

production and handling operations, producers and handlers should be able to use them in their operations as soon as possible. A 7-day period for interested persons to comment on this rule is provided. Interested persons have already been provided with 30 days of public comment on these 38 substances in advance of the NOSB meetings held May 6–8, 2002 and March 27–29, 2007. The NOSB considered these comments during their reviews and concluded that the petitioners had provided sufficient evidence for adding these 38 substances to the National List. Since many producers, handlers and certifying agents may have misinterpreted National List regulations § 205.606 to mean that any non-organic agricultural product that was not commercially available in organic form could be used in organic products without being individually listed on the National List, these 38 substances currently are being used in organic products. These 38 substances will be prohibited for use in organic products beginning June 9, 2007, unless they are added to the National List. Loss of the use of any of these products would disrupt the trade of food products currently being labeled as “organic”. Therefore, the continued allowed use of these products as ingredients in foods labeled as “organic” is necessary to prevent possible significant business disruption for organic producers and handlers. AMS believes that a 7-day period for interested persons to comment on this proposed rule is appropriate.

List of Subjects in 7 CFR Part 205

Administrative practice and procedure, Agriculture, Animals, Archives and records, Imports, Labeling, Organically produced products, Plants, Reporting and recordkeeping requirements, Seals and insignia, Soil conservation.

For the reasons set forth in the preamble, 7 CFR part 205, Subpart G is proposed to be amended as follows:

PART 205—NATIONAL ORGANIC PROGRAM

1. The authority citation for 7 CFR part 205 continues to read as follows:

Authority: 7 U.S.C. 6501–6522.

2. Section 205.606 is revised to read as follows:

§ 205.606 Nonorganically produced agricultural products allowed as ingredients in or on processed products labeled as “organic.”

Only the following nonorganically produced agricultural products may be

used as ingredients in or on processed products labeled as “organic,” only in accordance with any restrictions specified in this section, and only when the product is not commercially available in organic form.

(a) Casings, from processed intestines.

(b) Celery powder.

(c) Chia (*Salvia hispanica*).

(d) Colors derived from agricultural products.

(1) Annatto extract (pigment CAS #1393–63–1)—water and oil soluble.

(2) Beet juice (pigment CAS #7659–95–2).

(3) Beta-carotene (CAS #1393–63–1) derived from carrots.

(4) Black currant juice (pigment CAS #'s: 528–58–5, 528–53–0, 643–84–5, 134–01–0, 1429–30–7, and 134–04–3).

(5) Black/Purple carrot juice (pigment CAS #'s: 528–58–5, 528–53–0, 643–84–5, 134–01–0, 1429–30–7, and 134–04–3).

(6) Blueberry juice (pigment CAS #'s: 528–58–5, 528–53–0, 643–84–5, 134–01–0, 1429–30–7, and 134–04–3).

(7) Carrot juice (pigment CAS #1393–63–1).

(8) Cherry juice (pigment CAS #'s: 528–58–5, 528–53–0, 643–84–5, 134–01–0, 1429–30–7, and 134–04–3).

(9) Chokeberry—Aronia juice (pigment CAS #'s: 528–58–5, 528–53–0, 643–84–5, 134–01–0, 1429–30–7, and 134–04–3).

(10) Elderberry juice (pigment CAS #'s: 528–58–5, 528–53–0, 643–84–5, 134–01–0, 1429–30–7, and 134–04–3).

(11) Grape juice (pigment CAS #'s: 528–58–5, 528–53–0, 643–84–5, 134–01–0, 1429–30–7, and 134–04–3).

(12) Grape skin extract (pigment CAS #'s: 528–58–5, 528–53–0, 643–84–5, 134–01–0, 1429–30–7, and 134–04–3).

(13) Paprika (CAS #68917–78–2)—dried, and oil extracted.

(14) Pumpkin juice (pigment CAS #127–40–2).

(15) Purple potato juice (pigment CAS #'s: 528–58–5, 528–53–0, 643–84–5, 134–01–0, 1429–30–7, and 134–04–3).

(16) Red cabbage extract (pigment CAS #'s: 528–58–5, 528–53–0, 643–84–5, 134–01–0, 1429–30–7, and 134–04–3).

(17) Red radish extract (pigment CAS #'s: 528–58–5, 528–53–0, 643–84–5, 134–01–0, 1429–30–7, and 134–04–3).

(18) Saffron (pigment CAS #1393–63–1).

(19) Turmeric (CAS #458–37–7).

(e) Dillweed oil (CAS #8006–75–5).

(f) Fish oil (Fatty acid CAS #'s: 10417–94–4, and 25167–62–8)—stabilized with organic ingredients or only with ingredients on the National List, §§ 205.605 and 205.606.

(g) Fructooligosaccharides (CAS #308066–66–2).

(h) Galangal, frozen.

(i) Gelatin (CAS #9000–70–8).

(j) Gums—water extracted only (Arabic; Guar; Locust bean; and Carob bean).

(k) Hops.

(l) Inulin—oligofructose enriched (CAS #9005–80–5).

(m) Kelp—for use only as a thickener and dietary supplement.

(n) Konjac flour (CAS #37220–17–0).

(o) Lecithin—unbleached.

(p) Lemongrass—frozen.

(q) Orange shellac—unbleached (CAS #9000–59–3).

(r) Pectin (high-methoxy).

(s) Peppers (Chipotle chile).

(t) Starches.

