

address attached to it and therefore, the e-mail address and information contained therein may be posted online. It is the responsibility of the commenter to safeguard their information. All comments received will be posted on <http://www.regulations.gov> and may be posted without information redacted. However, for comments that were submitted to ETA before the publication of this Supplement, ETA will make every effort to redact apparently confidential information before posting the comment on <http://www.regulations.gov>."

**DATES:** To be assured of consideration, comments must be in writing and must be received on or before February 20, 2007.

**FOR FURTHER INFORMATION CONTACT:** Ms. Maria K. Flynn, Administrator, Office of Policy Development and Research, Employment and Training Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-5641, Washington, DC 20210, Telephone: (202) 693-3700 (VOICE) or 887-889-5627 (TTY/TDD). Please note that these are not toll-free numbers.

Signed at Washington, DC this 13th day of February, 2007.

**Emily Stover DeRocco,**  
*Assistant Secretary of Labor.*

[FR Doc. E7-2861 Filed 2-20-07; 8:45 am]

**BILLING CODE 4510-FM-P**

## DEPARTMENT OF DEFENSE

### Department of the Army; Corps of Engineers

#### 33 CFR Part 334

#### United States Navy Restricted Area, Key West Harbor, at U.S. Naval Base, Key West, FL

**AGENCY:** U.S. Army Corps of Engineers, DoD.

**ACTION:** Notice of proposed rule making and request for comments.

**SUMMARY:** The U.S. Army Corps of Engineers (Corps) is proposing to amend the existing regulations for a restricted area at Naval Air Station Key West (NASKW). Naval Air Station Key West maintains ammunition magazines on Fleming Island that have explosive safety quality-distance (ESQD) requirements in place to ensure reasonable safety from serious injury should there be a magazine fire or explosion. The current restricted area regulations do not adequately cover the ESQD requirements. This amendment to the existing regulation is necessary to

protect the public from potentially hazardous conditions that may exist as a result of military use of the area.

**DATES:** Written comments must be submitted on or before March 23, 2007.

**ADDRESSES:** You may submit comments, identified by docket number COE-2007-0003, by any of the following methods:

*Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

*E-mail:* [david.b.olson@usace.army.mil](mailto:david.b.olson@usace.army.mil). Include the docket number, COE-2007-0003, in the subject line of the message.

*Mail:* U.S. Army Corps of Engineers, Attn: CECW-CO (David B. Olson), 441 G Street NW., Washington, DC 20314-1000.

*Hand Delivery/Courier:* Due to security requirements, we cannot receive comments by hand delivery or courier.

*Instructions:* Direct your comments to docket number COE-2007-0003. All comments received will be included in the public docket without change and may be made available on-line at <http://www.regulations.gov>, including any personal information provided, unless the commenter indicates that the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI, or otherwise protected, through [regulations.gov](http://www.regulations.gov) or e-mail. The [regulations.gov](http://www.regulations.gov) web site is an anonymous access system, which means we will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail directly to the Corps without going through [regulations.gov](http://www.regulations.gov), your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, we recommend that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If we cannot read your comment because of technical difficulties and cannot contact you for clarification, we may not be able to consider your comment. Electronic comments should avoid the use of any special characters, any form of encryption, and be free of any defects or viruses.

*Docket:* For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>. All documents in

the docket are listed. Although listed in the index, some information is not publicly available, such as 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.

Consideration will be given to all comments received within 30 days of the date of publication of this notice.

**FOR FURTHER INFORMATION CONTACT:** Mr. David Olson, Headquarters, Operations and Regulatory Community of Practice, Washington, DC at 202-761-4922 or Mr. Jon M. Griffin, U.S. Army Corps of Engineers, Jacksonville District, Regulatory Division, at 904-232-1680.

**SUPPLEMENTARY INFORMATION:** Pursuant to its authorities in Section 7 of the Rivers and Harbors Act of 1917 (40 Stat 266; 33 U.S.C. 1) and Chapter XIX of the Army Appropriations Act of 1919 (40 Stat 892; 33 U.S.C. 3) the Corps is proposing to amend the regulations in 33 CFR part 334 by modifying the restricted area at section 334.610(a)(4). The modification to the existing restricted area is described in the body of this notice.

The Ammunition and Hazardous Materials Handling Review Board has cited NASKW for allowing anchored pleasure craft to be within the inhabited building distance of the Fleming Island Magazine area. The amendment to the regulations will allow the Commanding Office NASKW to restrict passage of persons, watercraft, and vessels to ensure that ESQD requirements related to the Fleming Island Magazine area are met.

#### Procedural Requirements

a. *Review Under Executive Order 12866.* The proposed rule is issued with respect to a military function of the Defense Department and the provisions of Executive Order 12866 do not apply.

b. *Review Under the Regulatory Flexibility Act.* The proposed rule has been reviewed under the Regulatory Flexibility Act (Pub. L. 96-354), which requires the preparation of a regulatory flexibility analysis for any regulation that will have a significant economic impact on a substantial number of small entities (i.e., small businesses and small governments). Unless information is obtained to the contrary during the public notice comment period, the Corps expects that the economic impact of the amendment of this restricted area would have practically no impact on the public, no anticipated navigational hazard or interference with existing waterway traffic. This proposed rule, if

adopted, will have no significant economic impact on small entities.

c. *Review Under the National Environmental Policy Act.* Due to the administrative nature of this action and because there is no intended change in the use of the area, the Corps expects that this regulation, if adopted, will not have a significant impact to the quality of the human environment and, therefore, preparation of an environmental impact statement will not be required. An environmental assessment will be prepared after the public notice period is closed and all comments have been received and considered. It may be reviewed at the District office listed at the end of **FOR FURTHER INFORMATION CONTACT**, above.

d. *Unfunded Mandates Act.* This proposed rule does not impose an enforceable duty among the private sector and, therefore, is not a Federal private sector mandate and is not subject to the requirements of Section 202 or 205 of the Unfunded Mandates Reform Act (Public Laws 104-4, 109 Stat. 48, 2 U.S.C. 1501 *et seq.*). We have also found under Section 203 of the Act, that small governments will not be significantly or uniquely affected by this rule.

