

request, along with the regional director's recommendation, to the NCUA Board for a final determination.

(e) For purposes of this section, whether an entity is a CUSO shall be determined in accordance with the definition set out in § 741.222 of this chapter.

#### **PART 741—REQUIREMENTS FOR INSURANCE**

■ 8. The authority citation for part 741 continues to read as follows:

**Authority:** 12 U.S.C. 1757, 1766, 1781–1790, and 1790d.

■ 9. Add a new § 741.222 to read as follows:

##### **§ 741.222. Credit union service organizations.**

(a) Any credit union that is insured pursuant to Title II of the Act must adhere to the requirements in § 712.3(d)(3) and § 712.4 of this chapter concerning agreements between credit unions and their credit union service organizations (CUSOs) and the requirement to maintain separate corporate identities. For purposes of this section, a CUSO is any entity in which a credit union has an ownership interest or to which a credit union has extended a loan and that is engaged primarily in providing products or services to credit unions or credit union members, or, in the case of checking and currency services, including check cashing services, sale of negotiable checks, money orders, and electronic transaction services, including international and domestic electronic fund transfers, to persons eligible for membership in any credit union having a loan, investment or contract with the entity.

(b) This section shall have no preemptive effect with respect to the laws or rules of any state providing for access to CUSO books and records or CUSO examination by credit union regulatory authorities.

(c) The effective date for compliance with this section is June 29, 2009.

[FR Doc. E8–30602 Filed 12–24–08; 8:45 am]

**BILLING CODE 7535–01–P**

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 71**

[Docket No. FAA–2008–0716; Airspace Docket No. 08–ASW–9]

#### **Establishment of Low Altitude Area Navigation T–254; Houston, TX**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule; delay of effective date.

**SUMMARY:** This action delays the effective date for the establishment of the low altitude Area Navigation (RNAV) T-route, designated T–254, in the vicinity of the Houston, TX, terminal area until March 12, 2009. The FAA is taking this action to allow additional time for processing and charting.

**DATES:** *Effective Date:* 0901 UTC. The effective date of January 15, 2009, is delayed to March 12, 2009. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** Colby Abbott, Airspace and Rules Group, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267–8783.

#### **SUPPLEMENTARY INFORMATION:**

##### **History**

On November 18, 2008, the FAA published in the **Federal Register** a final rule establishing the low altitude RNAV route T–254, in the vicinity of the Houston, TX, terminal area (73 FR 68317). This rule was originally scheduled to become effective January 15, 2009; however, a need for additional internal processing requires a delay in the effective date until March 12, 2009.

##### **The Rule**

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation: (1) Is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory

evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority.

This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it establishes an RNAV T-Route in the vicinity of Houston, TX.

#### **List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

#### **Delay of Effective Date**

■ The effective date of the final rule, Docket FAA–2008–0716; Airspace Docket 08–ASW–9, as published in the **Federal Register** on November 18, 2008 (73 FR 68317), is hereby delayed until March 12, 2009.

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

\* \* \* \* \*

Issued in Washington, DC, on December 12, 2008.

**Edith V. Parish,**

*Manager, Airspace and Rules Group.*

[FR Doc. E8–30635 Filed 12–24–08; 8:45 am]

**BILLING CODE 4910–13–P**

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 93**

[Docket No. FAA–2004–17005; Amendment No. 93–91]

#### **RIN 2120–A117**

#### **Washington, DC Metropolitan Area Special Flight Rules Area; Correction**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule; correction.

**SUMMARY:** This document corrects a recently published final rule entitled, "Washington, DC Metropolitan Area Special Flight Rules Area." The rule codified special flight rules and airspace and flight restrictions for certain aircraft operations in the Washington, DC Metropolitan Area. A word in the codified text was incorrect. This document corrects that word.

**DATES:** The final rule and this correction will become effective on February 17, 2009.

**FOR FURTHER INFORMATION CONTACT:** Ellen Crum, Airspace and Rules Group, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Ave., SW., Washington, DC 20591; telephone (202) 267-8783.

