

## Environment

We have analyzed this proposed rule under Department of Homeland Security Management Directive 023-01 and Commandant Instruction M16475.ID, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321-4370f), and have made a preliminary determination that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. A preliminary environmental analysis checklist supporting this determination is available in the docket where indicated under **ADDRESSES**. This proposed rule involves establishing a safety zone and as such is categorically excluded, under figure 2-1, paragraph (34)(g) of the Instruction. A preliminary "Environmental Analysis Check List" supporting this determination is available in the docket where indicated under **ADDRESSES**. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

### List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 165 as follows:

### PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

1. The authority citation for part 165 continues to read as follows:

**Authority:** 33 U.S.C. 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05-1, 6.04-1, 6.04-6, and 160.5; Pub. L. 107-295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

2. Add § 165.T08-0032 to read as follows:

#### § 165.T08-0032 Safety Zone; Lake Pontchartrain, New Orleans, LA

(a) *Location*. The following area is a temporary safety zone: All waters on the South shores of Lake Pontchartrain adjacent to the East bank of Lakefront Airport runways, extending along the Southern banks of the Lake, and including the Inner Harbor Navigational Canal entrance to Lake Pontchartrain. The coordinates are: latitude 30°02'38.37" N, longitude 90°01'53.56" W to latitude 30°02'38.37" N, longitude 90°04'10.05" W to latitude 30°02'07.71" N, longitude 90°04'10.05" W to latitude

30°02'07.71" N, longitude 90°01'53.56" W.

(b) *Effective Dates*. This rule is effective beginning April 19, 2012 through April 22, 2012, daily between the hours of 10 a.m. and 5 p.m., local time.

(c) *Regulations*. (1) In accordance with the general regulations in 33 CFR part 165, Subpart C of this title, entry into this zone is prohibited unless authorized by the Captain of the Port New Orleans. The Captain of the Port New Orleans may be contacted at (504) 365-2543.

(2) Vessels requiring entry into or passage through the Safety Zone must request permission from the Captain of the Port New Orleans, or a designated representative. They may be contacted on VHF 16, or by telephone at (504) 365-2543.

(3) All persons and vessels shall comply with the instructions of the Captain of the Port New Orleans and designated personnel. Designated personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard.

Dated: February 1, 2012.

**P.W. Gautier,**

*Captain, U.S. Coast Guard, Captain of the Port New Orleans.*

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 141 and 142

[FRL-9635-1]

#### Arsenic Small Systems Compliance and Alternative Affordability Criteria Working Group; public meeting

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

**ACTION:** Notice of public meeting.

**SUMMARY:** EPA is holding an initial meeting of the Arsenic Small Systems Working Group to provide input and recommendations on barriers to the use of point-of-use and point-of-entry treatment units, package plant, and modular units, as well as alternative affordability criteria that give extra weight to small, rural, and lower income communities. This meeting will be held via Webcast and the public may attend this meeting.

**DATES:** The Work Group meeting will be held on March 2, 2012 (1 p.m. to 4 p.m., Eastern Time (ET)). Persons wishing to participate must register in advance as

described in the **SUPPLEMENTARY INFORMATION** section.

**ADDRESSES:** The meeting will be held via the Internet using a Webcast and teleconference. Registrants will receive an Internet access link and dial in number upon registration for the Webcast. To participate in the Webcast, you must register in advance at the following Web address: <https://www3.gotomeeting.com/register/679236510>.

**FOR FURTHER INFORMATION CONTACT:** For questions about this specific meeting, contact Russ Perkinson, Office of Ground Water and Drinking Water, U.S. Environmental Protection Agency; telephone (202) 564-4901 or by email to [perkinson.russ@epa.gov](mailto:perkinson.russ@epa.gov).

**SUPPLEMENTARY INFORMATION:** Congressional language contained in the Conference Report (H.R. 2055) accompanying the Consolidated Appropriations Act of 2012 directs the Environmental Protection Agency to convene an Arsenic Small Systems Working Group composed of representatives from States, small publicly owned water systems, local public health officials, drinking water consumers and treatment manufacturers to provide input and recommendations on barriers to the use of point-of-use and point-of-entry treatment units, package plant, and modular units, as well as alternative affordability criteria that give extra weight to small, rural, and lower income communities. Based upon input from the work group, the EPA will submit to Congress a report on actions to make alternative compliance methods more accessible to water systems and a report on alternative affordability criteria.

To participate in the Webcast, you must register in advance at the following Web address: <https://www3.gotomeeting.com/register/679236510>. The number of connections available for the Webcast is limited and will be available on a first come, first served basis. During the Webcast, a public comment period will be held for persons wishing to participate that have registered in advance to speak. Individual comments should be limited to no more than three minutes and it is preferred that only one person present the statement on behalf of a group or organization. Individuals wishing to speak during the public comment period or individuals without Internet access seeking alternative means to participate in the meeting must contact Russ Perkinson at (202) 564-4901 or by email to [perkinson.russ@epa.gov](mailto:perkinson.russ@epa.gov) no later than February 28, 2012.

## Special Accommodations

To request special accommodations for individuals with disabilities, please contact Russ Perkinson at (202) 564-4910 or by email to [perkinson.russ@epa.gov](mailto:perkinson.russ@epa.gov). Please allow at least five business days prior to the meeting to allow time to process your request.

Dated: February 15, 2012.

