

## DEPARTMENT OF THE TREASURY

## Internal Revenue Service

## 26 CFR Part 1

[TD 9339]

RIN 1545-BG44

**Qualified Zone Academy Bonds; Obligations of States and Political Subdivisions; Correction****AGENCY:** Internal Revenue Service (IRS), Treasury.**ACTION:** Correction to final and temporary regulations.

**SUMMARY:** This document contains a correction to final and temporary regulations (TD 9339) that were published in the **Federal Register** on Friday, September 14, 2007 (72 FR 52470) providing guidance to state and local governments that issue qualified zone academy bonds and to banks, insurance companies, and other taxpayers that hold those bonds on the program requirements for qualified zone academy bonds.

**DATES:** The correction is effective October 17, 2007.

**FOR FURTHER INFORMATION CONTACT:** Timothy L. Jones or Zoran Stojanovic, (202) 622-3980 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:****Background**

The final and temporary regulations that are the subject of this correction are under section 1397E of the Internal Revenue Code.

**Need for Correction**

As published, final and temporary regulations (TD 9339) contain an error that may prove to be misleading and is in need of clarification.

**Correction of Publication**

Accordingly, the publication of the final and temporary regulations (TD 9339), which was the subject of FR Doc. E7-18180, is corrected as follows:

On page 52470, column 2, in the preamble, under the paragraph heading "Correction of Publication", last two lines of the fifth paragraph, the language "'§ 1.1379E(m),' is corrected to read "'§ 1.1379E-1T(m).'" is corrected to read "'§ 1.1397E(m),' is corrected to read "'§ 1.1397E-1T(m).'"

**LaNita Van Dyke,**

*Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration).*

[FR Doc. E7-20488 Filed 10-16-07; 8:45 am]

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## DEPARTMENT OF THE TREASURY

## Internal Revenue Service

## 26 CFR Part 1

[TD 9360]

RIN 1545-BC37

**Guidance on Passive Foreign Investment Company (PFIC) Purging Elections; Correction****AGENCY:** Internal Revenue Service (IRS), Treasury.**ACTION:** Correcting amendment.

**SUMMARY:** This document contains a correction to final regulations (TD 9360) that were published in the **Federal Register** on Thursday, September 27, 2007 (72 FR 54820) providing certain elections for taxpayers that continue to be subject to the PFIC excess distribution regime of section 1291 of the Internal Revenue Code even though the foreign corporation in which they own stock is no longer treated as a PFIC under section 1297(a) or (e) of the Code.

**DATES:** This correction is effective October 17, 2007.

**FOR FURTHER INFORMATION CONTACT:** Paul J. Carlino at (202) 622-3840 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:****Background**

The final regulations (TD 9360) that are the subject of this correction are under sections 1291, 1297 and 1298 of the Internal Revenue Code.

**Need for Correction**

As published, final regulations (TD 9360) contain an error that may prove to be misleading and is in need of clarification.

**List of Subjects in 26 CFR Part 1**

Income taxes, Reporting and recordkeeping requirements.

**Correction of Publication**

■ Accordingly, 26 CFR part 1 is corrected by making the following amendments:

**PART 1—INCOME TAXES**

**Paragraph 1.** The authority citation for part 1 continues to read, in part, as follows:

**Authority:** 26 U.S.C. 7805 \* \* \*

**Par. 2.** Section 1.1297-3 is amended by revising the fourth sentence of paragraph (e)(5)(ii) *Example*.(i) to read as follows:

**§ 1.1297-3 Deemed sale or deemed dividend election by a U.S. person that is a shareholder of a section 1297(e) PFIC.**

\* \* \* \* \*

(e) \* \* \*

(5) \* \* \*

(ii) \* \* \*

*Example.* \* \* \*

(i) \* \* \* In years 1993 and 1994, FC did not satisfy either the income or the asset test of section 1297(a). \* \* \*

\* \* \* \* \*

**LaNita Van Dyke,**

*Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration).*

[FR Doc. E7-20489 Filed 10-16-07; 8:45 am]

BILLING CODE 4830-01-P

## DEPARTMENT OF HOMELAND SECURITY

## Coast Guard

## 33 CFR Part 117

[CGD01-07-135]

**Drawbridge Operation Regulations; Lake Champlain, North Hero and Grand Isle, VT****AGENCY:** Coast Guard, DHS.**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, First Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the US2 Bridge across Lake Champlain, mile 91.8, between North Hero Island and Grande Isle (South Hero Island), Vermont. Under this temporary deviation the US2 Bridge may remain in the closed position from October 22, 2007 through February 1, 2008. Vessels that can pass under the draw without a bridge opening may do so at all times. This deviation is necessary to facilitate bridge rehabilitation construction.

**DATES:** This deviation is effective from October 22, 2007 through February 1, 2008.

**ADDRESSES:** Materials referred to in this document are available for inspection or copying at the First Coast Guard District, Bridge Branch Office, 408 Atlantic Avenue, Boston, Massachusetts, 02110, between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (617) 223-8364. The First Coast Guard District Bridge Branch Office maintains the public docket for this temporary deviation.

**FOR FURTHER INFORMATION CONTACT:** John McDonald, Project Officer, First Coast Guard District, at (617) 223-8364.

**SUPPLEMENTARY INFORMATION:** The US2 Bridge, across Lake Champlain, mile 91.8, between North Hero Island and Grand Isle (South Hero Island), Vermont, has a vertical clearance in the closed position of 13 feet at mean high lake elevation and 16 feet at mean low lake elevation. The existing drawbridge operation regulations are listed at 33 CFR 117.993(b).

