

latitude 47°33'48" North, longitude 122°37'23" West on the north shore of Sinclair Inlet; and latitude 47°32'52" North, longitude 122°36'58" West, on the south shore of Sinclair Inlet.

(2) *Area No. 2.* That area of Sinclair Inlet to the north and west of an area bounded by a line commencing at latitude 47°33'40" North, longitude 122°37'32" West (Point A); thence south to latitude 47°33'36" North, longitude 122°37'30" West (Point B); thence southwest to latitude 47°33'23" North, longitude 122°37'45" West (Point C); thence southwest to latitude 47°33'19" North, longitude 122°38'12" West (Point D); thence southwest to latitude 47°33'10" North, longitude 122°38'19" West (Point E); thence southwest to latitude 47°33'07" North, longitude 122°38'29" West (Point F); thence southwest to latitude 47°33'04" North, longitude 122°39'07" West (Point G); thence west to the north shore of Sinclair Inlet at latitude 47°33'04.11" North, longitude 122°39'41.92" West (Point H).

(3) *The regulations.* (i) *Area No. 1.* No vessel of more than, or equal to, 100 gross tons shall enter the area or navigate therein without permission from the enforcing agency, except Washington State Ferries on established routes.

(ii) *Area No. 2.* This area is for the exclusive use of the United States Navy. No person, vessel, craft, article or thing, except those under supervision of military or naval authority shall enter this area without permission from the enforcing agency.

(b) *Enforcement.* The regulation in this section shall be enforced by the Commander, Navy Region Northwest, and such agencies and persons as he/she shall designate.

■ 3. Add § 334.1244 to read as follows:

§ 334.1244 Puget Sound, Manchester Fuel Depot, Manchester, Washington; naval restricted area.

(a) *The area.* The waters of Puget Sound surrounding the Manchester Fuel Depot Point A, a point along the northern shoreline of the Manchester Fuel Depot at latitude 47°33'55" North, longitude 122°31'55", West; thence to latitude 47°33'37" North, longitude 122°31'50", West (Point B); thence to latitude 47°33'32" North, longitude 122°32'06", West (Point C); thence to latitude 47°33'45.9" North, longitude 122°32'16.04", West (Point D), a point in Puget Sound on the southern shoreline of the Manchester Fuel Depot.

(b) *The regulations.* No person, vessel, craft, article or thing except those under the supervision of the military or naval authority shall enter the area without

the permission of the enforcing agency or his/her designees. The restriction shall apply during periods when a ship is loading and/or pier operations preclude safe entry. The restricted periods will be identified by the use of quick-flashing beacon lights, which are mounted on poles at the end of the main fuel pier on the south side of Orchard Point at the entrance of Rich Passage. Entry into the area is prohibited when the quick-flashing beacons are in a flashing mode.

(c) *Enforcement.* The regulation in this section shall be enforced by the Commander, Navy Region Northwest, and such agencies and persons as he/she shall designate.

Dated: December 18, 2008.

Jonathan A. Davis,

Acting Deputy Chief, Operations, Directorate of Civil Works.

[FR Doc. E8-30588 Filed 12-22-08; 8:45 am]

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DEPARTMENT OF EDUCATION

34 CFR Part 200

RIN 1810-AB01

[Docket ID ED-2008-OESE-0003]

Title I—Improving the Academic Achievement of the Disadvantaged

AGENCY: Office of Elementary and Secondary Education, Department of Education.

ACTION: Final rule; correction.

SUMMARY: The Department of Education is correcting a final regulation that was published in the **Federal Register** on October 29, 2008 (73 FR 64436). The final regulations clarified and strengthened the Title I regulations in the areas of assessment, accountability, public school choice, and supplemental educational services.

DATES: Effective December 23, 2008.

FOR FURTHER INFORMATION CONTACT: Zollie Stevenson, Jr., Director, Student Achievement and School Accountability Programs, Office of Elementary and Secondary Education, U.S. Department of Education, 400 Maryland Avenue, SW., room 3W230, Washington, DC 20202-6132. Telephone: (202) 260-1824.

If you use a telecommunications device for the deaf (TDD), you may call the Federal Relay Service (FRS) at 1-800-877-8339.

Individuals with disabilities can obtain this document in an accessible format (e.g., braille, large print, audiotape, or computer diskette) on

request to the contact person listed under this section.

SUPPLEMENTARY INFORMATION: This is the second set of corrections to these regulations. The first set of corrections was published in the **Federal Register** on November 28, 2008 (73 FR 72352).

Electronic Access to This Document: You can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: <http://www.ed.gov/news/fedregister>.

To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1-888-293-6498; or in the Washington, DC, area at (202) 512-1530.

Note: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: <http://www.gpoaccess.gov/nara/index.html>.

