

section 432(b) and this section, the enrolled actuary for the plan must make projections required for the current and succeeding plan years of the current value of the assets of the plan and the present value of all liabilities to participants and beneficiaries under the plan for the current plan year as of the beginning of such year. These projections must be based on reasonable actuarial estimates, assumptions, and methods in accordance with section 431(c)(3) and that offer the actuary's best estimate of anticipated experience under the plan. Notwithstanding the previous sentence, the actuary is permitted to rely on the plan sponsor's projection of activity in the industry provided under paragraph (d)(5)(iii) of this section. The projected present value of liabilities as of the beginning of such year must be determined based on the most recent information reported on the most recent of either—

(A) The actuarial statement required under section 103(d) of the Employee Retirement Income Security Act of 1974 that has been filed with respect to the most recent year, or

(B) The actuarial valuation for the preceding plan year.

(ii) *Determinations of future contributions.* Any actuarial projection of plan assets shall assume either—

(A) Reasonably anticipated employer contributions for the current and succeeding plan years, assuming that the terms of the one or more collective bargaining agreements pursuant to which the plan is maintained for the current plan year continue in effect for succeeding plan years, or

(B) That employer contributions for the most recent plan year will continue indefinitely, but only if the enrolled actuary for the plan determines there have been no significant demographic changes that would make such assumption unreasonable.

(iii) *Projected industry activity.* The plan sponsor shall provide any necessary projection of activity in the industry, including future covered employment, to the plan actuary. For this purpose, the plan sponsor must act reasonably and in good faith.

(6) *Treatment of amortization extensions under section 412(e).* For purposes of section 432, if the plan received an extension of any amortization period under section 412(e), the extension is treated the same as an extension under section 431(d). Thus, such an extension is not taken into account in determining whether a plan has or will have an accumulated funding deficiency under paragraph (c)(3) and (c)(4) of this section, but it is taken into account in determining

whether a plan has or will have an accumulated funding deficiency under paragraph (b)(3) of this section.

(e) *Notice of endangered or critical status—(1) In general.* In any case in which the enrolled actuary for the plan certifies that a multiemployer plan is or will be in endangered or critical status for a plan year, the plan sponsor must, not later than 30 days after the date of the certification, provide notification of the endangered or critical status to the participants and beneficiaries, the bargaining parties, the Pension Benefit Guaranty Corporation, and the Secretary of Labor.

(2) *Plans in critical status.* If it is certified that a multiemployer plan is or will be in critical status for a plan year, the plan sponsor must include in the notice an explanation of the possibility that adjustable benefits (as defined in section 432(e)(8)) may be reduced, and such reductions may apply to participants and beneficiaries whose benefit commencement date is on or after the date such notice is provided for the first plan year in which the plan is in critical status. If the plan provides benefits that are restricted under section 432(f)(2), the notice must also include an explanation that the plan cannot pay single sums and similar benefits described in section 432(f)(2) that are greater than the monthly amount due under a single life annuity. A plan sponsor that sends the model notice issued by the Secretary of Labor pursuant to section 432(b)(3)(D)(iii) satisfies this requirement.

(3) *Transition rules—(i) Early notice permitted.* If, after August 17, 2006, the enrolled actuary for the plan certifies that a plan is reasonably expected to be in critical status with respect to the first plan year beginning after 2007, then the notice described in this paragraph (e) may be provided before the date the actuary certifies the plan is in critical status for that plan year. The ability to provide early notice does not extend the otherwise applicable deadline for providing the notice under paragraph (e)(1) of this section.

(ii) *Reformation of prior notice.* If notice has been provided prior to the date required under paragraph (e)(1) of this section, but the notice did not include all of the information described in paragraph (e)(2) of this section, then that notice will not satisfy the requirements for notice under section 432(b)(3)(D). Accordingly, the restrictions under section 432(f)(2) will not apply as a result of the issuance of such a notice. However, if prior to the date notice is required to be provided under paragraph (e)(1) of this section additional notice is provided that

includes all of the information required under paragraph (e)(2) of this section, then the notice requirements of section 432(b)(3)(D) are satisfied as of the date of that additional notice and the restrictions of section 432(f)(2) will apply beginning on that date. In such a case, the date of the earlier notice will still apply for purposes of section 432(e)(8)(A)(ii) provided that the earlier notice included all of the information required under section 432(b)(3)(D)(ii).

(f) *Effective applicability date.* These regulations apply to plan years ending after [INSERT DATE OF PUBLICATION OF THESE REGULATIONS IN THE FEDERAL REGISTER] but only with respect to plan years that begin on or after January 1, 2008.

Linda E. Stiff,

Deputy Commissioner for Services and Enforcement.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R05–OAR–2007–0907; FRL–8541–4]

Approval and Promulgation of Air Quality Implementation Plans; Indiana

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve a request submitted by the Indiana Department of Environmental Management on July 20, 2007, as supplemented on December 19, 2007, to revise the Indiana State Implementation Plan (SIP). The submission revises the Indiana Administrative Code (IAC) by amending the definition of “References to Code of Federal Regulations,” to update of the references to the Code of Federal Regulations to refer to the 2006 edition. The rule revision also makes minor corrections to amend the definition of “nonphotochemically reactive hydrocarbons” or “negligibly photochemically reactive compounds,” and to amend the definition of “volatile organic compound” or “VOC.”