#### List of Subjects in 33 CFR Part 334

Danger zones, Navigation (water), Restricted areas, Waterways.

For the reasons set out in the preamble, the Corps proposes to amend a portion of 33 CFR Part 334 as follows:

#### PART 334—DANGER ZONE AND RESTRICTED AREA REGULATIONS

1. The authority citation for 33 CFR part 334 continues to read as follows:

**Authority:** 40 Stat. 266 (33 U.S.C. 1) and 40 Stat. 892 (33 U.S.C. 3).

2. Amend § 334.610 by revising paragraph (a)(4) to read as follows:

**§ 334.610 Key West Harbor, at U.S. Naval Base, Key West, Fla.; naval restricted areas and danger zone.**

(a) *The areas.* \* \* \*

(4) Beginning at the last point designated in area 3 at Latitude 24°34.0550' N., Longitude 81°47.9166' W.; proceed in a northwesterly direction to a point at Latitude 24°34.2725' N., Longitude 81°48.1304' W.; thence proceed in a northeasterly direction to a point at Latitude 24°34.3562' N., Longitude 81°48.0192' W.; thence proceed in a northwesterly direction to a point at Latitude 24°34.4506' N., Longitude 81°48.1444' W.; thence proceed in a northwesterly direction to a point at Latitude 24°34.5619' N., Longitude 81°48.1873' W.; thence

proceed in a northeasterly direction to a point at Latitude 24°34.9084' N., Longitude 81°48.0945' W.; thence proceed in a northeasterly direction to a point at Latitude 24°34.9809' N., Longitude 81°47.9400' W.; proceed in a general northerly direction maintaining a distance of 100 yards from the shoreline of Fleming Key, continue around Fleming Key to a point easterly of the southeast corner of Fleming Key at Latitude 24°34.0133' N., Longitude 81°47.6250' W.; thence easterly to Latitude 24°33.9600' N., Longitude 81°47.3333' W.; thence southerly to a point on the shore at Latitude 24°33.9117' N., Longitude 81°47.3450' W. The Department of the Navy plans to install buoys along that portion of the restricted area boundary which marks the outer edge of the explosive hazard safety distance requirements.

\* \* \* \* \*

Dated: February 15, 2007.

**Lawrence A. Lang,**

*Acting Chief, Operations, Directorate of Civil Works.*

[FR Doc. E7-2874 Filed 2-20-07; 8:45 am]

**BILLING CODE 3710-92-P**

#### ENVIRONMENTAL PROTECTION AGENCY

##### 40 CFR Parts 52 and 70

[EPA-R07-OAR-2006-0803; FRL-8278-7]

#### Approval and Promulgation of Implementation Plans and Operating Permits Program; State of Missouri

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to approve a revision to the Missouri State Implementation Plan (SIP) and Operating Permits Program. The revisions clarify the rule and streamline processes without negatively impacting air quality. This revision will ensure consistency between the state and the federally-approved rules.

**DATES:** Comments on this proposed action must be received in writing by March 23, 2007.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R07-OAR-2006-0803 by one of the following methods:

1. <http://www.regulations.gov>: Follow the on-line instructions for submitting comments.

2. *E-mail:* [algoe-eakin.amy@epa.gov](mailto:algoe-eakin.amy@epa.gov).

3. *Mail:* Amy Algae-Eakin, Environmental Protection Agency, Air Planning and Development Branch, 901

North 5th Street, Kansas City, Kansas 66101.

4. *Hand Delivery or Courier:* Deliver your comments to: Amy Algae-Eakin, Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101. Such deliveries are only accepted during the Regional Office's normal hours of operation. The Regional Office's official hours of business are Monday through Friday, 8 a.m. to 4:30 p.m., excluding legal holidays.

Please see the direct final rule which is located in the Rules section of this **Federal Register** for detailed instructions on how to submit comments.

#### FOR FURTHER INFORMATION CONTACT:

Amy Algae-Eakin at (913) 551-7942, or by e-mail at [algoe-eakin.amy@epa.gov](mailto:algoe-eakin.amy@epa.gov).

**SUPPLEMENTARY INFORMATION:** In the final rules section of the **Federal Register**, EPA is approving the state's SIP revision and Title V revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no relevant adverse comments to this action. A detailed rationale for the approval is set forth in the direct final rule. If no relevant adverse comments are received in response to this action, no further activity is contemplated in relation to this action. If EPA receives relevant adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed action. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on part of this rule and if that part can be severed from the remainder of the rule, EPA may adopt as final those parts of the rule that are not the subject of an adverse comment. For additional information, see the direct final rule which is located in the rules section of this **Federal Register**.

Dated: February 9, 2007.

**John B. Askew,**

*Regional Administrator, Region 7.*

[FR Doc. E7-2807 Filed 2-20-07; 8:45 am]

**BILLING CODE 6560-50-P**