

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 121**

[Docket No. FAA-2004-19835]

RIN 2120-AH82

Disqualification for Airman and Medical Certificate Holders Based on Alcohol Violations and Refusals To Submit to Drug or Alcohol Testing**AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Correcting amendment.

SUMMARY: This document makes a correction to the final regulation published in the **Federal Register** on June 21, 2006. (71 FR 35760) This rule amended the airman medical certification standards to disqualify an airman based on an alcohol test result of 0.04 or greater breath alcohol concentration (BAC) or a refusal to take a drug or alcohol test required by the Department of Transportation (DOT) or a DOT agency.

DATES: Effective October 24, 2006.**FOR FURTHER INFORMATION CALL:** Patrice M. Kelly, telephone (202) 267-8442.**SUPPLEMENTARY INFORMATION:****Need for Correction**

As published, the final regulation contains an error referring to a drug test required that should read alcohol test required.

List of Subjects in 14 CFR Part 121

Air carriers, Aircraft, Airmen, Alcohol abuse, Aviation safety, Charter flights, Drug abuse, Drug testing, Reporting and recordkeeping requirements, Safety, Transportation.

■ Accordingly, 14 CFR part 121 is corrected by making the following correcting amendment:

PART 121—OPERATING REQUIREMENTS: DOMESTIC, FLAG, AND SUPPLEMENTAL OPERATIONS

■ 1. The authority citation for part 121 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 40119, 41706, 44101, 44701-44703, 44705, 44709-44711, 44713, 44716-44717, 44722, 44901, 44903-44904, 44912, 45101-45105, 46105.

■ 2. Revise paragraph D.1 of section V of Appendix J to Part 121 to read as follows:

Appendix J to Part 121—Alcohol Misuse Prevention Program

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V. * * *

D. Notice of Refusals.

1. Each covered employer must notify the FAA within 2 working days of any employee who holds a certificate issued under part 61, part 63, or part 65 of this chapter who has refused to submit to an alcohol test required under this appendix. Notification must be sent to: Federal Aviation Administration, Office of Aerospace Medicine, Drug Abatement Division (AAM-800), 800 Independence Avenue, SW., Washington, DC 20591 or by fax to (202) 267-5200.

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Issued in Washington, DC, on October 13, 2006.

Brenda D. Courtney,*Acting Director, Office of Rulemaking.*

[FR Doc. E6-17823 Filed 10-23-06; 8:45 am]

BILLING CODE 4910-13-P**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION****14 CFR Parts 1260 and 1274**

RIN 2700-AD30

NASA Grant and Cooperative Agreement Handbook—Training Grant and Award Procedures**AGENCY:** National Aeronautics and Space Administration.**ACTION:** Final rule.

SUMMARY: This final rule makes the following administrative changes to NASA internal procedures: 14 CFR 1260.12(c)(3)(iii) is revised to identify the new name of the Science Mission Directorate's (SMD's) graduate fellowship program; and 14 CFR 1274.211(a) is revised to conform the HQ public announcement procedures to those in the NASA FAR Supplement (NFS).

DATES: *Effective Date:* This final rule is effective October 24, 2006.

FOR FURTHER INFORMATION CONTACT: Jamiel C. Commodore, NASA, Office of Procurement, Contract Management Division; (202) 358-0302; e-mail: *Jamiel.C.Commodore@nasa.gov*.

SUPPLEMENTARY INFORMATION:**A. Background**

Following a reorganization, the NASA Earth System Science Fellowship Program was renamed the NASA Earth and Space Science Fellowship Program. This final rule includes the administrative change to 14 CFR 1260.12(c)(3)(iii) to reflect the new program title.

Section 1805.303-71 of the NFS has been revised to require notification of the Administrator at least three days before the public announcement of

contract award. This final rule makes an administrative change to the Grant Handbook to establish the same notification period for cooperative agreements with commercial firms.

B. Regulatory Flexibility Act

NASA certifies that this final rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because the changes are merely administrative and affect only internal Agency procedures.

C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because this rule does not impose any new recordkeeping or information collection requirements, or collection of information from offerors, contractors, or members of the public that require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

List of Subjects in 14 CFR Parts 1260 and 1274

Grant programs—science and technology.

Tom Luedtke,*Assistant Administrator for Procurement.*

■ Accordingly, 14 CFR parts 1260 and 1274 are amended as follows:

PART 1260—GRANTS AND COOPERATIVE AGREEMENTS

■ 1. The authority citation for 14 CFR Part 1260 continues to read as follows:

Authority: 42 U.S.C. 2473(c)(1), Public Law 97-258, 96 Stat. 1003 (31 U.S.C. 6301, *et seq.*), and OMB Circular A-110.

■ 2. Amend § 1260.12 by revising paragraph (c)(3)(iii) to read as follows:

§ 1260.12 Choice of award instrument.

* * * * *

(c) * * *

(3) * * *

(iii) Students and faculty receiving direct support under a NASA training grant must be U.S. citizens, except for those supported by the NASA Earth and Space Science Fellowship Program, the NASA Earth System Science Fellowship Program, the Graduate Student Fellowship in Global Change Research Program, and the GLOBE Program.

