List of Subjects in 21 CFR Part 520

Animal drugs.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, 21 CFR part 529 is amended as follows:

PART 529—CERTAIN OTHER DOSAGE FORM NEW ANIMAL DRUGS

1. The authority citation for 21 CFR part 529 continues to read as follows:


§ 529.2150 [Amended]

2. In § 529.2150, in the first sentence in paragraph (c)(1), remove "5 to 7 percent sevoflurane" and in its place add "Up to 7 percent sevoflurane".


Steven D. Vaughn, Director, Office of New Animal Drug Evaluation, Center for Veterinary Medicine.

[FR Doc. E9–4879 Filed 3–10–09; 8:45 am]
Advanced Docket Search option on the right side of the screen, inserting USCG–2008–0155 in the Docket ID box, pressing Enter, and then clicking on the item in the Docket ID column. This material is also available for inspection or copying at two locations: 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 and the Waterways Management Division, Coast Guard Sector New York, 212 Coast Guard Driveway room 218, Staten Island, NY 10305, between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call LT Edward Munoz, Chief, Waterways Management Division, 718–354–2353. If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION:

Regulatory Information

On July 16, 2008, we published a notice of proposed rulemaking (NPRM) entitled Anchorage Regulations; Port of New York in the Federal Register (73 FR 40800). We received no letters commenting on the proposed rule. No public meeting was requested, and none was held.

Background and Purpose

The Sandy Hook Pilots Association through the New York/New Jersey Harbor Safety Committee requested the Coast Guard reduce the size of federal anchorage ground 27(ii) near Romer Shoal located between Ambrose and Swash Channels. The eastern boundary of anchorage ground 27(ii) is being moved about 2,860 yards to the west (inshore). The revised anchorage ground will be bound by the following points: 40 28'27.21"N, 073 56'45.84"W; thence to 40 29'47.70"N, 073 56'46.23"W; thence to 40 31'25.38"N, 074 00'53.50"W; thence to 40 32'12.38"N, 074 01'39.50"W; thence to 40 32'12.38"N, 074 02'05.50"W; thence to 40 31'27.38"N, 074 02'05.50"W; thence to 40 30'13.38"N, 074 00'50.50"W; thence to 40 28'27.21"N, 073 56'45.84"W; thence to 40 29'47.70"N, 073 56'46.23"W; thence to 40 31'25.38"N, 074 00'53.50"W; thence to 40 32'12.38"N, 074 01'39.50"W; thence to 40 32'12.38"N, 074 02'05.50"W; thence to 40 31'27.38"N, 074 02'05.50"W; thence to 40 30'13.38"N, 074 00'50.50"W; thence to 40 28'27.21"N, 073 56'45.84"W.

The following changes were made to the Final Rule.

It was determined after publication of the proposed rule that the Anchorage Ground coordinates were never converted from datum NAD 27 to datum NAD 83. The coordinates in this final rule have been converted to datum NAD 83 to ensure the unchanged portions of the Anchorage Ground boundary remain the same in the regulation and on the navigation charts that are also in datum NAD 83.

Discussion of Comments and Changes

The Coast Guard received no comments on the proposed rulemaking. The following changes were made to the Final Rule.

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).
Federalism

A rule has implications for federalism under Executive Order 13132. Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This rule will not effect a taking of private property or otherwise have taking implications under Executive Order 13045, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a “significant energy action” under that order because it is not a “significant regulatory action” under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

Environment

We have analyzed this rule under Department of Homeland Security Management Directive 5100.1 and Commandant Instruction M16475.1D, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded under the Instruction that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, this rule is categorically excluded, under figure 2–1, paragraph (34)(f), of the Instruction, from further environmental documentation. The rule fits this category as it reduces the size of an anchorage ground.

Under figure 2–1, paragraph (34)(f) of the Instruction, an environmental analysis checklist and a categorical exclusion determination are not required for this rule.

List of Subjects in 33 CFR Part 110

Anchorage grounds.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 110 as follows:

PART 110—ANCHORAGE REGULATIONS

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


2. Amend § 110.155, by revising paragraph (f)(2)(ii) to read as follows:

§ 110.155 Port of New York.

(f) * * * * * *(f) * * * * * 

(ii) Romer Shoal. All waters bound by the following points: 40°28′27.21″N, 073°56′45.84″W; thence to 40°29′47.70″N, 073°56′46.23″W; thence to 40°31′25.38″N, 074°00′53.50″W; thence to 40°32′11.38″N, 074°01′39.50″W; thence to 40°32′12.38″N, 074°02′05.50″W; thence to 40°31′27.38″N, 074°02′50.50″W; thence to 40°30′13.38″N, 074°00′50.50″W; thence to the point of origin (NAD 83).

* * * * *


Dale G. Gabel, Rear Admiral, U.S. Coast Guard, Commander, First Coast Guard District.

[FR Doc. E9–5095 Filed 3–10–09; 8:45 am]

BILLING CODE 4910–15–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2009–0100]

Drawbridge Operation Regulation; Gulf Intracoastal Waterway, Belle Chasse, LA

AGENCY: Coast Guard, DHS.

ACTION: Notice of temporary deviation from regulations.

SUMMARY: The Commander, Eighth Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the SR 23 bridge across the Gulf Intracoastal Waterway (Algiers Alternate Route), mile 3.8, at Belle Chasse, Plaquemines Parish, Louisiana. This temporary rule is issued to facilitate movement of vehicular traffic for the 2009 N’Awlins Air Show, to be held at the U.S. Naval