List of Subjects in 34 CFR Part 200

Administrative practice and procedure, Adult education, Children, Education of children with disabilities, Education of disadvantaged children, Elementary and secondary education, Eligibility, Family-centered education, Grant programs—education, Indians—education, Infants and children, Institutions of higher education, Juvenile delinquency, Local educational agencies, Migrant labor, Nonprofit private agencies, Private schools, Public agencies, Reporting and recordkeeping requirements, State-administered programs, State educational agencies.

■ Accordingly, 34 CFR part 200 is corrected by making the following correcting amendments:

PART 200—TITLE I—IMPROVING THE ACADEMIC ACHIEVEMENT OF THE DISADVANTAGED

■ 1. The authority citation for part 200 continues to read as follows:

Authority: 20 U.S.C. 6301 through 6578, unless otherwise noted.

§ 200.7 [Amended]

■ 2. Section 200.7 is amended by:

■ A. In paragraph (b)(3), removing the words “adequate yearly progress” and adding, in their place, the word “AYP”.

■ B. In paragraph (b)(4), removing the words “adequate yearly progress” and adding, in their place, the word “AYP”.

§ 200.12 [Amended]

■ 3. Section 200.12(a)(2) is amended by removing the words “adequate yearly progress” and the parentheses around the word “AYP”.

■ 4. Section 200.42 is amended by adding a new paragraph (b)(5) to read as follows:

§ 200.42 Corrective action.

* * * * *

(b) * * *

(5) Continue to comply with

§ 200.39(c).

* * * * *

■ 5. Section 200.43 is amended by:

■ A. Adding a new paragraph (b)(5).

■ B. In paragraph (c)(1)(i), removing the word “and” at the end of the paragraph.

■ C. In paragraph (c)(1)(ii), removing the punctuation “.” and adding, in its place, the words “; and” at the end of the paragraph.

■ D. Adding a new paragraph (c)(1)(iii).
The additions read as follows:

§ 200.43 Restructuring.

* * * * *

(b) * * *

(5) Continue to comply with

§ 200.39(c).

(c) * * *

(1) * * *

(iii) Continue to comply with

§ 200.39(c).

* * * * *

■ 5. Section 200.48(a)(2)(iii)(B) is amended by removing the word “The” at the beginning of the paragraph and adding, in its place, the words “Except as provided in paragraph (a)(2)(iii)(C) of this section, the”.

Dated: December 18, 2008.

Kerri L. Briggs,

Assistant Secretary for Elementary and Secondary Education.

[FR Doc. E8-30552 Filed 12-22-08; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY
40 CFR Part 63

[EPA-HQ-OAR-2008-0154; FRL-8755-4]

RIN 2060-AO13

Revision of Source Category List for Standards Under Section 112(k) of the Clean Air Act; and National Emission Standards for Hazardous Air Pollutants for Area Sources: Ferroalloys Production Facilities

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is revising the area source category list by changing the name of the ferroalloys production category to clarify that it includes all types of ferroalloys. We are also adding two additional products (calcium carbide and silicon metal) to the source category. EPA is issuing final national emissions standards for control of hazardous air pollutants (HAP) for area source ferroalloys production facilities. The final emissions standards for new and existing sources reflect EPA’s determination regarding the generally available control technology (GACT) or management practices for the source category.

DATES: This final rule is effective on December 23, 2008.

ADDRESSES: EPA has established a docket for this action under Docket ID No. EPA-HQ-OAR-2008-0154. All documents in the docket are listed in the Federal Docket Management System index at <http://www.regulations.gov>. Although listed in the index, some information is not publicly available, e.g., 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 or in hard copy at the Area Source National Emission Standards for Hazardous Air Pollutants (NESHAP) for Ferroalloys Production Facilities Docket, EPA/DC, EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the Air Docket is (202) 566-1742.

FOR FURTHER INFORMATION CONTACT: Mr. Conrad Chin, Sector Policies and Programs Division, Office of Air Quality Planning and Standards (D243-02), Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone number: (919) 541-1512; fax number: (919) 541-3207; e-mail address: chin.conrad@epa.gov.

SUPPLEMENTARY INFORMATION:**Outline**

The information in this preamble is organized as follows:

- I. General Information
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 - A. Do these final standards apply to my source?
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 - B. Paperwork Reduction Act
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 - D. Unfunded Mandates Reform Act (UMRA)
 - E. Executive Order 13132: Federalism
 - F. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments
 - G. Executive Order 13045: Protection of Children From Environmental Health and Safety Risks
 - H. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use
 - I. National Technology Transfer Advancement Act
 - J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations
 - K. Congressional Review Act

I. General Information**A. Does this action apply to me?**

The regulated categories and entities potentially affected by this final rule include: