

actions which do not individually or cumulatively have a significant effect on the human environment. A preliminary environmental analysis checklist supporting this preliminary determination is available in the docket where indicated under **ADDRESSES**. This proposed rule involves establishing a temporary safety zone. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1226, 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Public Law 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

2. Add new temporary § 165.T08–0359 to read as follows:

§ 165.T08–0359 Safety Zone; Sabine River, Orange, TX.

(a) *Definitions.* As used in this section Participant Vessel means all vessels officially registered with event officials to race or work in the event. These vessels include race boats, rescue boats, tow boats, and picket boats associated with the race.

(b) *Location.* The following area is a safety zone: all waters of the Sabine River, shoreline to shoreline, adjacent to the Naval Reserve Unit and the Orange public boat ramps located in Orange, TX. The northern boundary is from the end of Navy Pier One at 30°05'45" N 93°43'24" W then easterly to the river's eastern shore. The southern boundary is a line shoreline to shoreline at latitude 30°05'33" N.

(c) *Effective date.* This rule is effective from 9 a.m. on September 19, 2009 until 6 p.m. on September 20, 2009.

(d) *Periods of Enforcement.* This rule will be enforced from 9 a.m. until 6 p.m. on September 19, 2009 and 9 a.m. until 6 p.m. on September 20, 2009. The Captain of the Port, Port Arthur will inform the public through broadcast notice to mariners of the enforcement periods for the safety zone.

(e) *Regulations.*

(1) In accordance with the general regulations in § 165.23 of this part, entry into this zone is prohibited to all vessels except participant vessels and those vessels specifically authorized by the Captain of the Port, Port Arthur or a designated representative.

(2) Persons or vessels requiring entry into or passage through must request permission from the Captain of the Port, Port Arthur, or a designated representative. They may be contacted on VHF Channel 13 or 16, or by telephone at (409) 723–6500.

(3) All persons and vessels shall comply with the instructions of the Captain of the Port, Port Arthur, designated representatives and designated on-scene U.S. Coast Guard patrol personnel. On-scene U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard.

Dated: May 5, 2009.

J.J. Plunkett,

Captain, U.S. Coast Guard, Captain of the Port, Port Arthur.

[FR Doc. E9–13775 Filed 6–11–09; 8:45 am]

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NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

36 CFR Part 1253

RIN 3095–AB61

NARA Facility Locations and Hours

AGENCY: National Archives and Records Administration (NARA).

ACTION: Proposed rule.

SUMMARY: NARA proposes to change the hours open to the public for our Kansas City, Missouri, and New York City regional archives. The Kansas City regional archives relocated on March 17, 2009, to the Union Station Complex at 400 West Pershing Road, Kansas City, Missouri. NARA is also proposing to shift the hours open to the public at the New York City regional archives to better serve the public for the range of hours covering the majority of visits. This proposed rule will affect the public.

DATES: Submit comments on or before August 11, 2009.

ADDRESSES: NARA invites interested persons to submit comments on this proposed rule. Please include “Attn: 3095–AB61” and your name and mailing address in your comments. Comments may be submitted by any of the following methods:

• *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the

online instructions for submitting comments.

• *Fax:* Submit comments by facsimile transmission to 301–837–0319.

• *Mail:* Send comments to Regulations Comments Desk (NPOL), Room 4100, Policy and Planning Staff, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740–6001.

• *Hand Delivery or Courier:* Deliver comments to 8601 Adelphi Road, College Park, MD.

FOR FURTHER INFORMATION CONTACT: Jennifer Davis Heaps at 301–837–1801.

SUPPLEMENTARY INFORMATION: The location of NARA’s Kansas City regional archives has changed. This document proposes to update 36 CFR Part 1253 with the new location information.

Also, NARA proposes a change of hours for our Kansas City location and existing New York City location.

Kansas City, MO

NARA published a notice in the **Federal Register** on October 20, 2008 (73 FR 62340), announcing a temporary change in hours for our Kansas City regional archives to prepare for the move to the location covered in this proposed rule. On March 17, 2009, the Kansas City regional archives relocated to the Union Station Complex at 400 West Pershing Road, Kansas City, Missouri. We are proposing to revise 36 CFR 1253.7(c) to include the new address for that regional archives, as well as the new research room hours, 8 a.m.–4 p.m., Tuesday–Saturday. These hours correspond with public hours for other institutions in the Union Station/Crossroads cultural district, including the Kansas City Museum at Union Station and the National World War I Museum.

Other hours at the new Kansas City location are as follows:

• *Exhibits Galleries:* 9 a.m.–5 p.m., Tuesday–Saturday.

• *Administration and Records Management Services to Federal Agencies:* 8 a.m.–4:30 p.m., Monday–Friday.

• *Kansas City Store at the National Archives:* 10 a.m.–4 p.m., Tuesday–Saturday.

These hours, while not proposed for inclusion in § 1253.7(c) of this part, will be available on NARA’s Web site, <http://www.archives.gov>.

