

origin on land adjacent to the west end of the Joe Louis Arena. All geographic coordinates are North American Datum of 1983 (NAD 83).

(b) *Effective and Enforcement Period.* This regulation is effective from 8:00 a.m. on January 13, 2013 until 12:00 a.m. on January 28, 2013. However, the security zone will only be enforced from 8:00 a.m. to 12:00 a.m. daily from January 13, 2013 through January 28, 2013.

(c) *Regulations.* (1) In accordance with the general regulations in section 165.23 of this part, entry into, transiting, or anchoring within this security zone is prohibited unless authorized by the Captain of the Port Detroit, or his designated on-scene representative.

(2) This security zone is closed to all vessel traffic, except as may be permitted by the Captain of the Port Detroit or his designated on-scene representative.

(3) The “on-scene representative” of the Captain of the Port, Sector Detroit is any Coast Guard commissioned, warrant or petty officer or a Federal, State, or local law enforcement officer designated by or assisting the Captain of the Port, Sector Detroit to act on his behalf.

(4) Vessel operators desiring to enter or operate within the security zone shall contact the Captain of the Port, Sector Detroit or his on-scene representative to obtain permission to do so. The Captain of the Port, Sector Detroit or his on-scene representative may be contacted via VHF Channel 16 or at 313-568-9464. Vessel operators given permission to enter or operate in the security zones must comply with all directions given to them by the Captain of the Port, Sector Detroit, or his on-scene representative.

Dated: December 17, 2012.

**J. E. Ogden,**

*Captain, U.S. Coast Guard, Captain of the Port Detroit.*

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**BILLING CODE 9110-04-P**

## DEPARTMENT OF EDUCATION

### 34 CFR Part 685

RIN 1840-AC94

[Docket ID ED-2008-OPE-0009]

#### William D. Ford Federal Direct Loan Program

**AGENCY:** Department of Education.

**ACTION:** Final regulations; correction.

**SUMMARY:** On October 23, 2008, the Department of Education amended the regulations for the Federal Perkins Loan (Perkins Loan) Program; the Federal

Family Education Loan (FFEL) Program; and the William D. Ford Federal Direct Loan (Direct Loan) Program, including the Public Service Loan Forgiveness (PSLF) Program offered within the Direct Loan Program. This document makes corrections to the October 23, 2008, final regulations.

**DATES:** Effective December 28, 2012.

**FOR FURTHER INFORMATION CONTACT:** Pamela Moran, U.S. Department of Education, 1990 K Street NW., Room 8023, Washington, DC 20006-8502. Telephone: (202) 502-7732. Email: [Pamela.Moran@ed.gov](mailto:Pamela.Moran@ed.gov).

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**SUPPLEMENTARY INFORMATION:** Within the regulations issued on October 23, 2008, the Secretary included rules to implement the Public Service Loan Forgiveness benefit offered within the Direct Loan Program. 73 FR 63232. One of the matters addressed by those rules was the extent to which service for an organization engaged in religious activities qualifies a borrower for the loan forgiveness benefit. The Department’s intent in regulating in this area was to be consistent with the treatment of such service in corresponding regulations for the FFEL Program (34 CFR 682.210(m)), the Perkins Loan Program (34 CFR 674.36(c)(4)), and the Department of Defense Program to Encourage Public and Community Service (32 CFR 77.3(a)). However, as a result of a drafting error, the Department omitted wording from paragraph (3) of the definition of “public service organization” in 34 CFR 685.219(b) that would have corresponded with language in paragraph (5)(ii) of the definition and been consistent with language in the regulations for the FFEL, Perkins Loan, and Department of Defense programs. This language would have made clear that service for a non-profit organization that qualifies a borrower for the loan forgiveness benefit cannot be comprised of activities that are related to religious instruction, worship services, or any form of proselytizing. To correct the drafting error, the Department is publishing this technical correction to add the omitted language. This correction clarifies the intended meaning of the regulations. The

Department also corrects a typographical error—the spelling of the word “health” under paragraph (5)(i) of the definition of “public service organization.”

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#### List of Subjects in 34 CFR Part 685

Administrative practice and procedure, Colleges and universities, Loan programs—education, Reporting and recordkeeping requirements, Student aid, Vocational education.

Dated: December 21, 2012.

**David Bergeron,**

*Acting Assistant Secretary for Postsecondary Education.*

Accordingly, 34 CFR part 685 is corrected as follows:

#### PART 685—WILLIAM D. FORD FEDERAL DIRECT LOAN PROGRAM

■ 1. The authority citation for part 685 continues to read as follows:

**Authority:** 20 U.S.C. 1070g, 1087a, *et seq.*, unless otherwise noted.

■ 2. Section 685.219(b) is amended by:

■ A. In the definition of “public service organization,” revising paragraph (3).

■ B. In paragraph (5)(i) of the definition of “public service organization,” removing the word “health” and adding, in its place, the word, “health”.