In the final rules section of this **Federal Register**, EPA is approving the SIP revision as a direct final rule without prior proposal, because EPA views this as a noncontroversial revision and anticipates no adverse comments.

A detailed rationale for the approval is set forth in the direct final rule. If we do not receive any adverse comments in

response to these direct final and proposed rules, we do not contemplate taking any further action in relation to this proposed rule. If EPA receives adverse comments, we will withdraw the direct final rule and will respond to all public comments in a subsequent final rule based on this proposed rule. 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.

DATES: Comments must be received on or before April 17, 2008.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R05-OAR-2007-0907 by one of the following methods:

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

- *E-mail*: mooney.john@epa.gov.

- *Fax*: (312) 886-5824.

- *Mail*: John M. Mooney, Chief, Criteria Pollutant Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

- *Hand Delivery*: John M. Mooney, Chief, Criteria Pollutant Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604. Such deliveries are only accepted during the Regional Office normal hours of operation, and special arrangements should be made for deliveries of boxed information. The Regional Office official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m. excluding Federal 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:

Charles Hatten, Environmental Engineer, Criteria Pollutant Section, Air Programs Branch (AR-18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-6031, hatten.charles@epa.gov.

SUPPLEMENTARY INFORMATION: In the Final Rules section of this **Federal Register**, EPA is approving the State's SIP submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this rule, no further activity is contemplated. If EPA receives 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 rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule, and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions 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: March 3, 2008.

Bharat Mathur,

Acting Regional Administrator, Region 5.

[FR Doc. E8-5288 Filed 3-17-08; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

49 CFR Part 39

RIN 2105-AB87

Transportation for Individuals With Disabilities: Passenger Vessels

AGENCY: Office of the Secretary, U.S. Department of Transportation (DOT).

ACTION: Proposed rule; reopening of comment period and notice of public meeting.

SUMMARY: DOT will hold a public meeting on April 8-9, 2008, in connection with its NPRM on passenger vessel disability access guidelines.

DATES: The comment period for the proposed rule published on January 23, 2007 (72 FR 2833), is reopened April 8, 2008, through April 23, 2008, to allow for the posting of comments related to the meeting held on April 8-9, 2008, from 9 a.m. to 4 p.m., Eastern Standard Time.

ADDRESSES: The meeting will be held at the DOT Headquarters located at 1200 New Jersey Avenue, SE., Washington, DC, in the DOT Conference Center, Rooms 8/9/10. Please enter at the New Jersey Avenue entrance, on the corner of M ST, SE., and New Jersey Avenue, SE. This entrance is accessible for individuals with disabilities.

FOR FURTHER INFORMATION CONTACT: For further information regarding the meeting, contact Brett Jortland, Attorney, DOT Office of the General Counsel, at 202.366.9314 or brett.jortland@dot.gov.

SUPPLEMENTARY INFORMATION: DOT will host a public meeting to discuss issues

of interest raised as a result of DOT's Notice of Proposed Rulemaking on January 23, 2007 (72 FR 2833), regarding transportation for individuals with disabilities on passenger vessels.

Public attendance at the meeting is limited to space available. The meeting will be physically accessible to individuals with disabilities. DOT is housed in a secure government building that requires visitors to pass a security screening and be escorted within the building. Meeting attendees should plan to arrive suitably early to allow for clearance of security and escort to the meeting room. Parking in the neighborhood surrounding DOT Headquarters is extraordinarily limited, so meeting attendees are strongly advised to travel to the meeting by Metro; the Navy Yard Station on Metro's Green Line serves DOT headquarters.

The meeting will begin with introductory presentations from DOT regarding the NPRM, the Access Board regarding its companion rulemaking, and the passenger vessel industry to ensure that meeting attendees all have baseline knowledge of the types of vessels proposed for coverage under this regulation. Following these presentations, the meeting will proceed with open discussions moderated by a neutral facilitator. The discussions will follow the items on the meeting agenda. The agenda for the meeting will be placed in the docket for this rulemaking no later than March 21, 2008. The docket can be found at www.regulations.gov, under docket number OST-2007-26829.

Individuals wishing to attend the meeting must RSVP to Brett Jortland with their name, organization (if any), and identify whether they are representing persons with disabilities, the passenger vessel industry, or other interests. In addition to space limitations, DOT reserves the right to limit attendance to ensure that all viewpoints are represented in the meeting's discussions. Individuals requiring special services, such as sign language interpretation or other auxiliary aids, are asked to indicate this in their RSVP, which must be received no later than April 3, 2008.

Dated: March 10, 2008.

Neil Eisner,

Assistant General Counsel for Regulation and Enforcement, U.S. Department of Transportation.

[FR Doc. 08-1036 Filed 3-12-08; 4:01 pm]

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