New York, NY

NARA is also proposing to shift the hours open to the public at the New York City regional archives to better serve patrons for the range of hours the vast majority want to visit. There will be

slightly fewer hours per week but with little, if any, anticipated adverse impact upon the public. This location is currently open Monday through Friday, 8 a.m. until 4:30 p.m. and the first Saturday of each month from 8:30 a.m. until 4:30 p.m. (42.5 hours per week,

plus 8 extended hours per month). Proposed new hours would be Monday through Friday, 9 a.m. until 5 p.m. and on the first Saturday of each month, 9 a.m. until 4:30 p.m. (40 hours per week, plus 7.5 extended hours per month). This change would result in a slight

reduction of hours (2.5 hours per week, plus half an hour per month).

Since October 2007, the New York regional archives has had an average of less than one visitor during the hour from 8 to 9 a.m.

| Date span | Number of days open | Number of days with no visitors before 9 a.m. | Average number of visitors between 8 and 9 a.m. |
|-----------------------------------|---------------------|---|---|
| October 2006–September 2007 | 259 | 53 | 1.5 |
| October 2007–September 2008 | 264 | 79 | 0.9 |
| October 2008–February 2009 | 105 | 40 | 0.9 |

Figure 1. Public Visitors at NARA’s New York Regional Archives, October 2006–February 2009.

As seen in Figure 1, from October 2007 through September 2008, New York had no visitors before 9 a.m. on just under 30 percent of the days open to the public. From October 2008 through February 2009, there were no visitors before 9 a.m. on 38 percent of the days open to the public. As a result, we do not anticipate that opening one hour later will negatively impact public use. Visitors who do arrive before 9 a.m. usually are regular researchers who remain at the facility most of the day. We also believe that remaining open until 5 p.m. will benefit those who come to us later in the day. In many cases, these visitors arrive after 4 p.m. and have been sent to our offices by other Federal agencies.

This proposed rule is not a significant regulatory action for the purposes of Executive Order 12866 and has not been reviewed by the Office of Management and Budget (OMB). As required by the Regulatory Flexibility Act, it is hereby certified that this proposed rule will not have a significant impact on a substantial number of small entities because this rule applies to individual researchers. This proposed rule does not have any federalism implications.

List of Subjects in 36 CFR Part 1253

Archives and records.

For the reasons set forth in the preamble, NARA proposes to amend part 1253 of title 36, Code of Federal Regulations, as follows:

PART 1253—LOCATIONS OF RECORDS AND HOURS OF USE

1. The authority citation for part 1253 continues to read as follows:

Authority: 44 U.S.C. 2104(a).

2. Amend § 1253.7 by revising paragraphs (c) and (g) as follows:

§ 1253.7 Regional Archives.

* * * * *

(c) NARA—Northeast Region (New York City) is located at 201 Varick Street, 12th Floor, New York, NY 10014–4811 (entrance on Houston Street, between Varick and Hudson). The hours are 9 a.m. to 5 p.m., Monday through Friday. The telephone number is 212–401–1620 or Toll Free 1–866–840–1752.

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(g) NARA—Central Plains Region (Kansas City) is located at 400 West Pershing Road, Kansas City, MO 64108. The hours are 8 a.m. to 4 p.m., Tuesday through Saturday. The telephone number is 816–268–8000.

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Dated: June 1, 2009.

Adrienne C. Thomas,

Acting Archivist of the United States.

[FR Doc. E9–14009 Filed 6–11–09; 8:45 am]

BILLING CODE 7515–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[EPA–R05–OAR–2009–0221; FRL–8917–9]

Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Ohio; Redesignation of the Cleveland-Akron-Lorain Area to Attainment for Ozone

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing several related actions affecting the Cleveland-Akron-Lorain, Ohio 8-hour ozone nonattainment area. EPA is proposing to make a determination under the Clean Air Act (CAA) that the Cleveland-Akron-Lorain nonattainment area has

attained the 8-hour ozone National Ambient Air Quality Standard (NAAQS). The Cleveland-Akron-Lorain area includes Ashtabula, Cuyahoga, Geauga, Lake, Lorain, Medina, Portage, and Summit Counties. This determination is based on quality-assured ambient air quality monitoring data for the 2006–2008 ozone seasons that demonstrate that the 8-hour ozone NAAQS has been attained in the area. EPA is also proposing to approve, as a revision to the Ohio State Implementation Plan (SIP), the State’s plan for maintaining the 8-hour ozone NAAQS through 2020 in the area. EPA is proposing to approve a request from the State of Ohio to redesignate the Cleveland-Akron-Lorain area to attainment of the 8-hour ozone NAAQS. The Ohio Environmental Protection Agency (Ohio EPA) submitted this request on March 17, 2009, and supplemented it on April 24, 2009.

EPA is proposing to approve the 2002 base year emissions inventory for the Cleveland-Akron-Lorain area as meeting the requirements of the CAA. If EPA’s determination that the area has attained the standard is made final, under the provisions of EPA’s ozone implementation rule, the requirement to submit certain planning SIPs related to attainment, including attainment demonstration requirements (the reasonably available control measure (RACM) requirement, the reasonable further progress (RFP) and attainment demonstration requirements, and the requirement for contingency measures) are not applicable to the area as long as it continues to attain the NAAQS and would cease to apply upon redesignation. EPA is proposing to approve Ohio’s 15 percent (15%) Rate of Progress (ROP) plan as meeting the requirements of the CAA for the 1-hour ozone standard. EPA is also proposing to approve a waiver, for the Cleveland-Akron-Lorain area, from the oxides of nitrogen (NO_x) requirements of section