TABLE FIVE								
Vessel	Vessel No.		Masthead lights not over all other lights and obstructions. annex I, sec. 2(f)	Forward masthead light not in forward quarter of ship. annex I, sec. 3(a)	After mast-head light less than ½ ship's length aft of forward masthead light. annex I, sec. 3(a)	Percentage horizontal separation attained		
* USS DECATUR	* DDG 73	*	* N/A	* X	* X	* 15.0		
*	*	*	*	*	*	*		

Approved: April 29, 2008.

## M.R. Hyde,

Commander, JAGC, U.S. Navy, Deputy Assistant Judge Advocate General (Admiralty and Maritime Law). [FR Doc. E8–11216 Filed 5–20–08; 8:45 am]

BILLING CODE 3810-FF-P

### DEPARTMENT OF DEFENSE

## Department of the Navy

## 32 CFR Part 706

## Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea, 1972

**AGENCY:** Department of the Navy, DOD.

## **ACTION:** Final rule.

**SUMMARY:** The Department of the Navy is amending its certifications and exemptions under the International **Regulations for Preventing Collisions at** Sea, 1972 (72 COLREGS), to reflect that the Deputy Assistant Judge Advocate General (Admiralty and Maritime Law) has determined that USS GREEN BAY (LPD 20) is a vessel of the Navy which, due to its special construction and purpose, cannot fully comply with certain provisions of the 72 COLREGS without interfering with its special function as a naval ship. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

**DATES:** This rule is effective May 21, 2008 and is applicable beginning March 5, 2008.

### FOR FURTHER INFORMATION CONTACT:

Commander M. Robb Hyde, JAGC, U.S. Navy, Deputy Assistant Judge Advocate General (Admiralty and Maritime Law), Office of the Judge Advocate General, Department of the Navy, 1322 Patterson Ave., SE., Suite 3000, Washington Navy Yard, DC 20374–5066, telephone 202– 685–5040.

**SUPPLEMENTARY INFORMATION:** Pursuant to the authority granted in 33 U.S.C. 1605, the Department of the Navy amends 32 CFR Part 706. This amendment provides notice that the Deputy Assistant Judge Advocate General (Admiralty and Maritime Law). under authority delegated by the Secretary of the Navy, has certified that USS GREEN BAY (LPD 20) is a vessel of the Navy which, due to its special construction and purpose, cannot fully comply with the following specific provisions of 72 COLREGS without interfering with its special function as a naval ship: Rule 27, pertaining to the placement of all-round task lights in a vertical line; Annex I, paragraph 3(a), pertaining to the horizontal distance between the forward and after masthead lights; and Annex I, paragraph 2(k), pertaining to the vertical separation between anchor lights. The Deputy Assistant Judge Advocate General (Admiralty and Maritime Law) has also certified that the lights involved are located in closest possible compliance

with the applicable 72 COLREGS requirements.

Moreover, it has been determined, in accordance with 32 CFR Parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on this vessel in a manner differently from that prescribed herein will adversely affect the vessel's ability to perform its military functions.

## List of Subjects in 32 CFR Part 706

Marine safety, Navigation (water), and Vessels.

■ For the reasons set forth in the preamble, amend part 706 of title 32 of the Code of Federal Regulations as follows:

## PART 706—CERTIFICATIONS AND EXEMPTIONS UNDER THE INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA, 1972

■ 1. The authority citation for part 706 continues to read:

Authority: 33 U.S.C. 1605.

■ 2. Table Three of § 706.2 is amended by adding, in numerical order, the following entry for USS GREEN BAY:

§ 706.2 Certifications of the Secretary of the Navy under Executive Order 11964 and 33 U.S.C. 1605.

\* \* \* \* \*

# TABLE THREE

Vessel	No.	Masthead lights arc of visibility; rule 21(a)	Side lights arc of visi- bility; rule 21(b)	Stern light arc of visi- bility; rule 21(c)	Side lights distance in- board of ship's sides in meters 3(b) Annex 1	Stern light, distance for- ward of stern in me- ters; rule 21(c)	Forward an- chor light, height above hull in meters; 2(k) Annex 1	Anchor lights relationship of aft light to for- ward light in meters 2(k) Annex 1
*	*	*		*	*		*	*
USS GREEN BAY	LPD 20							1.29 m below
*	*	*		*	*		*	*