The owner of the bridge, the Vermont Agency of Transportation (VTrans), requested a temporary deviation to facilitate rehabilitation repairs at the bridge.

Under this temporary deviation, in effect from October 22, 2007 through February 1, 2008, the US2 Bridge need not open for the passage of vessel traffic.

The US2 Bridge rarely opens during the time period this temporary deviation will be in effect. Vessels that can pass under the bridge without a bridge opening may do so at all times.

In accordance with 33 CFR 117.35(e), the bridge must return to its regular operating schedule immediately at the end of the designated time period. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Should the bridge maintenance authorized by this temporary deviation be completed before the end of the effective period published in this notice, the Coast Guard will rescind the remainder of this temporary deviation, and the bridge shall be returned to its normal operation schedule. Notice of the above action shall be provided to the public in the Local Notice to Mariners and the **Federal Register**, where practicable.

Dated: October 4, 2007.

**Gary Kassof,**

*Bridge Program Manager, First Coast Guard District.*

[FR Doc. E7-20482 Filed 10-16-07; 8:45 am]

**BILLING CODE 4910-15-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[CGD08-07-026]

RIN 1625-AA09

#### Drawbridge Operation Regulations; Upper Mississippi River, Clinton, IA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of deviation from drawbridge regulation.

**SUMMARY:** The Commander, Eighth Coast Guard District, has issued a temporary deviation from the regulation governing the operations of the Clinton Railroad Drawbridge, Mile 518.0, Clinton, Iowa across the Upper Mississippi River. This deviation allows the bridge to open on signal if at least 24 hours advance notice is given from 12:01 a.m. December 15, 2007 until 9 a.m., March 15, 2008. The deviation is necessary to allow time for performing needed maintenance and repairs to the bridge.

**DATES:** This temporary deviation is effective from 12:01 a.m. December 15, 2007 until 9 a.m., March 15, 2008.

**ADDRESSES:** Materials referred to in this document are available for inspection or copying at Room 2.107F in the Robert A. Young Federal Building, 1222 Spruce Street, St. Louis, MO 63103-2832, between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The Bridge Administration Branch maintains the public docket for this temporary deviation.

**FOR FURTHER INFORMATION CONTACT:** Roger K. Wiebusch, Bridge Administrator, (314) 269-2378.

**SUPPLEMENTARY INFORMATION:** The Union Pacific Railroad Company requested a temporary deviation for the Clinton Railroad Drawbridge, mile 518.0, at Clinton, Iowa across the Upper Mississippi to open on signal if at least 24 hours advance notice is given in order to facilitate needed bridge maintenance and repairs. The Clinton Railroad Drawbridge currently operates in accordance with 33 CFR 117.5, which states the general requirement that drawbridges shall open promptly and fully for the passage of vessels when a request to open is given in accordance with the subpart. In order to facilitate the needed bridge work, the drawbridge must be kept in the closed-to-navigation position. This deviation allows the bridge to open on signal if at least 24 hours advance notice is given from 12:01 a.m. December 15, 2007 until 9 a.m., March 15, 2008.

There are no alternate routes for vessels transiting this section of the Upper Mississippi River.

The Clinton Railroad Drawbridge, in the closed-to-navigation position, provides a vertical clearance of 18.7 feet above normal pool. Navigation on the waterway consists primarily of commercial tows and recreational watercraft. These interests will not be significantly impacted due to the reduced navigation in winter months. This temporary deviation has been coordinated with waterway users. No objections were received.

In accordance with 33 CFR 117.35(e), the drawbridge shall return to its regular operating schedule immediately at the end of the designated time period. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: October 5, 2007.

**Roger K. Wiebusch,**

*Bridge Administrator.*

[FR Doc. E7-20494 Filed 10-16-07; 8:45 am]

**BILLING CODE 4910-15-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R04-OAR-2005-KY-0004-200733, FRL-8482-5]

#### Approval and Promulgation of Implementation Plans Kentucky: Performance Testing and Open Burning

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

**ACTION:** Final rule.

**SUMMARY:** EPA is taking final action to approve revisions to the Kentucky State Implementation Plan (SIP), submitted by the Kentucky Department of Air Quality (KDAQ) on September 6, 2005. The revisions include modifications to Kentucky's Administrative Regulations (KAR) Title 401, Chapters 50:045 and 63:005, which pertain to Kentucky's performance testing and open burning provisions, respectively. These revisions are part of Kentucky's strategy to meet the national ambient air quality standards (NAAQS) by reducing emissions of volatile organic compounds and nitrogen oxides, which are the precursors to ozone formation. Open burning creates smoke that contains fine particles (PM2.5) and precursors to ozone. The approved rules are intended to help control levels of PM2.5 and ozone precursors that contribute to high ozone and PM2.5 levels. This action is being taken pursuant to section 110 of the Clean Air Act (CAA). This final rule also addresses a comment made on EPA's proposed rulemaking for this action published on January 17, 2007.

**EFFECTIVE DATE:** This rule will be effective November 16, 2007.

**ADDRESSES:** EPA has established a docket for this action under Docket Identification No. EPA-R04-OAR-2005-KY-0004. All documents in the docket are listed on the [www.regulations.gov](http://www.regulations.gov) Web site. Although listed in the index, some information is not publicly available, i.e., Confidential