**Cynthia C. Dougherty,**

*Director, Office of Ground Water and Drinking Water.*

[FR Doc. 2012-3912 Filed 2-17-12; 8:45 am]

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Administration for Children and Families

#### 45 CFR Part 1357

#### Tribal Consultation Meetings Regarding Requirements Applicable to Title IV-B Child and Family Services Plan

**AGENCY:** Children's Bureau, Administration on Children, Youth and Families (ACYF), ACF, HHS.

**ACTION:** Notice of tribal consultation.

**SUMMARY:** The title IV-B regulations regarding the title IV-B plan and fiscal requirements are outdated due to statutory changes over the last 15 years. The Children's Bureau (CB) is deciding whether to revise the regulations accordingly. Per the ACF Tribal Consultation Policy (76 FR 55678, published September 8, 2011), we request comments from Indian Tribes that operate a title IV-B, subpart 1 and/or title IV-B, subpart 2 program and any other interested party. We provide further information on these statutory changes below, under **SUPPLEMENTARY INFORMATION**.

**DATES:** Please submit written comments to the office listed in the **ADDRESSES** section below on or before April 6, 2012. Please see **SUPPLEMENTARY INFORMATION** for additional details on consultation meetings.

**ADDRESSES:** Interested persons may submit written comments by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Email:* [CBComments@acf.hhs.gov](mailto:CBComments@acf.hhs.gov). Please include "Comments on 45 CFR 1357 Federal Register Notice" in the subject line of the message.

- *Mail or Courier Delivery:* Jan Rothstein, Division of Policy, Children's Bureau, Administration on Children, Youth and Families, Administration for Children and Families, 1250 Maryland Avenue SW., 8th Floor, Washington, DC 20024.

**Instructions:** If you choose to use an express, overnight or other special delivery method, you must ensure that delivery is made at the address listed under the **ADDRESSES** section. We urge interested parties to submit comments electronically to ensure that we receive them in a timely manner. We will post all comments without change to [www.regulations.gov](http://www.regulations.gov). This will include any personal information provided. We will provide equal consideration to comments provided during a meeting or written responses to this **Federal Register** notice.

**FOR FURTHER INFORMATION CONTACT:** Jan Rothstein, Division of Policy, Children's Bureau, Administration on Children, Youth and Families, 1250 Maryland Avenue SW., 8th Floor, Washington, DC 20024; phone: (202) 401-5073; email at: [jrothstein@acf.hhs.gov](mailto:jrothstein@acf.hhs.gov). Do not email comments on the Notice to this address.

**SUPPLEMENTARY INFORMATION:** Federal regulations at 45 CFR 1357, originally published in 1996, implement title IV-B of the Social Security Act (the Act). Legislation enacted over the last 15 years added new plan and fiscal requirements to title IV-B for States and Tribes to implement. While we have addressed these title IV-B requirements in Program Instructions and Information Memorandums, we are considering regulatory amendments to bring the regulations in line with the Act. Additionally, these regulations refer to numerous obsolete dates and timelines. Below, we provide a list of the major changes in the law since 1996 that relate to the title IV-B program requirements.

Several regulatory provisions have been superseded by statute including:

- *45 CFR 1357.50:* The Child and Family Services Improvement and Innovation Act (Public Law (Pub. L.) 112-34) amended section 431 of the Act to define "Indian Tribe" for title IV-B, subpart 2 the same way it is defined for title IV-B, subpart 1; this makes the definitions of Indian Tribe in 1357.50 obsolete.
- *45 CFR 1357.50(f)(1)(ii):* Amendments to section 432(b)(2) of the Act in the Child and Family Services Improvement Act of 2006 (Pub. L. 109-288) supersede the Secretary's authority to waive for Indian Tribes only the requirement that title IV-B, subpart 2 funds will not be used to supplant Federal or non-Federal funds expended

under title IV-B, subpart 2. ACF continues to have the authority to waive for Indian Tribes only the requirement that not more than 10 percent of expenditures will be for administrative costs and the requirement that a significant portion of expenditures will be for family preservation services, community-based family support services, time limited family reunification services, and adoption promotion and support services; and

- *45 CFR 1357.50(f)(2):* Further amendments in Public Law 109-288 to section 432(b)(2) of the Act supersede the Secretary's authority to waive other State plan requirements requested by the Tribe (only those listed in paragraphs (f)(1)(i) and (iii) may still be waived) contrary to what is stated in 45 CFR 1357.50(f)(2).

The Child and Family Services Plan requirements have been revised by statutory changes including:

- A requirement that title IV-B agencies coordinate and collaborate with the State Medicaid agency and, in consultation with pediatricians and others, develop a plan for the ongoing oversight and coordination of health care services for any child in a foster care placement in accordance with the Fostering Connections to Success and Increasing Adoptions Act of 2008 (Pub. L. 110-351).
- A description of the standards for the content and frequency of caseworker visits for children in foster care as described in sections 422(b)(17) of the Act pursuant to Public Law 112-34; and
- A description of activities to reduce the length of time children under five years of age are without a permanent family and to address the developmental needs of such children who receive benefits or services under titles IV-B/IV-E in accordance with Public Law 112-34.

Amendments to the Act over the years removed several title IV-B requirements including:

- *45 CFR 1357.15(c)(3):* Assurance of a plan for the training and use of paid paraprofessional staff and for the use of volunteers; and
- *45 FR 1357.15(c)(4):* Requirement to assure day care facility standards and requirements correspond with the child care standards imposed under title XX.

**Consultation Opportunities:** As specified in the **ADDRESSES** section, you may submit written comments. In addition, we plan to hold conference calls and in-person consultations in ACF Regions II, VI, VII and X and in our Washington, DC office. We invite Tribal leaders and/or their representatives to personally attend these meetings or call in to provide input on the proposed