

121–200, NADA 129–159, and NADA 137–484 and all supplements and amendments thereto, is withdrawn, effective April 30, 2007.

Following the withdrawal of approval of these NADAs, Custom Feed Services Corp. is no longer a sponsor of an approved application. Therefore, 21 CFR 510.600(c) is amended to remove entries for this firm. As provided in the regulatory text of this document, the animal drug regulations are amended to reflect the withdrawal of approval.

This rule does not meet the definition of “rule” in 5 U.S.C. 804(3)(A) because it is a rule of “particular applicability.” Therefore, it is not subject to the congressional review requirements in 5 U.S.C. 801–808.

#### List of Subjects

##### 21 CFR Part 510

Administrative practice and procedure, Animal drugs, Labeling, Reporting and recordkeeping requirements.

##### 21 CFR Part 558

Animal drugs, Animal feeds.

■ Therefore, under the Federal Food, Drug and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, 21 CFR parts 510 and 558 are amended as follows:

#### PART 510—NEW ANIMAL DRUGS

■ 1. The authority citation for 21 CFR part 510 continues to read as follows:

**Authority:** 21 U.S.C. 321, 331, 351, 352, 353, 360b, 371, 379e.

##### § 510.600 [Amended]

■ 2. In § 510.600, in the table in paragraph (c)(1), remove the entry for “Custom Feed Services Corp.”; and in the table in paragraph (c)(2) remove the entry for “017473”.

#### PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

■ 3. The authority citation for 21 CFR part 558 continues to read as follows:

**Authority:** 21 U.S.C. 360b, 371.

##### § 558.485 [Amended]

■ 4. In § 558.485, in paragraph (b)(3), remove “017473”.

##### § 558.625 [Amended]

■ 5. In § 558.625, remove and reserve paragraph (b)(68).

##### § 558.630 [Amended]

■ 6. In § 558.630, in paragraph (b)(10), remove “017473”.

Dated: April 9, 2007.

**Bernadette Dunham,**

*Deputy Director, Center for Veterinary Medicine.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[CGD08–06–013]

RIN 1625–AA09

#### Drawbridge Operation Regulation; Illinois Waterway, Illinois

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is revising the drawbridge operations for the Pekin Railroad Drawbridge, Mile 151.2, at Pekin, Illinois and the Chessie Railroad Drawbridge, Mile 254.1 at Seneca, Illinois across the Illinois Waterway. The present regulation found in § 117.393(b) is being revised to reflect the actual procedures that have always been followed. That regulation was intended to be temporary, for test purposes only, and was inadvertently permanently included in the Code of Federal Regulations. This rule eliminates the “Specific Requirements” for remote operation, and the bridge will continue to operate, as required by the Coast Guard, under the “General Requirements”. In addition, the Coast Guard is revising the regulation governing the operation of the Chessie Railroad Drawbridge across the Illinois Waterway, Mile 254.1, at Seneca, Illinois. The existing regulation requires the drawspan to open on signal. This revision is necessary to reflect a change in operating procedure.

**DATES:** This rule is effective on May 21, 2007.

**ADDRESSES:** Comments and material received from the public, as well as documents indicated in the preamble as being available in the docket, are part of docket CGD8–06–013 and are available for inspection or copying at room 2.107(f), in the Robert A. Young Federal Building, Eighth Coast Guard District, 1222 Spruce Street, St. Louis, MO 63103–2832, between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays. Commander (dwb), Eighth Coast Guard District, Bridge Branch maintains the public docket for this rulemaking.

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

#### SUPPLEMENTARY INFORMATION:

##### Regulatory History

On June 26, 2006, we published a notice of proposed rulemaking (NPRM) entitled Drawbridge Operation Regulation, Illinois Waterway, IL in the **Federal Register** (71 FR 36295). On November 16, 2006, we published a Supplemental notice of proposed rulemaking (SNPRM) entitled Drawbridge Operation Regulation, Illinois Waterway, IL in the **Federal Register** (71 FR 66713). We received no letters commenting on the proposed rules. No public hearing was requested, and none was held.

