

| Regulation section          | Description of public reporting requirement   | Number of respondents (annually) | Frequency of response | Average burden per response (minutes) | Estimated annual burden |
|-----------------------------|---|----------------------------------|-----------------------|---------------------------------------|-------------------------|
| 404.942(a),<br>416.1442(a). | If prehearing proceedings are not complete before the date of a hearing, an administrative law judge (ALJ) will receive the case unless a fully favorable decision is in process or all of the parties in the hearing agree in writing to delay the hearing until the proceedings are completed.  | Less than 10 (PRA exempt).       | .....                 | .....                                 | .....                   |
| 404.942(d),<br>416.1442(d). | If the attorney advisor issues a fully favorable decision under this section, we will mail a written notice of the decision to all parties at their last known address. We will state the basis for the decision and advise all parties that an ALJ will dismiss the hearing request unless a party requests that the hearing proceed. Parties who want to proceed with the hearing must request in writing within 30 days after the notice of the attorney advisor's decision is mailed. | Less than 10 (PRA exempt).       | .....                 | .....                                 | .....                   |
| Totals .....                |   | N/A .....                        | .....                 | .....                                 | N/A                     |

(Catalog of Federal Domestic Assistance Program Nos. 96.001, Social Security—Disability Insurance; 96.002, Social Security—Retirement Insurance; 96.004, Social Security—Survivors Insurance; 96.006, Supplemental Security Income.)

**List of Subjects**

*20 CFR Part 404*

Administrative practice and procedure; Blind, Disability benefits; Old-age, survivors, and disability insurance; Reporting and recordkeeping requirements; Social Security.

*20 CFR Part 416*

Administrative practice and procedure; Aged, blind, disability benefits, public assistance programs, Reporting and recordkeeping requirements; Supplemental Security Income (SSI).

Dated: July 7, 2009.

**Michael J. Astrue,**  
*Commissioner of Social Security.*

■ For the reasons stated in the preamble, we are amending subpart J of part 404 and subpart N of part 416 of chapter III of title 20 of the Code of Federal Regulations as set forth below:

**PART 404—FEDERAL OLD-AGE, SURVIVORS AND DISABILITY INSURANCE**

(1950— )

**Subpart J—[Amended]**

■ 1. The authority citation for subpart J of part 404 continues to read as follows:

**Authority:** Secs. 201(j), 204(f), 205(a), (b), (d)–(h), and (j), 221, 223(i), 225, and 702(a)(5)

of the Social Security Act (42 U.S.C. 401(j), 404(f), 405(a), (b), (d)–(h), and (j), 421, 423(i), 425, and 902(a)(5)); sec. 5, Public Law 97–455, 96 Stat. 2500 (42 U.S.C. 405 note); secs. 5, 6(c)–(e), and 15, Public Law 98–460, 98 Stat. 1802 (42 U.S.C. 421 note); sec. 202, Public Law 108–203, 118 Stat. 509 (42 U.S.C. 902 note).

■ 2. In § 404.942, amend the second and fourth sentences of paragraph (a), paragraphs (b)(4) and (c)(2), and the first sentence of paragraph (d) by removing the words “wholly favorable” and adding in their place the words “fully favorable,” and revise paragraph (g) to read as follows:

**§ 404.942 Prehearing proceedings and decisions by attorney advisors.**

\* \* \* \* \*

(g) *Sunset provision.* The provisions of this section will no longer be effective on August 10, 2011, unless we terminate them earlier or extend them beyond that date by notice of a final rule in the **Federal Register**.

**PART 416—SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED**

**Subpart N—[Amended]**

■ 3. The authority citation for subpart N continues to read as follows:

**Authority:** Secs. 702(a)(5), 1631, and 1633 of the Social Security Act (42 U.S.C. 902(a)(5), 1383, and 1383b); sec. 202, Public Law 108–203, 118 Stat. 509 (42 U.S.C. 902 note).

■ 4. In § 416.1442, amend the second and fourth sentences of paragraph (a), paragraphs (b)(4) and (c)(2), and the first

sentence of paragraph (d) by removing the words “wholly favorable” and adding in their place the words “fully favorable,” and revise paragraph (g) to read as follows:

**§ 416.1442 Prehearing proceedings and decisions by attorney advisors.**

\* \* \* \* \*

(g) *Sunset provision.* The provisions of this section will no longer be effective on August 10, 2011, unless we terminate them earlier or extend them beyond that date by notice of a final rule in the **Federal Register**.

[FR Doc. E9–16510 Filed 7–10–09; 8:45 am]  
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**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 117**

[USCG–09–0210]

**Drawbridge Operation Regulations; Hackensack River, Jersey City, NJ, Maintenance**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice cancelling temporary deviation from regulations.