(1) Cornstarch (native).

(2) Rice starch, unmodified (CAS #977000–08–0)—for use in organic handling until [date two years after effective date of final rule].

(3) Sweet potato starch—for bean thread production only.

(u) Turkish bay leaves.

(v) Wakame seaweed (*Undaria pinnatifida*).

(w) Whey protein concentrate.

Dated: May 10, 2007.

Kenneth C. Clayton,

Acting Administrator, Agricultural Marketing Service.

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[CGD07–06–011]

RIN 1625–AA09

Drawbridge Operation Regulations; Little River (S–20) Bridge, Atlantic Intracoastal Waterway Mile 347.3, Horry County, SC

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking; withdrawal.

SUMMARY: The Coast Guard is withdrawing its notice of proposed rulemaking concerning the proposed change to the regulation of the Little River (S–20) Bridge. The requested change was to place a twenty minute regulation on the bridge in lieu of “on demand”. The withdrawal is based on limited vessel openings, comments received from the public, and the addition of a new high level fixed bridge within close proximity of the draw bridge which should help alleviate traffic congestion.

DATES: The notice of proposed rulemaking is withdrawn on May 15, 2007.

FOR FURTHER INFORMATION CONTACT: Mr. Barry Dragon, Project Officer, Seventh Coast Guard District, Bridge Branch, at (305) 415-6743.

SUPPLEMENTARY INFORMATION:

Background

On April 3, 2006, we published a notice of proposed rulemaking entitled "Drawbridge Operation Regulations; Little River (S-20) Bridge, Atlantic Intracoastal Waterway Mile 347.3, Horry County, SC" in the *Federal Register* (71 FR 16527). The rulemaking concerned changing the current "on demand" schedule to an on the hour, twenty minutes past the hour and forty minutes past the hour schedule.

Withdrawal

A new high level fixed bridge was constructed within close proximity of the moveable bridge, thereby providing an alternative for existing traffic and allowing for a reduction of vehicular traffic on the moveable bridge. The Little-River Bridge crosses the Atlantic Intracoastal Waterway and has an average of fewer than two openings per hour. Additionally, all of the comments received during the comment period of the notice of proposed rulemaking were in favor of keeping the current "on demand" schedule.

Authority: This action is taken under the authority of 33 U.S.C. 499; Department of Homeland Security Delegation No. 0170.1; 33 CFR 1.05-1(g); section 117.255 also issued under the authority of Pub. L. 102-587, 106 Stat. 5039.

Dated: September 19, 2006.

J.A. Watson,

Captain, U.S. Coast Guard, Acting Commander, Seventh Coast Guard District.

Editorial Note: This document was received at the Office of the Federal Register on May 10, 2007.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[EPA-R03-OAR-2006-0840; FRL-8314-2]

Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Redesignation of the Lancaster 8-Hour Ozone Nonattainment Area to Attainment and Approval of the Associated Maintenance Plan and 2002 Base-Year Inventory

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve a redesignation request and State Implementation Plan (SIP) revisions submitted by the Commonwealth of Pennsylvania. The Pennsylvania Department of Environmental Protection (PADEP) is requesting that the Lancaster ozone nonattainment area ("Lancaster Area" or "Area") be redesignated as attainment for the 8-hour ozone national ambient air quality standard (NAAQS). The Area is comprised of Lancaster County, Pennsylvania. EPA is proposing to approve the ozone redesignation request for the Lancaster Area. In conjunction with its redesignation request, the Commonwealth submitted a SIP revision consisting of a maintenance plan for the Lancaster Area that provides for continued attainment of the 8-hour ozone NAAQS for 11 years after redesignation. EPA is proposing to make a determination that the Lancaster Area has attained the 8-hour ozone NAAQS, based upon three years of complete, quality-assured ambient air quality monitoring data for 2003-2005. EPA's proposed approval of the 8-hour ozone redesignation request is based on its determination that the Lancaster Area has met the criteria for redesignation to attainment specified in the Clean Air Act (CAA). In addition, the Commonwealth of Pennsylvania has also submitted a 2002 base-year inventory for the Lancaster Area, and EPA is proposing to approve that inventory for the Lancaster Area as a SIP revision. EPA is also providing information on the status of its adequacy determination for the motor vehicle emission budgets (MVEBs) that are identified in the maintenance plan for the Lancaster Area for purposes of transportation conformity, and is also proposing to approve those MVEBs. EPA is proposing approval of the redesignation request and of the maintenance plan and 2002 base-year

inventory SIP revisions in accordance with the requirements of the CAA.

DATES: Written comments must be received on or before June 14, 2007.

ADDRESSES: Submit your comments, identified by Docket ID Number EPA-R03-OAR-2006-0840 by one of the following methods:

A. *www.regulations.gov.* Follow the on-line instructions for submitting comments.

B. *E-mail:* miller.linda@epa.gov.

C. *Mail:* EPA-R03-OAR-2006-0840, Linda Miller, Acting Chief, Air Quality Planning Branch, Mailcode 3AP21, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103.

D. *Hand Delivery:* At the previously-listed EPA Region III address. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID No. EPA-R03-OAR-2006-0840. EPA's policy is that all comments received will be included in the public docket without change, and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through www.regulations.gov or e-mail. The www.regulations.gov Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through www.regulations.gov, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

Docket: All documents in the electronic docket are listed in the www.regulations.gov index. Although listed in the index, some information is