

Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

#### Taking of Private Property

This rule will not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

#### Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

#### Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

#### Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

#### Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

#### Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

#### Environment

We have analyzed this rule under Commandant Instruction M16475.ID, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, this rule is categorically excluded, under figure 2–1, paragraph (34)(g), of the Instruction, from further environmental documentation. The environmental analysis and Categorical Exclusion Determination will be prepared and be available in the docket for inspection and copying where indicated under **ADDRESSES**. All standard environmental measures remain in effect.

#### List of Subjects in 33 CFR Part 165

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

#### Temporary Final Rule

■ For the reasons set out in the preamble, the Coast Guard amends Part 165 of Title 33, Code of Federal Regulations, as follows:

#### PART 165—[AMENDED]

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

**Authority:** 33 U.S.C. 1226, 1231; 46 U.S.C. Chapter 701; 50 U.S.C. 191, 195; 33 CFR 1.05–1(g), 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. From 6 a.m. PDT on August 9, 2005, to 11:59 p.m. PDT on August 20, 2005,

a temporary § 165.T13–014 is added to read as follows:

#### § 165.T13–014 Security Zone Regulations, Port Townsend Waterway, Puget Sound, Washington.

(a) *Port Townsend Waterway Security Zone:* A security zone controlling all vessel movement exists in the Port Townsend Blair waterway, Puget Sound, WA which includes all waters enclosed by the following points: 48°40'40" N, 122°44'31" W; then northwesterly to 48°04'59.5" N, 122°44'52" W; then northwesterly to 48°05'35" N, 122°45'17" W; then southwesterly to 48°05'20" N, 122°45'50" W; then southeasterly to 48°02'39" N, 122°44'46" W; then easterly to 48°02'42" N, 122°44'17" W; then northerly along the shoreline of the Indian Island to the point of origin. [Datum: NAD 1983].

(b) *Regulations.* The general regulations in 33 CFR part 165, subpart D, apply to the security zone described in paragraph (a) of this section. No person or vessel may enter this security zone unless authorized by the Captain of the Port or his designated representatives. Vessels and persons granted authorization to enter the security zone must obey all lawful orders or directions of the Captain of the Port or his designated representatives. The Captain of the Port may be assisted by other federal, state, or local agencies in enforcing this section pursuant to 33 CFR 6.04–11.

Dated: August 4, 2005.

**Stephen P. Metruck,**  
*Captain, U.S. Coast Guard, Captain of the Port, Puget Sound.*

[FR Doc. 05–16286 Filed 8–16–05; 8:45 am]

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#### POSTAL RATE COMMISSION

#### 38 CFR 3001, 3002 AND 3003

[Docket No. RM2005–4; Order No. 1442]

#### Nomenclature Changes

**AGENCY:** Postal Rate Commission.  
**ACTION:** Final rule.

**SUMMARY:** The Commission is adopting minor nomenclature changes in provisions appearing in the Code of Federal Regulations, including the rules of practice. The changes reflect the agency's relocation of its physical offices. Adoption of these changes will provide the public with accurate information about the Commission's new address.

**DATES:** These changes are effective August 29, 2005.

**ADDRESSES:** Submit comments electronically via the Commission's Filing Online system, which can be accessed at <http://www.prc.gov>.

**FOR FURTHER INFORMATION CONTACT:** Stephen L. Sharfman, General Counsel, 202-789-6818.

**SUPPLEMENTARY INFORMATION:** This order provides notice of the Commission's adoption of minor nomenclature changes in various provisions codified at 39 CFR parts 3001 through 3003. These changes are required because the Commission is relocating from 1333 H Street, NW., Suite 300, Washington, DC 20268-0001 to 901 New York Avenue, NW., Suite 200, Washington, DC 20268-0001. The effective date of the changes is August 29, 2005. The revisions do not entail any changes to existing telephone numbers, ZIP Code, e-mail addresses or the Commission's Web site address (<http://www.prc.gov>).

### I. Physical address

References to the Commission's current physical address are being replaced whenever they appear with the Commission's new physical address. This affects 39 CFR 3001.9; 43(e)(4)(i); 3001.110 and 116; 39 CFR 3002.3(c); and 39 CFR 3003.3.

### II. Notice of Adoption of Changes and Effective Date

Given the nature and limited extent of these changes, the Commission is adopting them as a direct final rule. The effective date is August 29, 2005, which coincides with the continuation of official business at the new location. The Commission directs the Secretary to arrange for publication of this order in the **Federal Register**.

