Table 9), the estimated total operation and maintenance costs for annual recordkeeping was incorrectly cited as \$157,080. The estimated cost per renderer should be \$354.20, so the estimated total operation and maintenance costs for annual recordkeeping is actually \$160,275.

Therefore, in FR Doc. 08-1180, appearing on page 22720 in the **Federal Register** of Friday, April 25, 2008, the following corrections are made to the **SUPPLEMENTARY INFORMATION:**

1. On page 22737, in the first column, in the last sentence preceding the first

full paragraph, “Although we are unable to quantify the effects of this final rule on removing restrictions to foreign markets, the benefits are potentially large because the economy as a whole loses an annual surplus equal to about \$58 million from the remaining restrictions.” is corrected to read:

“Although we are unable to quantify the effects of this final rule on removing restrictions to foreign markets, the benefits are potentially large because the economy as a whole loses an annual surplus equal to about \$105 million from the remaining restrictions.”

2. On page 22753, table 9 is corrected to read:

TABLE 9.—ESTIMATED ANNUAL RECORDKEEPING BURDEN

21 CFR Section	No. of Recordkeepers	Annual Frequency per Recordkeeper	Total Annual Records	Hours per Recordkeeper	Total Hours	Operation and Maintenance Costs
589.2001(c)(2)(vi) and (c)(3)(i)	175	1	175	20	3,500	\$61,985
589.2001(c)(2)(ii)	50	1	50	20	1,000	\$17,710
589.2001(c)(3)(i)(A)	175	1	175	26	4,550	\$80,580
Total					9,050	\$160,275

3. On page 22753, in the third column, following table 9, the second complete sentence “Therefore, FDA estimates that the cost per renderer for compliance with the new requirement for establishing and maintaining written procedures will be \$340 per renderer, hence the new figure of \$17,000 as shown in Table 9 of this document.” is corrected to read:

“Therefore, FDA estimates that the cost per renderer for compliance with the new requirement for establishing and maintaining written procedures will be \$354.20 per renderer (adjusted for inflation since the October 2005 proposed rule), hence the new figure of \$17,710 as shown in Table 9 of this document.”

Dated: October 16, 2008.

Jeffrey Shuren,

Associate Commissioner for Policy and Planning.

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DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[TD 9321]

RIN 1545-BE79

Application of Section 409A to Nonqualified Deferred Compensation Plans; Correction

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Correction.

SUMMARY: This document contains corrections to a correcting amendment to final regulations (TD 9321) that was published in the **Federal Register** on October 7, 2008 (73 FR 58438). The final regulations relate to section 409A and nonqualified deferred compensation plans.

DATES: This correction is effective October 23, 2008.

Applicability date: April 17, 2007.

FOR FURTHER INFORMATION CONTACT: Guy R. Traynor, (202) 622-3693 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

The final regulations that are subject to this document are under section 409A of the Internal Revenue Code.

Need for Correction

As published, the correcting amendment of September 24, 2008 (73 FR 54945) to final regulations (TD 9321) contains errors that may prove to be misleading and are in need of clarification.

Correction of Publication

Accordingly, the publication of the correcting amendment to final regulations (TD 9321), which were the subject of FR Doc. E8-23652, is corrected as follows:

1. On page 58438, column 2, in the first sentence of the “Summary” section of the preamble the language “This document contains corrections to final regulations (TD 9321) which were published in the **Federal Register** on April 17, 2007 (72 FR 19323), corrected July 31, 2007 (72 FR 41620) and September 24, 2007 (72 FR 54945).”, is corrected to read “This document contains corrections to final regulations (TD 9321) which were published in the **Federal Register** on April 17, 2007 (72 FR 19323), corrected July 31, 2007 (72 FR 41620), and September 24, 2008 (73 FR 54945).”

2. On page 58438, column 2, in the "Need for Correction" section of the preamble the language "As published, the correcting amendment of September 24, 2008 (72 FR 54945) to final regulations (TD 9321) contains errors that may prove to be misleading and is in need of clarification." is corrected to read "As published, the correcting amendment of September 24, 2008 (73 FR 54945) to final regulations (TD 9321) contains errors that may prove to be misleading and is in need of clarification."

Guy R. Traynor,

Federal Register Liaison, Legal Processing Division, Associate Chief Counsel (Procedure and Administration).

