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Dated: March 27, 2009.

**Jeffrey Shuren,**

*Associate Commissioner for Policy and Planning.*

[FR Doc. E9-7349 Filed 3-31-09; 8:45 am]

**BILLING CODE 4160-01-S**

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

### 24 CFR Part 30

[Docket No. FR-5081-C-04]

**RIN 2501-AD23**

#### Civil Money Penalties: Certain Prohibited Conduct; Technical Amendment

**AGENCY:** Office of the Secretary, HUD.

**ACTION:** Final rule, technical amendment.

**SUMMARY:** On January 15, 2009, HUD published a final rule to revise HUD's regulations that govern the imposition of civil money penalties. The effect of the rulemaking was to remove one item from the list of actions for which the Mortgage Review Board may initiate a civil money penalty action against a mortgagee or lender, reducing the list from 15 numbered items to 14, and redesignating the 15th item as item number 14. However, a related cross reference was not updated to reflect this change. In addition, a section revised in 2006 involving delinquent mortgages, also requires a cross-reference change. This document corrects these cross-references.

**DATES:** *Effective Date:* April 1, 2009.

**FOR FURTHER INFORMATION CONTACT:** Dane Narode, Associate General

Counsel for Program Enforcement, Department of Housing and Urban Development, 1250 Maryland Avenue, SW., Suite 200, Washington, DC 20024-0500; telephone number 202-708-2350 (this is not a toll-free number), or e-mail address [Dane.M.Narode@hud.gov](mailto:Dane.M.Narode@hud.gov). Individuals with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Information Relay Service at 800-877-8339.

**SUPPLEMENTARY INFORMATION:** On January 15, 2009 (74 FR 2750), HUD published a final rule that revised HUD's regulations that govern the imposition of civil money penalties, located at part 30 of Title 24 of the Code of Federal Regulations. The final rule followed a proposed rule published on October 17, 2008 (73 FR 61754), that provided a 60 day public comment period. HUD received no comments in response to the proposed rule, the proposed rule was adopted as final without change. The rule was adopted as final effective February 17, 2009, see 74 FR 2750, Jan. 15, 2009.

The civil money penalty regulations at 24 CFR 30.35 contain a list of actions, the commission of which allows the mortgagee review board to initiate a civil money penalty action. There were originally 14 such actions (see 61 FR 50216-50217). On April 26, 2005, HUD amended the rule to add a 15th action, failure to engage in loss mitigation. This action was codified at 24 CFR 30.35(a)(15). Along with this addition, 24 CFR 30.35(c)(2) was added pursuant to statutory requirement to provide for a triple civil money penalty for violations of this section.

On January 15, 2009, HUD adopted as final regulations that revised 24 CFR 30.35(a) to remove item 24 CFR 30.35(a)(14) from the list, and to redesignate the failure to engage in loss mitigation item from 24 CFR 30.35(a)(15) to 24 CFR 30.35(a)(14) (74 FR 2751, Jan. 15, 2009). However, the 2009 rule failed to incorporate the related cross reference. Therefore, this technical amendment revises 24 CFR 30.35(c)(2) to refer to § 30.35(a)(14).

The civil money penalty regulations at § 30.35(a)(9)(vi) contain a provision stating that the mortgagee review board may initiate a civil money penalty action for failure to report all delinquent mortgages to HUD. Section 30.35(a)(9)(vi) cross-references § 203.332 on delinquent mortgages. In 2006, § 203.332 was moved to § 203.330 and revised (71 FR 16234, Mar. 31, 2006). Therefore, this technical amendment revises the cross-reference.

### List of Subjects in 24 CFR Part 30

Administrative practice and procedure, Grant programs-housing and community development, Loan programs-housing and community development, Mortgages, Penalties.

■ Accordingly, 24 CFR part 30 is amended as follows:

### PART 30—[AMENDED]

■ 1. The authority citation for 24 CFR part 30 continues to read as follows:

**Authority:** 12 U.S.C. 1701q-1, 1703, 1723i, 1735f-14, 1735f-15; 15 U.S.C. 1717a; 28 U.S.C. 2461 note; 42 U.S.C. 1437z-1 and 3535(d).

■ 2. Amend § 30.35 by revising paragraphs (a)(9)(vi) and (c)(2) to read as follows.

#### § 30.35 Mortgagees and lenders.

(a) \* \* \*

(9) \* \* \*

(vi) Report all delinquent mortgages to HUD, as required by § 203.330 of this title;

\* \* \* \* \*

(c) \* \* \*

(2) *Maximum penalty for failing to engage in loss mitigation.* The penalty for a violation of paragraph (a)(14) of this section shall be three times the amount of the total mortgage insurance benefits claimed by the mortgagee with respect to any mortgage for which the mortgagee failed to engage in such loss mitigation actions.

Dated: March 25, 2009.

