

differences affect the process. Based on the information obtained from the comparison and from the SSA, it was determined that attestation will reduce our paper flow and handling and will work well in our current environment where the Board's Field Service already completes most applications by telephone.

Under both the current and amended systems, the RRB claims representative will identify a caller-applicant using our existing protocol and complete an application by interviewing the caller and entering the answers online into the Application Express (APPLE) system. APPLE is an online system that automates the filing of applications for retirement and survivor benefits and forwards the applications to the systems for payment. We now print out a copy of the completed application to send it to the applicant for signature and return. Under attestation, we will instead use defined scripts like SSA uses to confirm the applicant's intent to file; attest to the reply by entering the answer in APPLE; print the cover notice with penalty clause and summary, and review it with the applicant over the telephone; release the case in APPLE for processing after the telephone review of the cover notice is complete; and send the applicant a cover notice and summary to keep. We will advise the applicant to review the cover notice and summary upon receipt, and contact the RRB promptly if the applicant needs to make any corrections.

Attestation will end the return of application documents to our offices, reducing the volume of paper to be sorted, assigned, reviewed, input, scanned and indexed by the RRB.

The Board, with the concurrence of the Office of Management and Budget, has determined that this is not a significant regulatory action under Executive Order 12866, as amended. Therefore, no regulatory impact analysis is required. There are no changes to the information collections associated with Part 217.

**List of Subjects in 20 CFR Part 217**

Railroad employees, Railroad retirement.

For the reasons set out in the preamble, the Railroad Retirement Board amends title 20, chapter II, subchapter B, part 217 of the Code of Federal Regulations as follows:

**PART 217—APPLICATION FOR ANNUITY OR LUMP SUM**

■ 1. The authority citation for part 217 continues to read as follows:

**Authority:** 45 U.S.C. 231d and 45 U.S.C. 231f.

■ 2. Section 217.17 is amended by revising the section heading and paragraph (a) and adding paragraph (f) to read as follows:

**§ 217.17 What is an acceptable signature.**

\* \* \* \* \*

(a) A claimant who is 18 years old or older, competent (able to handle his or her own affairs), and physically able to sign the application, must sign in his or her own handwriting, except as provided in paragraph (e) or paragraph (f) of this section. A parent or a person standing in place of a parent must sign the application for a child who is not yet 18 years old, except as shown in paragraph (d) of this section.

\* \* \* \* \*

(f) An acceptable signature may include:

(1) A handwritten signature that complies with the rules set out in paragraphs (a), (b), (c), (d), or (e) of this section; or

(2) In the case of an application being taken and processed in the Railroad Retirement Board's automated claims system, an electronic signature, which shall consist of a personal identification number (PIN) assigned by the Railroad Retirement Board as described in the application instructions; or

(3) An alternative signature or signature proxy acceptable to the Railroad Retirement Board. An example of an alternative signature is attestation, which refers to the action taken by a Railroad Retirement Board (RRB) employee of confirming and annotating RRB records of the applicant's intent to file or complete an application or related form, the applicant's affirmation under penalty of perjury that the information provided is correct, and the applicant's agreement to sign the application or related form.

Dated: September 23, 2011.

By Authority of the Board.

**Martha P. Rico,**

*Secretary to the Board.*

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**DEPARTMENT OF THE TREASURY**

**Internal Revenue Service**

**26 CFR Part 301**

[TD 9545]

RIN 1545-BG75

**Interest and Penalty Suspension Provisions Under Section 6404(g) of the Internal Revenue Code**

*Correction*

In rule document number 2011-21164 beginning on page 52259 through 52263 in the issue of August 22, 2011, make the following corrections:

**301.6404-4 [Corrected]**

■ 1. On page 52262 in the second column, in § 301.6404-4(a)(7)(i) third paragraph, 15 lines from the bottom, the words "or Form 886-A" were inadvertently printed in italics. The words should not have been italicized, and are corrected as follows, "Form 886-A."

■ 2. On page 52263 in the third column, in § 301.6404-4(c)(2)(ii) 11 lines down, article number two (ii) was printed on a separate line, above the word "Example." It should appear directly next to the word "Example." It is corrected to appear as follows: (ii) Example.

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA-R04-OAR-2010-0719-201144; FRL-9472-2]

**Approval and Promulgation of Air Quality Implementation Plans; Ohio, Kentucky, and Indiana; Cincinnati-Hamilton Nonattainment Area; Determinations of Attainment of the 1997 Annual Fine Particulate Standards**

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

**ACTION:** Final rule.

**SUMMARY:** EPA is determining that the tri-state Cincinnati-Hamilton, Ohio-Kentucky-Indiana, fine particulate (PM<sub>2.5</sub>) nonattainment Area (hereafter referred to as "the Cincinnati Area" or "Area") has attained the 1997 annual average PM<sub>2.5</sub> national ambient air quality standards (NAAQS) and additionally, that the Area has attained the 1997 annual PM<sub>2.5</sub> NAAQS by its