*It is ordered:*

1. The Commission adopts the nomenclature changes referred to in the body of this order, effective August 29, 2005.

2. The Secretary shall arrange for publication of this order in the **Federal Register**.

Issued: August 10, 2005.

By the Commission.

**Steven W. Williams,**  
*Secretary.*

### List of Subjects in 39 CFR Parts 3001, 3002 and 3003

Administrative practice and procedure, Postal Service.

■ For the reasons stated in the preamble, the Commission amends 39 CFR parts 3001, 3002, and 3003 as follows:

### PART 3001—RULES OF PRACTICE AND PROCEDURE

■ 1. The authority citation for part 3001 continues to read as follows:

**Authority:** 39 U.S.C. 404(b); 3603; 3622-24; 3661; 3662; 3663.

■ 2. Amend part 3001 by replacing the words "1333 H Street NW., Suite 3000," wherever they appear with the words "901 New York Avenue NW., Suite 200."

### PART 3002—RULES OF PRACTICE AND PROCEDURE

■ 1. The authority citation for part 3002 continues to read as follows:

**Authority:** 39 U.S.C. 3603; 5 U.S.C. 552.

■ 2. Amend part 3002 by replacing the words "1333 H Street NW., Suite 300," wherever they appear with the words "901 New York Avenue NW., Suite 200,".

### PART 3003—PRIVACY ACT RULES

■ 1. The authority citation for part 3003 continues to read as follows:

**Authority:** Privacy Act of 1974 (Pub. L. 93-579); 5 U.S.C. 552a.

■ 2. Amend part 3003 by replacing the words "1333 H Street NW., Suite 300," wherever they appear with the words "901 New York Avenue NW., Suite 200."

[FR Doc. 05-16219 Filed 8-16-05; 8:45 am]

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### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 52

[R03-OAR-2005-VA-0004; FRL-7954-1]

#### Approval and Promulgation of Air Quality Implementation Plans; Virginia; Attainment Demonstration for the Roanoke Metropolitan Statistical Area (MSA) Ozone Early Action Compact Area

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

**ACTION:** Final rule.

**SUMMARY:** EPA is taking final action to approve a revision to the Commonwealth of Virginia State Implementation Plan (SIP). This revision consists of an Early Action Compact (EAC) Plan that will enable the Roanoke Metropolitan Statistical Area (MSA) Ozone EAC Area to demonstrate attainment and maintenance of the 8-hour ozone national ambient air quality (NAAQS) standard. This action is being taken under the Clean Air Act (CAA or Act).

**DATES:** This final rule is effective on September 16, 2005.

**ADDRESSES:** EPA has established a docket for this action under Regional Material in EDocket (RME) ID Number R03-OAR-2005-VA-0004. All documents in the docket are listed in the RME index at <http://www.docket.epa.gov/rmepub/>. Once in the system, select "quick search," then key in the appropriate RME identification number. 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. Publicly available docket materials are available either electronically in RME or in hard copy for public inspection during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the State submittal are available at the Virginia Department of Environmental Quality, 629 East Main Street, Richmond, Virginia 23219.

**FOR FURTHER INFORMATION CONTACT:** Ellen Wentworth, (215) 814-2034, or by e-mail at [wentworth.ellen@epa.gov](mailto:wentworth.ellen@epa.gov).

### SUPPLEMENTARY INFORMATION:

#### I. Background

On May 17, 2005 (70 FR 28252), EPA published a notice of proposed rulemaking (NPR) for the Commonwealth of Virginia. The NPR proposed approval of the attainment demonstration and Early Action Plan (EAP) for the Roanoke MSA Ozone EAC Area, which consists of the Counties of Botetourt and Roanoke, the Cities of Roanoke and Salem, and the Town of Vinton. The formal SIP revision was submitted by the Virginia Department of Environmental Quality on December 21, 2004, and supplemented on February 17, 2005. Other specifics of the Commonwealth's SIP revision for the Roanoke MSA Ozone EAC Area, and the rationale for EPA's proposed action are explained in the NPR and will not be restated here. On June 16, 2005, EPA received adverse comments on its May 17, 2005 NPR. A summary of the comments submitted and EPA's responses are provided in Section II of this document.

#### II. Summary of Public Comments and EPA Responses

*Comment:* Several commenters expressed support for the compact