

Endorsement (NOR) process, mortgagees may continue to cure errors and resubmit mortgages for insurance endorsement, provided all eligibility criteria are met at the time of insurance endorsement. FHA believes that the existing ability to cure errors is sufficient and is consistent with the attachment of qualified mortgage status at endorsement. As such, HUD is not adopting the CFPB's cure provisions and does not believe any further ability to cure is warranted.

In summary, HUD's qualified mortgage definition for Title II mortgages, except for manufactured housing and exempted transactions, will continue to use the CFPB's points and fees limit at 12 CFR 1026.43(e)(3) as of January 10, 2014 and not include the change published on November 3, 2014.

Dated: October 21, 2014.

**Carol J. Galante,**

*Assistant Secretary for Housing-Federal Housing Commissioner.*

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 1

[TD 9696]

RIN 1545-BH60

#### Local Lodging Expenses; Correction

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Final regulations; correction.

**SUMMARY:** This document contains corrections to final regulations (TD 9696) that were published in the **Federal Register** on October 1, 2014 (79 FR 59112). The final regulations are relating to the deductibility of expenses for lodging when an individual is not travelling away from home (local lodging).

**DATES:** This correction is effective on November 3, 2014 and applicable beginning October 1, 2014.

**FOR FURTHER INFORMATION CONTACT:** Peter Ford, at (202) 317-7011 (not a toll free number).

#### SUPPLEMENTARY INFORMATION:

##### Background

The final regulations (TD 9696) that are the subject of this correction is under sections 162 and 262 of the Internal Revenue Code.

#### Need for Correction

As published, the final regulations (TD 9696) contain an error that may prove to be misleading and is in need of clarification.

#### Correction of Publication

Accordingly, the final regulations (TD 9696), that are the subject of FR Doc. 2014-23306, are corrected as follows:

On page 59115, first column, the fourth line of the signature block, the language "Approved: August 22, 2013." Is corrected to read "Approved: July 11, 2014."

**Martin V. Franks,**

*Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel, (Procedure and Administration).*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG-2014-0889]

#### Drawbridge Operation Regulation; Cerritos Channel, Long Beach, CA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of deviation from drawbridge regulation.

**SUMMARY:** The Coast Guard has issued a temporary deviation from the operating schedule that governs the Henry Ford Avenue railroad drawbridge across Cerritos Channel, mile 4.8, at Long Beach, CA. The deviation is necessary to allow the bridge owner to make necessary bridge maintenance repairs. This deviation allows the bridge to remain in the closed-to-navigation position during the deviation period.

**DATES:** This deviation is effective from 5 a.m. on November 12, 2014, to 5 p.m. on November 17, 2014.

**ADDRESSES:** The docket for this deviation, [USCG-2014-0889], is available at <http://www.regulations.gov>. Type the docket number in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this deviation. You may also visit the Docket Management Facility in Room W12-140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this temporary deviation, call or email David H. Sulouff, Chief, Bridge Section, Eleventh Coast Guard District; telephone 510-437-3516, email

[David.H.Sulouff@uscg.mil](mailto:David.H.Sulouff@uscg.mil). If you have questions on viewing the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone 202-366-9826.

**SUPPLEMENTARY INFORMATION:** The Port of Los Angeles has requested a temporary change to the operation of the Henry Ford Avenue railroad drawbridge, mile 4.8, over Cerritos Channel, at Long Beach, CA. The drawbridge navigation span provides 7 feet vertical clearance above Mean High Water in the closed-to-navigation position. In accordance with 33 CFR 117.147(b), the drawspan is maintained in the fully open position, except when a train is crossing or for maintenance. When the draw is in the closed position, it opens on signal. Navigation on the waterway is mainly recreational, emergency response and commercial tug and barge combinations between the ports of Los Angeles and Long Beach.

The Port of Los Angeles has requested the drawbridge be allowed to remain closed to navigation at various times from 5 a.m. on November 12, 2014 to 5 p.m. on November 17, 2014, so they can perform replacement of the auxiliary counterweight wire ropes on the drawbridge. The vertical lift span will be secured in the closed to navigation position at various times as follows: 6 a.m. to 10 a.m. November 12, 2014; 2:30 p.m. on November 12, 2014 to 6:30 a.m. on November 13, 2014; 6 a.m. to 3 p.m. November 14, 2014; and 6 a.m. to 3 p.m. on November 17, 2014.

Mariners must contact the bridge tender to obtain status of the drawbridge when planning transits between the ports. This temporary deviation has been coordinated with the waterway users. No objections to the proposed temporary deviation were raised.

Vessels able to pass through the bridge in the closed position may do so at anytime. The bridge will not be able to open for emergencies. There is an alternative route, transiting around the south side of Terminal Island, for vessels unable to pass through the bridge in the closed position. The Coast Guard will inform waterway users of this temporary deviation via our Local and Broadcast Notices to Mariners, to minimize resulting navigational impacts.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the

end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: October 22, 2014.

**D.H. Sulouff,**

*District Bridge Chief, Eleventh Coast Guard District.*

[FR Doc. 2014-26088 Filed 10-31-14; 8:45 am]

BILLING CODE 9110-04-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R04-OAR-2013-0486; FRL-9918-68-Region-4]

#### Approval and Promulgation of Implementation Plans; Commonwealth of Kentucky: New Source Review for Fine Particulate Matter

**AGENCY:** Environmental Protection Agency.

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is taking final action to approve a revision to the Kentucky State Implementation Plan (SIP), submitted by the Commonwealth of Kentucky, through the Kentucky Division for Air Quality (KDAQ) to EPA on January 31, 2013. The SIP revision modifies the Commonwealth's New Source Review (NSR), Prevention of Significant Deterioration (PSD), and Nonattainment New Source Review (NNSR) regulations to adopt into the Kentucky SIP Federal NSR permitting requirements for the implementation of the fine particulate matter (PM<sub>2.5</sub>) national ambient air quality standards (NAAQS). The approved changes in Kentucky's January 31, 2013, SIP submission are necessary to comply with Federal requirements. EPA is approving the Commonwealth's January 31, 2013, revision to the Kentucky SIP because the Agency has determined that the changes are consistent with the Clean Air Act (CAA or Act). Additionally, EPA is converting two conditional approvals related to the PSD infrastructure requirements for the 1997 and 2006 PM<sub>2.5</sub>, and 2008 8-hour Ozone NAAQS to full approval under the CAA.