##### Background and Purpose

A test period to remotely operate the Pekin Railroad Drawbridge, Mile 151.2, across the Illinois Waterway was proposed by the bridge owner. After that test period, it was determined that remote operation was not feasible. The bridge owner withdrew the proposal and the Coast Guard required the continued on-site operation of the bridge. The bridge is not remotely operated. The bridge owner has always maintained an on-site bridge operator for the bridge. However, the regulation allowing the test period was inadvertently published as a permanent change, and can be found in 33 CFR 117.393(b).

This rulemaking corrects the drawbridge operating regulations to reflect Coast Guard approved operating conditions presently adhered to by the bridge owner and waterway users.

33 CFR 117.5 requires the Chessie Railroad Drawbridge, mile 254.1, Illinois Waterway at Seneca, Illinois to open on signal for the passage of vessels. Due to reduced train use, the bridge owner removed the bridgetender, maintains the drawspan in the fully open position and allows train operators to close the bridge. This action was taken without proper Coast Guard notification or approval. The rule improves the navigation safety of bridge operations by establishing a method of operation and communication between vessels and bridge closure personnel.

##### Discussion of Comments and Changes

The Coast Guard received no comment letters in response to either the NPRM or the SNPRM. There were no requests for public meetings. No changes have been made to this final rule.

## Regulatory Evaluation

This rule is not a “significant regulatory action” under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not “significant” under the regulatory policies and procedures of the Department of Homeland Security.

The Coast Guard expects that these changes will have no economic impact on commercial traffic operating on the Illinois Waterway.

The regulation changes will not affect the present safe operation of the bridges.

## Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered whether this rule would have a significant economic impact on a substantial number of small entities. The term “small entities” comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

This rule is neutral to all business entities since it affects only how the vessel operators request bridge openings.

## Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we offered to assist small entities in understanding the rule so that they could better evaluate its effects on them and participate in the rulemaking process. Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency’s responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

## Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

## Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

## Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 or more in any one year. Though this rule will not result in such an expenditure, we do discuss 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 would 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 would 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 Commandant Instruction M16475.1D, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore this rule is categorically excluded under figure 2–1, paragraph 32(e) of the Instruction from further environmental documentation. Paragraph 32(e) excludes the promulgation of operating regulations or procedures for drawbridges from the environmental documentation requirements of NEPA. Since this regulation would alter the normal operating conditions of the drawbridge, it falls within this exclusion. A “Categorical Exclusion

Determination" is available in the docket for inspection or copying where indicated under **ADDRESSES**.

#### List of Subjects in 33 CFR Part 117

Bridges.

#### Regulations

■ For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 117 as follows:

#### PART 117—DRAWBRIDGE OPERATION REGULATIONS

■ 1. The authority citation for part 117 continues to read as follows:

**Authority:** 33 U.S.C. 499; Department of Homeland Security Delegation No. 017.1; 33 CFR 1.05–1(g); section 117.255 also issued under the authority of Pub. L. 102–587, 106 Stat. 5039.

■ 2. Revise § 117.393(b) to read as follows:

#### § 117.393 Illinois Waterway.

\* \* \* \* \*

(b) The draw of the Chessie Railroad Bridge, mile 254.1, at Seneca, Illinois, operates as follows:

(1) The draw is normally maintained in the fully open position, displaying green mid-channel lights to indicate the span is fully open.

(2) When a train approaches the bridge and the draw is in the open position, the train will stop, train operator shall walk out on the bridge and scan the river for approaching vessels.

(3) If a vessel is approaching the bridge, the draw will remain open. The vessel shall contact the train operator on VHF–FM channel 16 and the train operator shall keep the draw in the fully open position until the vessel has cleared the bridge.

(4) If no vessels are observed, the train operator initiates a five minute warning period on VHF–FM radio channel 16 before closing the bridge. The train operator will broadcast the following message: "The Chessie Railroad Bridge at Mile 254.1, Illinois River, will close to navigation in five minutes." The announcement is repeated every minute counting down the time remaining until closure.

(5) At the end of the five minute warning period, and if no vessels are approaching the bridge, the train operator shall sound the siren for 10 seconds, activate the alternate flashing red lights on top of the draw, then lower and lock the draw in place. Red lights shall continue to flash to indicate the draw is closed to navigation.