■ 3. Table Four, in Paragraph 20 of § 706.2, is amended by adding, in numerical order, the following entry for USS GREEN BAY (LPD 20): §706.2 Certifications of the Secretary of the Navy under Executive Order 11964 and	Vessel	Number	Angle in de- grees of task lights off vertical as viewed from directly ahead of astern	■ 4. Table Five adding, in num following entry §706.2 Certific the Navy under 33 U.S.C. 1605.	erical order, t 7 for USS GRE ations of the Se	he EN BAY: cretary of
33 U.S.C. 1605. * * * * * *	USS GREEN BAY.	LPD 20	10	* * *	* *	
		TABLE FIVE				
Vessel	No.		Masthe lights n over a other lig and obst tions. An I, sec. 2	ot masthead II light not in hts forward ruc- quarter of nex ship. Annex	After mast- head light less than ½ ship's length aft of for- ward mast- head light. Annex I, sec. 3(a)	Percentage horizontal separation attained
* *	*	*	*	*		*
USS GREENBAY	LPD 20				Х	70.9
* *	*	*	*	*		*

Approved: April 29, 2008.

## M. Robb Hyde,

Commander, JAGC, U.S. Navy, Deputy Assistant Judge Advocate General (Admiralty and Maritime Law). [FR Doc. E8–11217 Filed 5–20–08; 8:45 am]

BILLING CODE 3810-FF-P

## ENVIRONMENTAL PROTECTION AGENCY

## 40 CFR Parts 52 and 81

[EPA-R05-OAR-2007-0957; FRL-8568-2]

Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Wisconsin; Redesignation of Kewaunee County to Attainment for Ozone

**AGENCY:** Environmental Protection Agency (EPA). **ACTION:** Final rule.

**SUMMARY:** On June 12, 2007, the Wisconsin Department of Natural Resources (WDNR) submitted a request to redesignate Kewaunee County to attainment of the 8-hour ozone standard. EPA proposed to approve this submission on December 11, 2007. EPA provided a 30-day review and comment period. The comment period closed on January 10, 2008. EPA received comments from the Sierra Club and the Door County Corporation Counsel. EPA is approving Wisconsin's request and the associated maintenance plan for continuing to attain the standard. As

part of this action, EPA is making a determination that Kewaunee County has attained the 1997 8-hour ozone National Ambient Air Quality Standard (NAAQS). This determination is based on complete, quality-assured ambient air quality monitoring data for the 2004-2006 ozone seasons that demonstrate that the 8-hour ozone NAAQS has been attained in Kewaunee County. Monitoring data for 2007 continue to show monitored attainment of the NAAQS. EPA is approving the maintenance plan for Kewaunee County and is redesignating Kewaunee County to attainment. Finally, EPA is approving, for purposes of transportation conformity, Wisconsin's 2012 and 2018 Motor Vehicle Emission Budgets (MVEBs) for Kewaunee County. **DATES:** This final rule is effective May 21, 2008.

**ADDRESSES:** EPA has established a docket for this action under Docket ID No. EPA R05 OAR 2007-0957. All documents in the docket are listed on the www.regulations.gov Web site. Although listed in the index, 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 or in hard copy at the Environmental Protection Agency,

Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. This facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays. We recommend that you telephone Kathleen D'Agostino, Environmental Engineer, at (312) 886–1767 before visiting the Region 5 office.

#### FOR FURTHER INFORMATION CONTACT:

Kathleen D'Agostino, Environmental Engineer, Criteria Pollutant Section, Air Programs Branch (AR 18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886 1767, *dagostino.kathleen@epa.gov.* 

#### SUPPLEMENTARY INFORMATION:

Throughout this document whenever "we," "us," or "our" is used, we mean EPA. This supplementary information section is arranged as follows:

#### **Table of Contents**

- I. What is the background for this rule?
- II. What comments did we receive on the proposed action?
- III. What action is EPA taking?
- IV. Statutory and Executive Order Reviews.

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## I. What is the background for this Rule?

On July 18, 1997 (62 FR 38856), EPA promulgated an 8-hour ozone standard of 0.08 parts per million (ppm). EPA published a final rule designating and classifying areas under the 1997 8-hour ozone NAAQS on April 30, 2004 (69 FR 23857).

On March 12, 2008, EPA Administrator Stephen L. Johnson signed a rule promulgating a more