The revision reads as follows:

#### § 685.219 Public Service Loan Forgiveness Program.

\* \* \* \* \*

(b) \* \* \*

(3) A non-profit organization under section 501(c)(3) of the Internal Revenue Code that—

(i) Is exempt from taxation under section 501(a) of the Internal Revenue Code; and

(ii) Is not an organization engaged in religious activities, unless the qualifying activities are unrelated to religious instruction, worship services, or any form of proselytizing;

\* \* \* \* \*

[FR Doc. 2012-31230 Filed 12-27-12; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R03-OAR-2012-0174; FRL-9764-4]

#### Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Redesignation of the West Virginia Portion of the Huntington-Ashland, WV-KY-OH 1997 Annual Fine Particulate Matter Nonattainment Area to Attainment and Approval of the Associated Maintenance Plan

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

**ACTION:** Final rule.

**SUMMARY:** EPA is approving a redesignation request and State Implementation Plan (SIP) revision submitted by the State of West Virginia. The West Virginia Department of Environmental Protection (WVDEP) requested that the West Virginia portion of the Huntington-Ashland, WV-KY-OH fine particulate matter (PM<sub>2.5</sub>) nonattainment area ("Huntington-Ashland Area" or "Area") be redesignated as attainment for the 1997 annual PM<sub>2.5</sub> national ambient air quality standard (NAAQS). In this rulemaking action, EPA is approving the 1997 annual PM<sub>2.5</sub> redesignation request for the West Virginia portion of the Area. EPA is also approving the maintenance plan SIP revision that the State submitted in conjunction with its redesignation request. The maintenance plan provides for continued attainment of the 1997 annual PM<sub>2.5</sub> NAAQS for 10 years after redesignation of the West Virginia portion of the Area. The maintenance plan includes an insignificance determination for the onroad motor vehicle contribution of PM<sub>2.5</sub>, nitrogen oxides (NO<sub>x</sub>), and sulfur dioxide (SO<sub>2</sub>) for the West Virginia portion of the Area for purposes of transportation conformity. EPA is approving West Virginia's insignificance determination for transportation conformity. EPA is also finding that the Area continues to attain the standard. This rulemaking action approving the 1997 annual PM<sub>2.5</sub> NAAQS redesignation request, maintenance plan, and insignificance determination

for transportation conformity for the West Virginia portion of the Area is based on EPA's determination that the Area has met the criteria for redesignation to attainment specified in the Clean Air Act (CAA).

**DATES:** This final rule is effective on December 28, 2012.

**ADDRESSES:** EPA has established a docket for this action under Docket ID Number EPA-R03-OAR-2012-0174. All documents in the docket are listed in the [www.regulations.gov](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. Publicly available docket materials are available either electronically through [www.regulations.gov](http://www.regulations.gov) 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 West Virginia Department of Environmental Protection, Division of Air Quality, 601 57th Street SE., Charleston, West Virginia 25304.

**FOR FURTHER INFORMATION CONTACT:** Rose Quinto, (215) 814-2182, or by email at [quinto.rose@epa.gov](mailto:quinto.rose@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The Huntington-Ashland Area is composed of Cabell and Wayne Counties and the Graham Tax District in Mason County in West Virginia (West Virginia portion of the Area); Boyd County and a portion of Lawrence County in Kentucky; and Lawrence and Scioto Counties and portions of Adams and Gallia Counties in Ohio. On November 15, 2012 (77 FR 68076), EPA published a notice of proposed rulemaking (NPR) for the State of West Virginia. Pursuant to sections 107(d)(3) and 175A of the CAA, the NPR proposed approval of West Virginia's redesignation request, a SIP revision that establishes a maintenance plan for the West Virginia portion of the Area that provides for continued attainment of the 1997 annual PM<sub>2.5</sub> NAAQS for at least 10 years after redesignation, and the insignificance determination for transportation conformity for the West Virginia portion of the Area. The formal SIP revision was submitted by WVDEP on June 30, 2011. In a separate action,

EPA approved the base year emissions inventory on December 11, 2012 (77 FR 73544) meeting the requirements of section 172(c)(3) of the CAA. Other specific details of West Virginia's redesignation request, the associated maintenance plan SIP revision and insignificance determination, and the rationales for EPA's proposed actions are explained in the NPR and will not be restated here. No public comments were received on the NPR.

##### II. Final Action

EPA is approving the redesignation request, maintenance plan, and insignificance determination for transportation conformity for the West Virginia portion of the Area that was submitted by WVDEP on June 30, 2011 because the requirements for approval have been satisfied. EPA has evaluated West Virginia's redesignation request, and determined that it meets the redesignation criteria set forth in section 107(d)(3)(E) of the CAA. Approval of this redesignation request will change the legal designation of the West Virginia portion of the Area from nonattainment to attainment for the 1997 annual PM<sub>2.5</sub> NAAQS. EPA is approving the associated maintenance plan for the West Virginia portion of the Area, submitted on June 30, 2011, as a revision to the West Virginia SIP because it meets the requirements of section 175A of the CAA. EPA is also approving the transportation conformity insignificance determination submitted by West Virginia for this Area in conjunction with its redesignation request.

In accordance with 5 U.S.C. 553(d), EPA finds there is good cause for this action to become effective immediately upon publication. A delayed effective date is unnecessary due to the nature of a redesignation to attainment, which eliminates CAA obligations that would otherwise apply. The immediate effective date for this action is authorized under both 5 U.S.C. 553(d)(1), which provides that rulemaking actions may become effective less than 30 days after publication if the rule "grants or recognizes an exemption or relieves a restriction," and section 553(d)(3), which allows an effective date less than 30 days after publication "as otherwise provided by the agency for good cause found and published with the rule." The purpose of the 30-day waiting period prescribed in section 553(d) is to give affected parties a reasonable time to adjust their behavior and prepare before the final rule takes effect. Today's rule, however, does not create any new regulatory requirements such that