**Aaron Santa Anna,**

*Assistant General Counsel for Regulations.*

[FR Doc. E9-7078 Filed 3-31-09; 8:45 am]

**BILLING CODE**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[USCG-2009-0150]

#### Drawbridge Operation Regulations; Chelsea River, Chelsea and East Boston, MA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, First Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the P.J. McArdle Bridge across the Chelsea River, mile 0.3, between Chelsea and East Boston, Massachusetts. This deviation is

Services), while administratively within the Office of the Commissioner, is part of the Office of the General Counsel of the Department of Health and Human Services.

necessary to facilitate the Chelsea River Revel and 5K Road Race. This deviation allows the bridge to remain in the closed position during the running of the 5K Road Race and for the remainder of the Chelsea River Revel. Vessels that can pass under the draw without a bridge opening may do so at all times.

**DATES:** This deviation is effective from 8 a.m. through 5 p.m. on June 13, 2009.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket are part of docket USCG–2009–0150 and are available online at <http://www.regulations.gov>. They are also available for inspection or copying at two locations: The Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays, and the First Coast Guard District, Bridge Branch Office, 408 Atlantic Avenue, Boston, Massachusetts 02110, between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** John McDonald, Project Officer, First Coast Guard District, at (617) 223–8364.

**SUPPLEMENTARY INFORMATION:** The owner of the bridge, the City of Boston, requested this temporary deviation. The P.J. McArdle Bridge, across the Chelsea River at mile 0.3, between Chelsea and East Boston, Massachusetts, has a vertical clearance in the closed position of 21 feet at mean high water and 30 feet at mean low water. The bridge opens on signal as required by 33 CFR 117.593.

This deviation which allows the bridge to remain closed is effective from 8 a.m. through 5 p.m. on June 13, 2009. Vessels able to pass under the closed draw may do so at any time. Tankers, and tug and barge units transit Chelsea Creek under the McArdle Bridge. Waterway users were advised of the requested bridge closure period and offered no objection.

In accordance with 33 CFR 117.35(e), the bridge must return to its regular operating schedule immediately at the end of the designated time period. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: March 17, 2009.

**Gary Kassof,**

*Bridge Program Manager, First Coast Guard District.*

[FR Doc. E9–7257 Filed 3–31–09; 8:45 am]

**BILLING CODE 4910–15–P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG–2009–0104]

#### Drawbridge Operation Regulation; Atlantic Intracoastal Waterway, Jay Jay, FL

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, Seventh Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the NASA Railroad bridge across the Atlantic Intracoastal Waterway, mile 876.6, at Jay Jay, FL. The deviation is necessary to perform rehabilitation work on the bridge. This deviation allows the bridge to not open to vessel traffic from 7 a.m. until 11 a.m. and from 1 p.m. until 5 p.m., Monday through Friday except federal holidays until June 30, 2009; all other times the bridge will continue to operate in accordance with 33 CFR 117.261(j).

**DATES:** This deviation is effective from March 11, 2009, until June 30, 2009.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket are part of docket USCG–2009–0104 and are available online at [www.regulations.gov](http://www.regulations.gov). They are also available for inspection or copying at two locations: The Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays, and the Commander (dpb), Seventh Coast Guard District, 909 SE. 1st Avenue, Room 432, Miami, Florida 33131–3028 between 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call Mr. Barry Dragon, Bridge Branch, Seventh Coast Guard District, at 305–415–6743. If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202–366–9826.

**SUPPLEMENTARY INFORMATION:** This deviation was requested by NASA, the bridge owner, in order to complete rehabilitation of the NASA Bridge, mile 876.6, of the Atlantic Intracoastal Waterway, Jay Jay, FL. The bridge has a vertical clearance of 7 feet in the closed

position and a horizontal clearance of 90 feet. The work will require four hours of continuous closure followed by two hours for vessel passage followed by four hours of continuous closure, Monday through Friday except Federal holidays. The normal operating schedule for the bridge is in 33 CFR 117.261(j). The draw is normally in the fully open position and lowers upon command by operator of approaching train. This deviation is effective until June 30, 2009.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the designated time period. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: March 11, 2009.

**R.S. Branham,**

*Rear Admiral, U.S. Coast Guard, Commander, Seventh Coast Guard District.*

[FR Doc. E9–7258 Filed 3–31–09; 8:45 am]

**BILLING CODE 4910–15–P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG–2008–0411]

**RIN 1625–AA00**

#### Safety Zone; Captain of the Port Zone Jacksonville; Offshore Cape Canaveral, FL

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final Rule.

**SUMMARY:** The Coast Guard is establishing four safety zones to protect infrastructure and marine traffic from the hazards associated with recurring space vehicle launches from Cape Canaveral Air Force Station (CCAFS). The safety zones extend from the shoreline to points approximately 12 nautical miles offshore and will only be activated and enforced during pre-launch hours and terminate approximately 15 minutes after a successful launch. In addition to protecting marine traffic from the hazards associated with the launching of space vehicles, the regulation will expedite notification to the public of such launches and also reduce the administrative workload of the Coast Guard.

**DATES:** This rule is effective May 1, 2009.

**ADDRESSES:** Comments and material received from the public, as well as