**SUPPLEMENTARY INFORMATION:**

**Background**

On December 16, 2008, the FAA published a final rule entitled, "Washington, DC Metropolitan Area Special Flight Rules Area." An error appeared in § 93.335 Definitions, in the definition of the term "Washington, DC Metropolitan Area Special Flight Rules Area (DC SFRA)."

**Correction**

In final rule FR Doc. E8-29711, published on December 16, 2008 (73 FR 76195), make the following correction.

**§ 93.335 [Corrected]**

■ On page 76214, in the first column, in the amendment for § 93.335, the definition for "Washington, DC Metropolitan Area Special Flight Rules Area (DC SFRA)," in the 10th line, remove the word "radial" and add in its place the word "radius."

Issued in Washington, DC, on December 19, 2008.

**Pamela Hamilton-Powell,**

*Director, Office of Rulemaking.*

[FR Doc. E8-30730 Filed 12-24-08; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Parts 155 and 156**

[Docket No. USCG-2001-9046]

RIN 1625-AB12

**Tank Level or Pressure Monitoring Devices on Single-Hull Tank Ships and Single-Hull Tank Barges Carrying Oil or Oil Residue as Cargo**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is removing its regulations for tank level or pressure monitoring (TLPM) devices because devices that satisfy compliance requirements remain unavailable.

**DATES:** This final rule is effective January 28, 2009.

**ADDRESSES:** Comments and material received from the public, as well as documents mentioned in this preamble as being available in the docket, are part of docket USCG-2001-9046 and are available for inspection or copying at the Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find this docket on the Internet at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call Dolores Pyne-Mercier, Project Manager, Office of Standards Evaluation and Development, Project Development Division (CG-5232), Coast Guard, telephone 202-372-1093, or e-mail address, [Dolores.J.Pyne-Mercier@uscg.mil](mailto:Dolores.J.Pyne-Mercier@uscg.mil). If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

**SUPPLEMENTARY INFORMATION:**

**Table of Contents for Preamble**

- I. Abbreviations
- II. Background
  - A. Regulatory History
  - B. Purpose
- III. Discussion of Comments and Changes
- IV. Regulatory Analyses
  - A. Regulatory Planning and Review
  - B. Small Entities
  - C. Assistance for Small Entities
  - D. Collection of Information
  - E. Federalism
  - F. Unfunded Mandates Reform Act
  - G. Taking of Private Property
  - H. Civil Justice Reform
  - I. Protection of Children

- J. Indian Tribal Governments
- K. Energy Effects
- L. Technical Standards
- M. Environment

**I. Abbreviations**

- FR Federal Register
- NEPA National Environmental Policy Act of 1969
- NPRM Notice of Proposed Rulemaking
- NTTAA National Technology Transfer and Advancement Act
- TLPM Tank Level or Pressure Monitoring

**II. Background**

*A. Regulatory History*

In September 2002, the Coast Guard promulgated tank level or pressure monitoring (TLPM) device regulations located in 33 CFR parts 155 and 156. (67 FR 58515). The Final Rule detailed TLPM performance criteria and described the vessels required to install and use TLPM devices by 2007.

To date, we have identified no devices meeting the performance criteria established in the final rule, and none have been submitted by industry for our evaluation. As a result, in July 2005, we published a Final Rule (70 FR 41614) suspending the regulations for TLPM devices for three years until July 21, 2008. In the final rule, we also solicited public comment on the status of TLPM technology development and alternatives to TLPM devices. In response, we received two comments supporting our suspension of the regulations for TLPM devices and no new information on TLPM devices or alternatives. We published another Final Rule (73 FR 23397) on May 5, 2008, extending the suspension for three additional years until May 5, 2011, to allow time for the current rulemaking process to be completed.

On June 30, 2008, we published a notice of proposed rulemaking entitled "Tank Level or Pressure Monitoring Devices on Single-Hull Tank Ships and Single-Hull Tank Barges Carrying Oil or Oil Residue as Cargo" in the **Federal Register** (73 FR 36825). We received 2 letters commenting on the proposed rule. Both commenters supported the Coast Guard's decision to remove the TLPM device regulations. No public meeting was requested and none was held.

*B. Purpose*

For a complete discussion of the background for this final rule, see the NPRM published on June 30, 2008 (73 FR 36825, 36826).

The Coast Guard is removing its regulations for TLPM devices because