**SUMMARY:** The Coast Guard is cancelling the temporary deviation concerning the operation of the Witt Penn Bridge across the Hackensack River at mile 3.1, across the Hackensack River, at Jersey City, New Jersey. A temporary deviation was previously approved for the Lower Hack

Bridge at mile 3.4 across the Hackensack River and notice of that temporary deviation was made along with the notice for the Witt Penn Bridge. This temporary deviation was issued to facilitate bridge maintenance for the above bridges; however, the maintenance for the Witt Penn Bridge has been postponed necessitating the early cancellation of that portion of the temporary deviation. The maintenance of the Lower Hack Bridge will continue as planned, and the temporary deviation approved for the Lower Hack Bridge remains in effect. Once new dates are provided for the maintenance of the Witt Penn Bridge any new temporary deviation will be published in the **Federal Register**.

**DATES:** The temporary deviation published on April 29, 2009 (74 FR 19421) pertaining to the Witt Penn Bridge across the Hackensack River at mile 3.1, across the Hackensack River, at Jersey City, New Jersey is cancelled as of June 23, 2009.

**ADDRESSES:** The docket for this cancelled deviation is 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 by going to <http://www.regulations.gov>, selecting the Advanced Docket Search option on the right side of the screen, inserting USCG-2009-0210 in the Docket ID box, pressing Enter, and then clicking on the item in the Docket ID column.

**FOR FURTHER INFORMATION CONTACT:** Gary Kassof, Project Officer, First Coast Guard District, [gary.kassof@uscg.mil](mailto:gary.kassof@uscg.mil), telephone 212-668-7165.

**SUPPLEMENTARY INFORMATION:**

**Background and Purpose**

On April 29, 2009, we published a temporary deviation entitled "Drawbridge Operation Regulations; New Jersey" in the **Federal Register** (71 FR 19421). The temporary deviation concerned the Witt Penn Bridge at mile 3.1, and the Lower Hack Bridge, mile 3.4, both across the Hackensack River at Jersey City, New Jersey.

**Cancellation**

The Coast Guard received an additional request from the bridge owner of the Witt Penn Bridge, New Jersey Department of Transportation, on June 10, 2009, requesting the cancellation of the temporary deviation for the Witt Penn Bridge because the

scheduled maintenance repairs did not begin on schedule due to a contractual dispute.

The work for the Lower Hack Bridge began on schedule and will continue through July 22, 2009, as planned.

The remaining bridge closure time period necessary to complete the maintenance work for the Lower Hack Bridge remains in effect through July 22, 2009. If granted, a temporary deviation for the Witt Penn Bridge covering the revised maintenance work period will be published under a new temporary deviation in the **Federal Register**.

The need to cancel the temporary deviation for the scheduled maintenance at the Witt Penn Bridge was due to a contractual dispute which delayed the start date of the bridge maintenance.

Dated: June 17, 2009.

**Gary Kassof,**

*Bridge Program Manager, First Coast Guard District.*

[FR Doc. E9-16397 Filed 7-10-09; 8:45 am]

**BILLING CODE 4910-15-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA-R03-OAR-2009-0352; FRL-8929-2]

**Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Allegheny County, Continuous Opacity Monitor Regulation**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Direct final rule.

**SUMMARY:** EPA is taking direct final action to approve revisions to the Pennsylvania State Implementation Plan (SIP). This SIP revision, "Revision 58, Continuous Opacity Monitor Regulation Changes," consists of changes to the Allegheny County Health Department (ACHD) Rules and Regulations, Article XXI, Air Pollution Control. EPA is approving this revision to the Pennsylvania SIP in accordance with the requirements of the Clean Air Act (CAA).

**DATES:** This rule is effective on September 11, 2009 without further notice, unless EPA receives adverse written comment by August 12, 2009. If EPA receives such comments, it will publish a timely withdrawal of the direct final rule in the **Federal Register** and inform the public that the rule will not take effect.

**ADDRESSES:** Submit your comments, identified by Docket ID Number EPA-R03-OAR-2009-0352 by one of the following methods:

A. <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

B. *E-mail:*

[fernandez.cristina@epa.gov](mailto:fernandez.cristina@epa.gov).

C. *Mail:* EPA-R03-OAR-2009-0352, Cristina Fernandez, Chief, Air Quality Planning Branch, Mailcode 3AP21, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103.

D. *Hand Delivery:* At the previously listed EPA Region III address. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

*Instructions:* Direct your comments to Docket ID No. EPA-R03-OAR-2009-0352. EPA's policy is that all comments received will be included in the public docket without change, and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov> or e-mail. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through <http://www.regulations.gov>, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

*Docket:* All documents in the electronic docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information is not publicly available, *i.e.*, CBI or other information whose disclosure is restricted by statute.