

payments made in accordance with section 2771 of title 10, United States Code for deceased claimants.

(g) The mean and median processing times from receipt of claim to payment.

#### § 279.6 Reporting.

The Department of Defense shall provide a consolidated report to the congressional defense committees on the implementation of Section 310 of Pub. L. 111–32. As such, the Under Secretary of Defense for Personnel and Readiness, in coordination with the Under Secretary of Defense (Comptroller), will establish data formats and narrative requirements for a cumulative quarterly report beginning January 21, 2010, to monitor the program and the remaining balance of funding appropriated for this purpose.

Dated: October 21, 2009.

**Patricia L. Toppings,**

*OSD Federal Register Liaison Officer,  
Department of Defense.*

[FR Doc. E9–25664 Filed 10–21–09; 4:15 pm]

**BILLING CODE 5001–06–P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket Number USCG–2009–0913]

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

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, Eighth Coast Guard District has issued a temporary deviation from the regulation governing the operations of the Clinton Railroad Drawbridge across the Upper Mississippi River, Mile 518.0, Clinton, Iowa. The deviation is necessary to allow time for performing needed maintenance and repairs to the bridge. 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, 2009 until 9 a.m., March 15, 2010.

**DATES:** This deviation is effective from 12:01 a.m., December 15, 2009 until 9 a.m., March 15, 2010.

**ADDRESSES:** Documents mentioned in this preamble as being available in the docket are part of docket USCG–2009–0913 and are available online by going to <http://www.regulations.gov>, inserting USCG–2009–0913 in the “Keyword” and then clicking “Search”. They are

also available for inspection or copying at the Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or e-mail Roger K. Wiebusch, Bridge Administrator, Coast Guard; telephone (314) 269–2378, e-mail [Roger.K.Wiebusch@uscg.mil](mailto:Roger.K.Wiebusch@uscg.mil). If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone (202) 366–9826.

**SUPPLEMENTARY INFORMATION:** The Union Pacific Railroad Company requested a temporary deviation for the Clinton Railroad Drawbridge, across the Upper Mississippi, mile 518.0, at Clinton, Iowa 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, 2009 until 9 a.m., March 15, 2010.

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. 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 6, 2009.

**Roger K. Wiebusch,**

*Bridge Administrator.*

[FR Doc. E9–25598 Filed 10–22–09; 8:45 am]

**BILLING CODE 4910–15–P**

## POSTAL REGULATORY COMMISSION

### 39 CFR Part 3030

[Docket No. RM2010–2; Order No. 314]

#### Modification of Complaint Rules

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Direct final rule.

**SUMMARY:** Under new rules, postal complaints must be served on both the Commission and the Postal Service. This document informs the public of a change in the email account for service on the Postal Service.

**DATES:** This rule is effective December 2, 2009 without further action, unless adverse comment is received by November 23, 2009. If adverse comment is received, the Commission will publish a timely withdrawal of the rule in the **Federal Register**.

**ADDRESSES:** Submit comments electronically via the Commission's Filing Online system at <http://www.prc.gov>. Commenters who cannot submit their views electronically should contact the person identified in **FOR FURTHER INFORMATION CONTACT** by telephone for advice on alternatives to electronic filing.

**FOR FURTHER INFORMATION CONTACT:** Stephen L. Sharfman, General Counsel, 202–789–6820 or [stephen.sharfman@prc.gov](mailto:stephen.sharfman@prc.gov).

#### **SUPPLEMENTARY INFORMATION:**

*Regulatory History*, 74 FR 16734 (April 10, 2009).

Section 3030.11 of the Commission's rules, 39 CFR 3030.11, specifies that complainants must serve their complaints on the Postal Service via email at a specified email address. This order changes the email address referenced in 39 CFR 3030.11. To accurately reflect the current status, the email address listed in that section is, by this order, changed from “*Sandra.t.broadus@usps.gov*” to “*PRCCOMPLAINTS@usps.gov*.”

*Notice and effective date.* Given the nature and limited extent of this change, the Commission is adopting it as a direct final rule. This rule is effective 40 days after publication in the **Federal Register** without further Commission action, unless the Commission receives adverse comment within 30 days of publication in the **Federal Register**.<sup>1</sup> If adverse comment is received, the Commission will publish a timely withdrawal of the rule in the **Federal**

<sup>1</sup> See Administrative Conference of the United States Recommendation 95–4, Procedures for Noncontroversial and Expedited Rulemaking, 60 FR 43110–13, August 18, 1995.

**Register.** The Commission directs the Secretary to arrange for publication of this order in the **Federal Register**.

*It is ordered:*

1. The Commission adopts the direct final rule that follows the Secretary's signature into the Commission's Rules of Practice and Procedure.

2. Interested persons may submit comments within 30 days of publication in the **Federal Register**.

3. The Secretary shall arrange for publication of this order in the **Federal Register**. These actions will take effect 40 days after publication in the **Federal Register**.

#### List of Subjects in 39 CFR Part 3030

Administrative practice and procedure; Postal Service.

By the Commission.