(6) After the train has cleared the bridge, the draw shall be raised to its

full height and locked in place, the red flashing lights stopped, and the draw lights changed from red to green.

\* \* \* \* \*

Dated: April 3, 2007.

**J.R. Whitehead,**

*Rear Admiral, U.S. Coast Guard Commander, Eighth Coast Guard District.*

[FR Doc. E7–7415 Filed 4–18–07; 8:45 am]

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#### AGENCY FOR INTERNATIONAL DEVELOPMENT

#### 48 CFR Parts 731 and 752

**[USAID Acquisition Regulation Acquisition Circular (AIDAC) 2007–1]**

**RIN 0412–AA60**

#### Various Administrative Changes to the USAID Acquisition Regulations (AIDAR)

**AGENCY:** United States Agency for International Development.

**ACTION:** Final rule.

**SUMMARY:** The U.S. Agency for International Development (USAID) is amending its Agency for International Development Acquisition Regulation (AIDAR) to: Remove all references to Office of Personnel Management's (OPM) obsolete Executive Service (ES–6) as the contract employee salary threshold and replace with revised terminology; revise the Medical Evacuation (MEDEVAC) Services clause and provisions by deleting the requirement for contractors to purchase MEDEVAC services insurance through a USAID centrally awarded contract; remove clause 752.7016 FAMILY PLANNING AND POPULATION ASSISTANCE ACTIVITIES (AUG 1986); and update the title of Office of Procurement (OP) to Office of Acquisition and Assistance (OAA) throughout.

**DATES:** This rule is effective July 18, 2007 without further action, unless adverse comment is received by May 21, 2007. If adverse comment is received, USAID will publish a timely withdrawal of the rule in the **Federal Register**. Submit comments on or before May 21, 2007.

**ADDRESSES:** Submit comments, identified by title of the Proposed Action, and RIN number by any of the following methods:

*Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.  
*Fax:* 202–216–3395.

*Mail:* U.S. Agency for International Development, Office of Acquisition &

Assistance, Policy Division, 1300 Pennsylvania Avenue, NW., Room 7.9–18, Washington, DC 20523–0001.

**Instructions:** All submissions must include the title of the proposed action, and Regulatory Information Number (RIN) for this rulemaking. Please include your name, title, organization, postal address, telephone number, and e-mail address in the text of the message.

#### FOR FURTHER INFORMATION CONTACT:

Carol Ketrick, Telephone: 202–712–1382, e-mail: [cketrick@usaid.gov](mailto:cketrick@usaid.gov).

#### SUPPLEMENTARY INFORMATION: Public Participation:

Because security screening precautions have slowed the delivery and dependability of surface mail to USAID/Washington, USAID recommends sending all comments to the Federal eRulemaking Portal or fax number listed above (all comments must be in writing to be reviewed). All comments will be made available for public review without change, including any personal information provided, from 3 workdays after receipt to finalization of action at <http://www.Regulations.gov>.

#### A. Background

The AIDAR reflects agency policy regarding the maximum annual rate of personnel compensation for contractor employees. The threshold beyond which contract employees' salaries require contracting officer approval is currently stated as being equivalent to OPM's ES–6 level. In 2003, Public Law 108–136 replaced the SES grade structure with a single, open-range "payband"; therefore, the use of the ES–6 level as the threshold for contracting officer approval is no longer possible. USAID has established a new threshold, the "USAID Contractor Salary Threshold" or "USAID CST," which is set forth in the agency's ADS Chapter 302 on Direct Contracting. The change to the AIDAR deletes all references to OPM's obsolete Executive Service (ES–6) level or "ES–6 policy" and replaces it with this updated terminology.

Emergency medical evacuation services are for individuals involved in accidents or suffering a sudden illness at a time when adequate medical facilities are not available at post. USAID implemented AIDAR 752.228–70 "Medical Evacuation (MEDEVAC) Services (Mar 1993)", Appendix D—General Provision 25 "Medical Evacuation (MEDEVAC) Services (Jul 1993)", and Appendix J—General Provision 21 "Medical Evacuation (MEDEVAC) Services (Jul 1993)" which required contractors use USAID's central contract to purchase MEDEVAC