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PART 1274—COOPERATIVE AGREEMENTS WITH COMMERCIAL FIRMS

■ 3. The authority citation for 14 CFR part 1274 continues to read as follows:

Authority: 31 U.S.C. § 6301 to 6308; 42 U.S.C. § 2451, *et seq.*

■ 4. Amend § 1274.211 by revising paragraph (a) to read as follows:

§ 1274.211 Award procedures.

(a) In accordance with NFS 1805.303-71, the NASA Administrator shall be notified at least three (3) workdays before a planned public announcement for award of a cooperative agreement (regardless of dollar value), if it is thought the agreement may be of significant interest to Headquarters.

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[FR Doc. E6-17801 Filed 10-23-06; 8:45 am]

BILLING CODE 7510-01-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 160

[USCG-2006-26016]

Notice of Arrival; Port or Place of Destination

AGENCY: Coast Guard, DHS.

ACTION: Notice of policy.

SUMMARY: The Coast Guard is announcing its policy regarding the term “port or place of destination” used in our notice of arrival regulations in 33 CFR Part 160, Subpart C. We are issuing this notice to provide clarification as to how that term will be used by Coast Guard personnel enforcing our notice of arrival regulations.

DATES: This notice is effective October 24, 2006.

FOR FURTHER INFORMATION CONTACT: If you have any questions regarding this document, contact Lieutenant Junior Grade Julie Miller, Office of Vessel Activities (G-PCV), Coast Guard, by e-mail, Julie.E.Miller@uscg.mil, or telephone 202-372-1244.

SUPPLEMENTARY INFORMATION:

Background and Purpose

Representatives from the maritime industry have requested clarification of the definition of “port or place of destination” found in 33 CFR 160.204. This term is defined as “any port or place in which a vessel is bound to anchor or moor.” These requests for clarification arise from two situations.

First, while many vessels arriving at a port or place of destination when operating solely between ports or places within a single Captain of the Port (COTP) zone are exempt from submitting a notice of arrival (NOA), 33

CFR 160.203(b)(2), vessels carrying certain dangerous cargo (CDC) are not. A vessel carrying CDC must submit a NOA for any port or place of destination, including movements within a COTP zone. Because of confusion about the term “port or place of destination,” some vessels carrying CDC submit NOAs every time the vessel changes berths or piers in the same port in certain COTP zones, while others only submit NOAs when they depart the current port and enter another port within the same COTP zone.

Second, in some U.S. ports, after entering the port, transit time or distance to the berth is lengthy. Ports in Portland, OR, and New Orleans, LA, are two examples. In such situations the cognizant COTP may have an interest in when certain vessels arrive at the sea buoy or pilot station. In other U.S. ports, where transits are short or where the vessel must transit through another COTP zone to arrive at its intended berth (for example, transiting Hampton Roads, VA to get to Baltimore, MD) the COTP uses the vessel’s arrival time at the berth or dock as the basis for enforcing compliance with the NOA regulation submission requirements.

Policy

In the two situations described above, the Coast Guard will exercise its discretion in enforcing NOA regulations as follows.

A vessel required to submit a NOA for ports or places of destination within a single COTP zone (for example, a vessel carrying CDCs) need only do so if the vessel is actually moving from one port to another port within that COTP zone. The Coast Guard will not view the movement from one dock to another dock, one berth to another berth, or one anchorage to another anchorage within one port as being a transit from one “port or place of destination” to a different “port or place of destination.”

A sea buoy or pilot station for a port will not be considered the arrival point for a vessel bound to anchor or moor in that port unless either the sea buoy or pilot station is the actual location where the vessel is bound to anchor or moor. If, based on information about a particular vessel, a COTP finds it necessary to know when that vessel reaches a sea buoy or pilot station, under separate authority he or she may issue an appropriate order specific to that vessel. The order may direct the vessel operator to advise the COTP when the vessel arrives, or is estimated to arrive, at the sea buoy or pilot station. It is anticipated this authority will be exercised only when necessary and will be specific to a particular vessel.

Dated: October 13, 2006.

F.J. Sturm,

Captain, U.S. Coast Guard, Acting Director of Inspections and Compliance.

[FR Doc. E6-17822 Filed 10-23-06; 8:45 am]

BILLING CODE 4910-15-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R03-OAR-2006-0607; FRL-8233-2]

Approval and Promulgation of Air Quality Implementation Plans; Maryland; State Implementation Plan Revision for American Cyanamid Company, Havre de Grace, MD

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is approving a State Implementation Plan (SIP) revision submitted by the State of Maryland. The intended effect of this action is to remove an August 2, 1984 Secretarial Order (Order) from the Maryland SIP. The Order constituted a Plan for Compliance (PFC) and an alternative method of assessing compliance at an American Cyanamid Company (Company) facility located in Havre de Grace, Harford County, Maryland (the Facility). The Order allowed for certain volatile organic compound (VOC) emissions sources at the Facility to achieve compliance with emissions limits through averaging (or “bubbling”) of emissions over a 24-hour period. Removal of the Order from the SIP will remove the “bubbling” compliance option for these sources at the Facility. In lieu of “bubbling,” the sources must comply with the approved and more stringent Maryland SIP provisions for the control of VOC emissions, which do not allow averaging or “bubbling.” This action is being taken under the Clean Air Act (CAA or the Act).

EFFECTIVE DATE: This final rule is effective on November 24, 2006.

ADDRESSES: EPA has established a docket for this action under Docket ID Number EPA R03-OAR-2006-0607. 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.