

## 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 voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus 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. This rule involves changing a safety zone. An environmental analysis checklist and a categorical exclusion determination are available in 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:

**Authority:** 33 U.S.C 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05-1(g), 6.04-1, 6.04-6, 160.5; Pub. L. 107-295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1

■ 2. In § 165.1305, revise paragraph (a) to read as follows:

### § 165.1305 Commencement Bay, Tacoma, WA

(a) *Location.* The following area is a safety zone for the Tacoma Freedom Fair Air Show: All portions of Commencement Bay bounded by the following coordinates: Latitude 47°17'38" N, Longitude 122°28'43" W; thence south easterly to Latitude 47°17'4" N, Longitude 122°27'32" W; thence south westerly to Latitude 47°16'35" N, Longitude 122°28'1" W; thence north westerly along the shoreline to Latitude 47°17'10" N, Longitude 122°29'14" W; thence returning to the origin. This safety zone resembles a rectangle protruding from the shoreline along Ruston Way. Floating markers will be placed by the sponsor of the event to delineate the boundaries of the safety zone.

\* \* \* \* \*

Dated: May 11, 2011.

**S.J. Ferguson,**

*Captain, U. S. Coast Guard, Captain of the Port, Puget Sound.*

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## DEPARTMENT OF EDUCATION

### 34 CFR Part 222

RIN 1810-AB11

### Impact Aid Programs; Corrections

**AGENCY:** Office of Elementary and Secondary Education, Department of Education.

**ACTION:** Final regulations; correction.

**SUMMARY:** The Department of Education published final regulations in the **Federal Register** on April 28, 2011 (76 FR 23712) to amend the regulations governing the Impact Aid Discretionary Construction program, authorized under section 8007(b) of the Elementary and Secondary Education Act of 1965, as amended. That document inadvertently included the incorrect RIN number for the regulatory action. This document corrects the RIN number for that regulatory action.

### FOR FURTHER INFORMATION CONTACT:

Kristen Walls-Rivas, Impact Aid Program, U.S. Department of Education, 400 Maryland Avenue, SW., Washington, DC 20202. Telephone: (202) 260-1357 or via e-mail: [Kristen.Walls-Rivas@ed.gov](mailto:Kristen.Walls-Rivas@ed.gov).

If you use a telecommunications device for the deaf (TDD), call the Federal Relay Service (FRS) at 1-800-877-8339.

Individuals with disabilities can obtain this document in an alternative format (e.g., braille, large print, audiotape, or computer diskette) on request to the contact person listed under **FOR FURTHER INFORMATION CONTACT**.

**SUPPLEMENTARY INFORMATION:** This document corrects a technical error included in a document announcing the final Impact Aid Discretionary Construction program regulations that the Department published in the **Federal Register** on April 28, 2011 (76 FR 23712). Specifically, the RIN number provided on the first page of the April 28, 2011 (76 FR 23712) document is changed to 1810-AB11, which is the correct RIN number for the final regulations published on April 28, 2011 (76 FR 23712).

### Electronic Access to This Document:

The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available via the Federal Digital System at: <http://www.gpo.gov/fdsys>. At this site you can view this document, as well as all other documents of this Department published in the **Federal**

**Register**, in text or Adobe Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at: <http://www.federalregister.gov>. Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

**List of Subjects in 34 CFR Part 222**

Education, Grant programs—education, Application procedures, Construction programs.

Dated: May 26, 2011.

**Thelma Meléndez de Santa Ana**,  
Assistant Secretary for Elementary and Secondary Education.

[FR Doc. 2011-13590 Filed 6-1-11; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA-R03-OAR-2011-0099; FRL-9312-7]

**Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Adoption of Control Techniques Guidelines for Flat Wood Paneling Surface Coating Processes**

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

**ACTION:** Final rule.

**SUMMARY:** EPA is approving a State Implementation Plan (SIP) revision submitted by the Commonwealth of Pennsylvania (Pennsylvania). This SIP revision includes amendments to Chapter 121—General Provisions and Chapter 129—Standards for Sources, of Title 25 of the Pennsylvania Code. Pennsylvania’s SIP revision meets the requirement to adopt Reasonably Available Control Technology (RACT) for sources covered by EPA’s Control Techniques Guidelines (CTG) standards for flat wood paneling surface coating

processes. EPA is approving this revision concerning the adoption of the EPA CTG requirements for flat wood paneling surface coating processes in accordance with the requirements of the Clean Air Act (CAA).

