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

FOR FURTHER INFORMATION CONTACT:
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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165
[Docket No. USCG–2010–0846]
RIN 1625–AA87

Security Zone, in the Vicinity of the Michoud Slip Position 30°0′34.2″ N, 89°55′40.7″ W to Position 30°0′29.5″ N, 89°55′52.6″ W

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is establishing a temporary security zone encompassing the entire Michoud Slip from September 11, 2010, through December 31, 2010, to protect vessels and government facilities engaged in operations associated with the Deepwater Horizon incident.

DATES: This rule will be effective from September 11, 2010, through December 31, 2010.

ADDRESSES: Documents indicated in this preamble as being available in the docket are part of docket USCG–2010–0846 and are available online by going to http://www.regulations.gov, inserting USCG–2010–0846 in the “Keyword” box, and then clicking “Search.” They are also 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.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary rule, call or e-mail Lieutenant Commander (LCDR) Eva VanCamp, Sector New Orleans, Coast Guard; telephone 504–365–2392; e-mail Eva.VanCamp@uscg.mil. If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION:

Regulatory Information

The Coast Guard is issuing this temporary security zone without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because it would be impracticable and contrary to public interest to delay the rule. Immediate action is necessary to protect the Deepwater Horizon blowout preventer and adjacent piers and infrastructure from destruction, loss or injury from sabotage or other subversive acts, accidents or other causes of a similar nature.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the Federal Register. This security zone is needed to protect the Deepwater Horizon blowout preventer and adjacent piers and infrastructure from destruction, loss or injury from sabotage or other subversive acts, accidents or other causes of a similar nature. Additional notice is impracticable and contrary to public interest.

Basis and Purpose

An investigation associated with the Deepwater Horizon incident is currently taking place in the vicinity of Michoud Slip. The security zone has been established encompassing the entire slip from position 30°0′34.2″ N, 89°55′40.7″ W to position 30°0′29.5″ N, 89°55′52.6″ W across the mouth of the slip. Vessels will not be allowed to enter this security zone without the permission of the Captain of the Port, New Orleans. This security zone is necessary to protect the Deepwater Horizon blowout preventer and adjacent piers and infrastructure from destruction, loss or injury from sabotage or other subversive acts, accidents or other causes of a similar nature.

This rule will affect the following entities: The owners or operators of vessels, intending to transit in the vicinity of Michoud Slip, encompassing
thoroughly understand the effects of this rule elsewhere in this preamble.

**Taking of Private Property**

This rule will not affect a taking of private property or otherwise have taking implications under Executive Order 12630, 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 standards developed through voluntary consensus processes. 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 023–01 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 this action is one of a category of actions which do not individually or cumulatively have a significant effect on the human environment. This rule is categorically excluded, under figure 2–1, paragraph (34)(g), of the Instruction.

An environmental analysis checklist and a categorical exclusion determination will be uploaded to the docket where indicated under ADDRESSES.

**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 amends 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:


2. A new temporary §165.T08–0846 is added to read as follows:


(a) Location. The area in the vicinity of Michoud Slip, encompassing the entire slip from position 30°0’34.2″ N, 89°55’40.7″ W to position 30°0’29.5″ N, 89°55’52.6″ W across the mouth of the slip is a security zone.
(b) Enforcement period. This section will be enforced from September 11, 2010, at 12 noon, through December 31, 2010.

(c) Regulations. (1) In accordance with the general regulation in § 165.33 of this part, vessels are prohibited from transiting in the vicinity of Michoud Slip, encompassing the entire slip from position 30°0′34.2″ N, 89°55′40.7″ W. to position 30°0′29.5″ N, 89°55′52.6″ W. across the mouth of the slip.

(2) Persons or vessels requiring deviations from this rule must request permission from the Captain of the Port New Orleans. The Captain of the Port New Orleans may be contacted at telephone (504) 365–2543.

(3) All persons and vessels obtaining permission to enter the security zone established in paragraph (a) of this section must comply with the instructions of the Captain of the Port New Orleans and designated personnel. Designated personnel include commissioned, warrant and petty officers of the U.S. Coast Guard assigned to units under the operational control of USCG Sector New Orleans.


E.M. Stanton,
Captain, U.S. Coast Guard, Captain of the Port New Orleans.

[FR Doc. 2010–26673 Filed 10–21–10; 8:45 am]

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DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 36

RIN 2900–AN71

Loan Guaranty: Elimination of Redundant Regulations; Correction

AGENCY: Department of Veterans Affairs.

ACTION: Final rule; technical correction.

SUMMARY: The Department of Veterans Affairs (VA) published a document in the Federal Register on June 15, 2010 (75 FR 33704), amending its loan guaranty regulations to eliminate redundant regulations following the phase-in of a new electronic reporting system. At that time, we failed to update the cross-reference citations within the redesignated sections. This document corrects those sections by replacing the incorrect cross-reference citations with the updated, accurate cross-references. These nonsubstantive changes are made for clarity and accuracy.

DATES: Effective Date: October 22, 2010.

FOR FURTHER INFORMATION CONTACT: William White, Acting Assistant Director for Loan Processing and Valuation (262), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 461–9543.

SUPPLEMENTARY INFORMATION: On June 15, 2010 (75 FR 33704), VA amended 38 CFR part 36 to eliminate redundant and obsolete regulations found at 38 CFR 36.4300 through 36.4393 (the “36.4300 series”). VA redesignated regulations that had previously been published at 38 CFR 36.4800 through 36.4893 (the “36.4800 series”) to replace the 36.4300 series in its entirety.

With this action, VA is amending the 36.4300 series regulations to update remaining internal cross-references to the 36.4800 series regulations. This action is necessary because the 36.4800 series has been removed from 38 CFR part 36, making the current cross reference citations to the series obsolete. VA is amending each citation by simply replacing the numbers “48” with “36” (e.g., changed the reference to § 36.4860 to read § 36.4360.)

For the convenience of the reader, we have included a redesignation table that shows each affected section, the cross reference that is removed, and the new cross reference that is added in its place.

Administrative Procedure Act

This final rule is only a technical correction to the interior cross-references within these regulations. Accordingly, it is exempt from the prior notice-and-comment and delayed-effective-date requirements of 5 U.S.C. 553.

List of Subjects in 38 CFR Part 36

Condominiums, Housing, Veterans with disabilities, Loan programs—housing and community development, Loan programs—veterans, Grant programs—veterans, Manufactured homes, Mortgage insurance, Reporting and recordkeeping requirements, Veterans.

Approved: October 18, 2010.

Robert C. McFetridge,
Director, Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs.

For the reasons set forth in the preamble, 38 CFR part 36 is corrected by making the following correcting amendments:

PART 36—LOAN GUARANTY

1. The authority citation for part 36 continues to read as follows: Authority: 38 U.S.C. 501 and as otherwise noted.


2. In the table below, for each section indicated in the left column, remove the cross-reference indicated in the middle column from wherever it appears in the section, and add the cross-reference indicated in the right column:

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<th>Amended sections:</th>
<th>Remove cross-reference citations:</th>
<th>Add, in its place, new cross-reference citations:</th>
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