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 271

[FRL-8733-7]

Minnesota: Final Authorization of State Hazardous Waste Management Program Revision

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is granting Minnesota Final authorization of the changes to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). The agency published a proposed rule on July 14, 2008 at 73 FR 40263 and provided for public comment. The public comment period ended on August 13, 2008. We received no comments. No further opportunity for comment will be provided. EPA has determined that these changes satisfy all requirements needed to qualify for Final authorization, and is proposing to authorize the State's changes through this proposed final action.

DATES: *Effective Date:* The final authorization will be effective on October 23, 2008. This approval will expire automatically if the Joint Powers Agreement (JPA) between the State of Minnesota and Hennepin County is terminated or expires without renewal.

ADDRESSES: EPA has established a docket for this action under Docket Identification No. EPA-R05-RCRA-2008-0468. All documents in the docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some of the information is not publicly available, e.g., CBI 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 <http://www.regulations.gov> or in hard copy. You may view and copy Minnesota's application from 9 a.m. to 4 p.m. at the following addresses: U.S. EPA Region 5, LR-8J, 77 West Jackson Boulevard, Chicago, Illinois, contact: Gary Westefer (312) 886-7450; or Minnesota Pollution Control Agency, 520 Lafayette Road, North, St. Paul, Minnesota 55155, contact Tanya Maurice (651) 297-1793.

FOR FURTHER INFORMATION CONTACT: Gary Westefer, Minnesota Regulatory Specialist, U.S. EPA Region 5, LR-8J, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-7450, e-mail westefer.gary@epa.gov.

SUPPLEMENTARY INFORMATION:

A. Why Are Revisions to State Programs Necessary?

States which have received final authorization from EPA under RCRA section 3006(b), 42 U.S.C. 6926(b), must maintain a hazardous waste program that is equivalent to, consistent with, and no less stringent than the Federal program. As the Federal program changes, States must change their programs and ask EPA to authorize the changes. Changes to State programs may be necessary when Federal or State statutory or regulatory authority is modified or when certain other changes occur. Most commonly, States must change their programs because of changes to EPA's regulations in 40 Code of Federal Regulations (CFR) parts 124, 260 through 266, 268, 270, 273 and 279.

B. What Decisions Have We Made in This Rule?

We conclude that Minnesota's application to revise its authorized program meets all of the statutory and regulatory requirements established by RCRA. Therefore, we are granting Minnesota final authorization to operate its hazardous waste program with the changes described in the authorization application. Minnesota has responsibility for permitting Treatment, Storage, and Disposal Facilities (TSDFs) within its borders (except in Indian Country) and for carrying out the aspects of the RCRA program described in its revised program application, subject to the limitations of the Hazardous and Solid Waste Amendments of 1984 (HSWA). New Federal requirements and prohibitions imposed by Federal regulations that EPA promulgates under the authority of

HSWA take effect in authorized States before they are authorized for the requirements. Thus, EPA will implement those requirements and prohibitions in Minnesota, including issuing permits, until the State is granted authorization to do so.

C. What Is the Effect of the Proposed Authorization Decision?

The effect of this decision is to allow Minnesota to implement the EPA approved JPA with Hennepin County. Hennepin County will be able to conduct an agreed number of inspections, within Hennepin County, annually on behalf of the Minnesota Pollution Control Agency (MPCA). The JPA does not affect MPCA's enforcement responsibility.

Minnesota continues to have enforcement responsibilities under its State hazardous waste program for violations of such program, but EPA retains its authority under RCRA sections 3007, 3008, 3013, and 7003, which include, among others, authority to:

- Do inspections, require monitoring, tests, analyses, or reports, and
- Enforce RCRA requirements and suspend or revoke permits.

This action does not impose additional requirements on the regulated community because there are no new regulations or inspection requirements created by this action. Metro County authorities, including Hennepin County, are already performing inspections at RCRA facilities.

D. Proposed Rule

On July 14, 2008 (73 FR 40263), EPA published a proposed rule. In that rule we proposed granting authorization of changes to Minnesota's hazardous waste program and opened our decision to public comment. The agency received no comments on this proposal. EPA found Minnesota's RCRA program to be satisfactory.

E. What Has Minnesota Previously Been Authorized for?

Minnesota initially received final authorization on January 28, 1985, effective February 11, 1985 (50 FR 3756) to implement the RCRA hazardous waste management program. We granted authorization for changes to their program on July 20, 1987, effective September 18, 1987 (52 FR 27199); on April 24, 1989, effective June 23, 1989 (54 FR 16361) amended June 28, 1989 (54 FR 27169); on June 15, 1990, effective August 14, 1990 (55 FR 24232); on June 24, 1991, effective August 23, 1991 (56 FR 28709); on March 19, 1992,