

Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1

■ 2. Add temporary § 165.T08–0310 to read as follows:

165.T08–0310 Safety Zone; Ohio River, Miles 460.0 to 470.5, Cincinnati, OH.

(a) *Location.* The following area is a safety zone: All waters of the Ohio River, from surface to bottom, beginning at mile marker 460.0 and ending at mile marker 470.5.

(b) *Effective Period.* This section is effective from 8 a.m. to 12:30 p.m. on June 27, 2009.

(d) *Regulations.* (1) In accordance with the general regulations in § 165.23 of this part, entry into this zone is prohibited unless authorized by the Captain of the Port Ohio Valley or a designated representative.

(2) Persons or vessels requiring entry into or passage through the zone must request permission from the Captain of the Port Ohio Valley or a designated representative. U.S. Coast Guard Sector Ohio Valley may be contacted on VHF Channel 13 or 16.

(3) All persons and vessels shall comply with the instructions of the Captain of the Port Ohio Valley and designated 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.

A.E. Tucci,

Commander, U.S. Coast Guard, Captain of the Port Ohio Valley, Acting.

[FR Doc. E9–14166 Filed 6–16–09; 8:45 am]

BILLING CODE 4910–15–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[R05–OAR–2008–0031; FRL–8919–7]

Approval and Promulgation of Air Quality Implementation Plans; Indiana; Withdrawal of Direct Final Rule

AGENCY: Environmental Protection Agency (EPA).

ACTION: Withdrawal of direct final rule.

SUMMARY: Due to the receipt of an adverse comment, the EPA is withdrawing the May 5, 2009 (74 FR 20599), direct final rule approving a rule revision to extend Federally Enforceable State Operating Permit renewal terms from five years to ten years. The State of Indiana submitted this revision as a modification to the State Implementation Plan on December 19,

2007. In the direct final rule, EPA stated that if adverse comments were submitted by June 4, 2009, the rule would be withdrawn and not take effect. On May 19, 2009, EPA received a comment. EPA believes this comment is adverse and, therefore, EPA is withdrawing the direct final rule. EPA will address the comment in a subsequent final action based upon the proposed action also published on May 5, 2009 (74 FR 20665). EPA will not institute a second comment period on this action.

DATES: The direct final rule published at 74 FR 20599 on May 5, 2009, is withdrawn as of June 17, 2009.

FOR FURTHER INFORMATION CONTACT: Sam Portanova, Environmental Engineer, Air Permits Section, Air Programs Branch (AR–18J), USEPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886–3189, portanova.sam@epa.gov.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Authority: 42 U.S.C. 7401 *et seq.*

Dated: June 4, 2009.

Walter W. Kovalick Jr.,

Acting Regional Administrator, Region 5.

PART 52—[AMENDED]

■ Accordingly, the amendment to 40 CFR 52.770 published in the **Federal Register** on May 5, 2009 (74 FR 20599) on page 20601 is withdrawn as of June 17, 2009.

[FR Doc. E9–14240 Filed 6–16–09; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA–HQ–OPP–2008–0738; FRL–8418–6]

Alkyl Amine Polyalkoxyates; Exemption from the Requirement of a Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes an exemption from the requirement of a tolerance for residues of alkyl amine polyalkoxyates when used as inert

ingredients in pesticide formulations applied to growing crops and animals. The Joint Inerts Task Force (JITF), Cluster Support Team Number 4 submitted a petition to EPA under the Federal Food, Drug, and Cosmetic Act (FFDCA), requesting an exemption from the requirement of a tolerance. This regulation eliminates the need to establish a maximum permissible level for residues of alkyl amine polyalkoxyates.

DATES: This regulation is effective June 17, 2009. Objections and requests for hearings must be received on or before August 17, 2009, and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of the **SUPPLEMENTARY INFORMATION**).

ADDRESSES: EPA has established a docket for this action under docket identification (ID) number EPA–HQ–OPP–2008–0738. All documents in the docket are listed in the docket index available at <http://www.regulations.gov>. Although listed in the index, some information is not publicly available, e.g., Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available in the electronic docket at <http://www.regulations.gov>, or, if only available in hard copy, at the OPP Regulatory Public Docket in Rm. S–4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. The Docket Facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Docket Facility telephone number is (703) 305–5805.

FOR FURTHER INFORMATION CONTACT: Kerry Leifer, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460–0001; telephone number: (703) 308–8811; e-mail address: leifer.kerry@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected entities may include, but are not limited to those engaged in the following activities:

- Crop production (NAICS code 111).