**DATES:** *Effective Date:* This final rule is effective on July 5, 2011.

**ADDRESSES:** EPA has established a docket for this action under Docket ID Number EPA-R03-OAR-2011-0099. All documents in the docket are listed in the <http://www.regulations.gov> Web site. Although listed in the electronic docket, some information is not publicly available, *i.e.*, 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 either electronically through <http://www.regulations.gov> or in hard copy for public inspection during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the State submittal are available at the Pennsylvania Department of Environmental Protection, Bureau of Air Quality Control, P.O. Box 8468, 400 Market Street, Harrisburg, Pennsylvania 17105.

**FOR FURTHER INFORMATION CONTACT:** Irene Shandruk, (215) 814-2166, or by e-mail at [shandruk.irene@epa.gov](mailto:shandruk.irene@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Section 182(b)(2) of the CAA, 42 U.S.C. 7511a(b)(2), requires that States having moderate nonattainment areas for ozone revise their SIP to include provisions requiring the implementation of RACT for certain sources, including categories of Volatile Organic Compound (VOC) sources covered by a CTG document issued by the Administrator between November 15, 1990 and the date of attainment. EPA originally developed CTG standards for flat wood paneling surface coating

processes in 1978 and revised them in 2006. Pennsylvania subsequently made changes to its SIP which adopted EPA’s CTG standards for flat wood paneling surface coating processes. The formal SIP revision was submitted by Pennsylvania to EPA on January 4, 2011. On March 14, 2011 (76 FR 13567), EPA published a notice of proposed rulemaking (NPR) for Pennsylvania. The NPR proposed approval of Pennsylvania’s SIP revision for adoption of the CTG standards for flat wood paneling surface coating processes. The formal SIP revision was submitted by Pennsylvania on January 4, 2011.

**II. Summary of SIP Revision**

On January 4, 2011, PADEP submitted to EPA a SIP revision concerning the adoption of the CTG standards for flat wood paneling surface coating processes. EPA develops CTGs as guidance on control requirements for source categories. States can follow the CTGs or adopt more restrictive standards. Pennsylvania has adopted EPA’s CTG standards for flat wood paneling surface coating processes. These regulations are in Chapter 121—General Provisions and in Chapter 129—Standards for Sources, in Title 25 of the Pennsylvania Code. Specifically, this revision amends the existing regulations at sections 121.1, 129.51, 129.66, and adds new section 129.52c. Several definitions were added in section 121.1, and section 129.51 was amended to extend coverage to flat wood paneling surface coating processes. The new section 129.52c includes VOC emission limits, work practices, and recordkeeping and reporting requirements, all of which are consistent with EPA’s CTG for flat wood paneling surface coating processes. The emission limits of VOCs for flat wood paneling surface coatings are shown in Table 1. These emission limits apply if the total actual VOC emissions from all flat wood paneling surface coating operations at the facility are equal to or greater than 15 pounds (lb) (6.8 kilograms (kg)) per day, before consideration of controls.

TABLE 1—EMISSION LIMITS OF VOCs FOR FLAT WOOD PANELING SURFACE COATINGS

Surface coatings, inks, or adhesives applied to the following flat wood paneling categories	Should meet one of these emission limits	
	lb VOC/gallon coating solids	grams VOC/Liter coating solids
Printed interior panels made of hardwood, plywood, or thin particleboard .....	2.9	350
Natural finish hardwood plywood panels .....	2.9	350
Class II finishes on hardboard panels .....	2.9	350
Tileboards .....	2.9	350