**Shoshana M. Grove,**  
Secretary.

■ For the reasons stated in the preamble, under the authority at 39 U.S.C. 503, the Postal Regulatory Commission amends chapter III of title 39 of the Code of Federal Regulations as follows:

#### PART 3030—RULES FOR COMPLAINTS

■ 1. The authority citation for part 3030 continues to read as follows:

**Authority:** 39 U.S.C. 503; 3662.

■ 2. Revise § 3030.11 to read as follows:

##### § 3030.11 Service.

Any person filing a complaint must simultaneously serve a copy of the complaint on the Postal Service at the following address:

*PRCCOMPLAINTS@usps.gov.* A

complaint is not deemed filed until it is served on the Postal Service. A waiver may be obtained pursuant to § 3001.9(a) of this chapter.

[FR Doc. E9-25343 Filed 10-22-09; 8:45 am]

BILLING CODE 7710-FW-P

#### ENVIRONMENTAL PROTECTION AGENCY

##### 40 CFR Part 52

[EPA-R04-OAR-2005-KY-0003; FRL-8972-2]

#### Approval and Promulgation of Implementation Plans; Kentucky: NO<sub>x</sub> SIP Call Phase II

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

**ACTION:** Final rule.

**SUMMARY:** EPA is taking final action to approve the State Implementation Plan

(SIP) revisions submitted by the Commonwealth of Kentucky on September 12, 2005, and March 24, 2006. The first revision provides Kentucky's response to EPA's regulations entitled, "Finding of Significant Contribution and Rulemaking for Certain States in Ozone Transport Assessment Group Region for Purposes of Reducing Regional Transport of Ozone," otherwise known as the "Nitrogen Oxides (NO<sub>x</sub>) SIP Call Phase I." The second revision responds to EPA's regulations entitled, "Interstate Ozone Transport: Response to Court Decisions on the NO<sub>x</sub> SIP Call, NO<sub>x</sub> SIP Call Technical Amendments, and Section 126 Rules," otherwise known as the "NO<sub>x</sub> SIP Call Phase II." EPA proposed to approve Kentucky's request to revise the SIP on May 29, 2009. This action is being taken pursuant to Section 110 of the Clean Air Act (CAA).

**DATES:** *Effective Date:* This rule will be effective November 23, 2009.

**ADDRESSES:** EPA has established a docket for this action under Docket ID No. EPA-R04-OAR-2005-KY-0003. All documents in the docket are listed on the <http://www.regulations.gov> Web site. Although listed in the index, some information is not publicly available, *i.e.*, Confidential Business Information 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 at the Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street, SW., Atlanta, Georgia 30303-8960. EPA requests that if at all possible, you contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday, 8:30 to 4:30 excluding Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Deanne Grant, Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, Region 4, U.S. Environmental Protection Agency, 61 Forsyth Street, SW., Atlanta, Georgia 30303-8960. The telephone number is (404) 562-9291. Ms. Grant can also be reached via electronic mail at [grant.deanne@epa.gov](mailto:grant.deanne@epa.gov). For information relating to the Kentucky SIP, please contact Mr. Zuri Farngalo at (404) 562-

9152. Mr. Farngalo can also be reached via electronic mail at [farngalo.zuri@epa.gov](mailto:farngalo.zuri@epa.gov).

#### SUPPLEMENTARY INFORMATION:

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##### I. EPA's Action

EPA is taking final action to approve SIP revisions submitted by the Commonwealth of Kentucky on September 12, 2005, and March 24, 2006. The first revision provides Kentucky's response to EPA's regulations entitled, "Finding of Significant Contribution and Rulemaking for Certain States in Ozone Transport Assessment Group Region for Purposes of Reducing Regional Transport of Ozone," otherwise known as the "Nitrogen Oxides (NO<sub>x</sub>) SIP Call Phase I." The second revision responds to EPA's regulations entitled, "Interstate Ozone Transport: Response to Court Decisions on the NO<sub>x</sub> SIP Call, NO<sub>x</sub> SIP Call Technical Amendments, and Section 126 Rules," otherwise known as the "NO<sub>x</sub> SIP Call Phase II."

The NO<sub>x</sub> SIP Call Phase II revision satisfies EPA's rule that requires Kentucky to submit Phase II revisions necessary to achieve applicable, incremental reductions of NO<sub>x</sub>. The intended effect of the Phase II SIP revision is to reduce emissions of NO<sub>x</sub> originating in the Commonwealth of Kentucky to help attain and maintain the national ambient air quality standard for ozone. The March 24, 2006, final submittal stopped the Federal implementation plan (FIP) clock that started on February 8, 2006, when EPA made a finding that Kentucky failed to submit the required SIP for Phase II of the NO<sub>x</sub> SIP Call by April 1, 2005.

EPA proposed to approve Kentucky's request to amend the SIP on May 29, 2009 (74 FR 25686). In that proposal, EPA also stated its intent to remove compliance requirements of the NO<sub>x</sub> SIP Call Phase I. The comment period closed on June 29, 2009. No comments were received in regard to this action. EPA is finalizing the approval as proposed based on the rationale stated in the proposal and in this final action.

##### II. Background

On January 31, 2002, the Kentucky Environmental and Public Protection Cabinet (KEPPC) submitted final revisions to its SIP that complied with the requirements of Phase I of the NO<sub>x</sub> SIP Call. EPA approved the revisions on April 11, 2002 (67 FR 17624), which