**DATES:** This rule will be effective December 3, 2014.

**ADDRESSES:** EPA has established a docket for this action under Docket Identification No. EPA-R04-OAR-2013-0486. All documents in the docket are listed on the [www.regulations.gov](http://www.regulations.gov) Web site. Although listed in the index, some information is not publicly

available, i.e., Confidential Business Information 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 at the Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303-8960. EPA requests that if at all possible, you contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** For information regarding the Kentucky SIP, contact Mr. David (Brad) Akers, Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street, SW., Atlanta, Georgia 30303-8960. Telephone number: (404) 562-9089; email address: [akers.david@epa.gov](mailto:akers.david@epa.gov). For information regarding NSR, contact Ms. Yolanda Adams, Air Permits Section, at the same address above. Telephone number: (404) 562-9214; email address: [adams.yolanda@epa.gov](mailto:adams.yolanda@epa.gov). For information regarding PM<sub>2.5</sub> NAAQS, contact Mr. Joel Huey, Regulatory Development Section, at the same address above. Telephone number: (404) 562-9104; email address: [huey.joel@epa.gov](mailto:huey.joel@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

EPA is taking final action to approve the Commonwealth of Kentucky's January 31, 2013, SIP revision to adopt Federal requirements for NSR permitting. The Commonwealth's SIP revision makes changes to the regulations in Kentucky's Air Quality Regulations, 401 Kentucky Air Regulations (KAR) 51:001-*Definitions for 401-KAR Chapter 51*; 401 KAR 51:017-*Prevention of significant deterioration of air quality* and 401 KAR 51:052-*Review of new sources in or impacting upon nonattainment areas* to adopt NSR requirements related to the implementation of the PM<sub>2.5</sub> NAAQS as promulgated in the rulemakings entitled "Implementation of the New Source Review (NSR) Program for Particulate Matter Less Than 2.5 Micrometers,"

Final Rule, 73 FR 28321 (May 16, 2008) (hereafter referred to as the "NSR PM<sub>2.5</sub> Rule") and "Prevention of Significant Deterioration (PSD) for Particulate Matter Less Than 2.5 Micrometers (PM<sub>2.5</sub>)—Increments, Significant Impact Levels (SILs) and Significant Monitoring Concentration (SMC)," Final Rule, 75 FR 64864 (October 20, 2010) (hereafter referred to as the "PM<sub>2.5</sub> PSD Increments-SILs-SMC Rule"). The Commonwealth must make this SIP revision to comply with Federal NSR permitting regulations at 40 CFR 51.166 and 51.165. Originally, the Commonwealth included SILs and SMC thresholds in the January 31, 2013, SIP submission, consistent with the October 20, 2010, PM<sub>2.5</sub> PSD Increments-SILs-SMC Rule. However, EPA cannot act on SILs or SMC provisions due to the January 22, 2013, decision by the D.C. Circuit Court of Appeals vacating the portions of the PM<sub>2.5</sub> PSD Increment-SILs-SMC Rule addressing the SMC and SILs (and remanding the SILs portion to EPA for further consideration).<sup>1</sup> See *Sierra Club v. EPA*, 705 F.3d 458 (D.C. Cir. 2013). Accordingly, Kentucky has since submitted a letter to EPA dated July 22, 2014, requesting that the SILs and SMC provisions from the January 31, 2013, SIP submission be withdrawn from EPA consideration; therefore these provisions are no longer before EPA for consideration. The letter can be found in Docket ID: EPA-R04-OAR-2013-0486.

Additionally, the Commonwealth's January 31, 2013, SIP submission satisfies EPA's multiple conditional approvals of the PSD-related requirements for sections 110(a)(2)(C), 110(a)(2)(D)(i)(II) and 110(a)(2)(f) of Kentucky's infrastructure SIPs for the 1997 and 2006 PM<sub>2.5</sub>, and 2008 8-hour Ozone NAAQS. As a result, EPA is acting to convert from conditional approval to full approval KDAQ's infrastructure requirements related to its PSD program.

On July 23, 2014, EPA published a proposed rulemaking to approve the aforementioned changes to the Commonwealth's NSR program at 401

<sup>1</sup> On January 22, 2013, D.C. Circuit granted a request from EPA to vacate and remand to the Agency the portions of the October 20, 2010 rule addressing the SILs for PM<sub>2.5</sub>, except for the parts codifying the PM<sub>2.5</sub> SILs in the NSR rule at 40 CFR 51.165(b)(2), so that the EPA could voluntarily correct an error in the provisions. See *Sierra Club v. EPA*, 705 F.3d 458 at 463-66 (D.C. Cir. 2013). The Court also vacated parts of the PM<sub>2.5</sub> PSD Increment-SILs-SMC Rule establishing the PM<sub>2.5</sub> SMC, finding that the Agency had exceeded its statutory authority with respect to these provisions. Id at 469. On December 9, 2013, EPA issued a final rulemaking to remove the vacated and remanded PM<sub>2.5</sub> SILs and the vacated PM<sub>2.5</sub> SMC provisions from 40 CFR 51.166 and 52.21. See 78 FR 73698.