

(c) \* \* \*  
 (8) The ad valorem fee, surcharge, and specific fees provided under paragraphs (b)(1) and (b)(2)(i) of this section will not apply to goods that qualify as originating goods under § 202 of the United States-Bahrain Free Trade Agreement Implementation Act (see also General Note 30, HTSUS) that are entered, or withdrawn from warehouse for consumption, on or after August 1, 2006.

\* \* \* \* \*

**PART 102—RULES OF ORIGIN**

■ 6. The authority citation for Part 102 is revised to read as follows:

**Authority:** 19 U.S.C. 66, 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States), 1624, 3314, 3592.

■ 7. Section 102.0 is amended by adding, after the second sentence, a new sentence to read as follows:

**§ 102.0 Scope.**

\* \* \* The rules set forth in §§ 102.1 through 102.21 of this Part will also apply for purposes of determining whether an imported good is a new or different article of commerce under § 10.809 of the United States-Bahrain Free Trade Agreement regulations.  
 \* \* \*

**PART 162—INSPECTION, SEARCH, AND SEIZURE**

■ 8. The authority citation for Part 162 continues to read in part as follows:

**Authority:** 5 U.S.C. 301; 19 U.S.C. 66, 1592, 1593a, 1624.

\* \* \* \* \*

■ 9. Section 162.0 is amended by revising the last sentence to read as follows:

**§ 162.0 Scope.**

\* \* \* Additional provisions concerning records maintenance and examination applicable to U.S. importers, exporters and producers under the U.S.-Chile Free Trade Agreement, the U.S.-Singapore Free Trade Agreement, the U.S.-Morocco Free Trade Agreement, and the U.S.-Bahrain Free Trade Agreement are contained in Part 10, Subparts H, I, M, and N of this chapter, respectively.

**PART 163—RECORDKEEPING**

■ 10. The authority citation for Part 163 continues to read as follows:

**Authority:** 5 U.S.C. 301; 19 U.S.C. 66, 1484, 1508, 1509, 1510, 1624.

■ 11. Section 163.1(a)(2) is amended by redesignating paragraph (a)(2)(x) as paragraph (a)(2)(xi) and adding a new paragraph (a)(2)(x) to read as follows:

**§ 163.1 Definitions.**

\* \* \*  
 (a) Records—\* \* \*  
 (2) Activities \* \* \*  
 (x) The maintenance of any documentation that the importer may have in support of a claim for preferential tariff treatment under the

United States-Bahrain Free Trade Agreement (BFTA), including a BFTA importer's declaration.

\* \* \* \* \*

■ 12. The Appendix to Part 163 is amended by adding new listings under section IV in numerical order to read as follows:

**Appendix to Part 163—Interim (a)(1)(A) List**

\* \* \* \* \*

IV. \* \* \*

**§ 10.805 BFTA records that the importer may have in support of a BFTA claim for preferential tariff treatment, including an importer's declaration.**

**§ 10.820 BFTA TPL certificate of eligibility.**

**§ 10.821 BFTA TPL declaration.**

\* \* \* \* \*

**PART 178—APPROVAL OF INFORMATION COLLECTION REQUIREMENTS**

■ 13. The authority citation for Part 178 continues to read as follows:

**Authority:** 5 U.S.C. 301; 19 U.S.C. 1624; 44 U.S.C. 3501 *et seq.*

■ 14. Section 178.2 is amended by adding new listings “§§ 10.803, 10.804, 10.818, and 10.821” to the table in numerical order to read as follows:

**§ 178.2 Listing of OMB control numbers.**

19 CFR section	Description	OMB control No.
§§ 10.803, 10.804, 10.818, and 10.821	Claim for preferential tariff treatment under the U.S.-Bahrain Free Trade Agreement.	1651–0130

\* \* \* \* \*  
**W. Ralph Basham,**  
*Commissioner, U.S. Customs and Border Protection.*  
 Approved: October 9, 2007.  
**Timothy E. Skud,**  
*Deputy Assistant Secretary of the Treasury.*  
 [FR Doc. 07–5062 Filed 10–15–07; 8:45 am]  
 BILLING CODE 9111–14–P

**DEPARTMENT OF HOMELAND SECURITY**  
**Coast Guard**  
**33 CFR Part 165**  
**[CGD09–07–123]**  
**RIN 1625–AA00**  
**Safety Zone; Chicago Harbor, Navy Pier East, Chicago, IL**  
**AGENCY:** Coast Guard, DHS.  
**ACTION:** Notice of enforcement of regulation.  
**SUMMARY:** The Coast Guard will enforce the Navy Pier East Safety Zone in

Chicago Harbor on October 15, 2007. This action is necessary to protect vessels and people from the hazards associated with fireworks displays. This safety zone will temporarily restrict vessel traffic from a portion of Chicago Harbor.  
**DATES:** The regulations in 33 CFR 165.933 will be enforced from 8 p.m. to 10 p.m. on October 15, 2007.  
**FOR FURTHER INFORMATION CONTACT:** CWO Brad Hinken, Prevention Department, Coast Guard Sector Lake Michigan, Milwaukee, WI at (414) 747–7154.  
**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the Navy Pier East Safety Zone in Chicago Harbor, Chicago,

IL, in 33 CFR 165.933, for the *Experian Event* on October 15, 2007 from 8 p.m. to 10 p.m. These regulations can be found in the June 13, 2007 issue of the **Federal Register** (72 FR 32524).

All vessels must obtain permission from the Captain of the Port or his on-scene representative to enter, move within or exit the safety zone. Vessels and persons granted permission to enter the safety zone shall obey all lawful orders and directions of the Captain of the Port or a designated representative. While within a safety zone, all vessels shall operate at the minimum speed necessary to maintain a safe course.

This notice is issued under authority of 33 CFR 165.933 and 5 U.S.C. 552(a). In addition to this notice in the **Federal Register**, the Coast Guard will provide the maritime community with advance notification of these enforcement periods via broadcast Notice to Mariners and Local Notice to Mariners.

The Captain of the Port will issue a Broadcast Notice to Mariners notifying the public when enforcement of this safety zone is suspended. The Captain of the Port may be contacted via U.S. Coast Guard Sector Detroit on channel 16, VHF-FM.

Dated: September 24, 2007.

**Bruce C. Jones,**

*Captain, U.S. Coast Guard, Captain of the Port Lake Michigan.*

[FR Doc. E7-20309 Filed 10-15-07; 8:45 am]

BILLING CODE 4910-15-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R05-OAR-2005-OH-0005; FRL-8464-6]

#### Approval and Promulgation of Implementation Plans; Ohio Particulate Matter

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

**ACTION:** Final rule.

**SUMMARY:** EPA is granting final approval of Ohio rules concerning equivalent visible emission limits (EVELs), i.e., alternate opacity limits that may be established for stack sources that meet mass emission limits but cannot meet standard opacity limits. Ohio's rules provide criteria for establishment of EVELs, and the rules provide that EVELs established according to these criteria take effect without formal review by EPA. Ohio submitted these rules on July 18, 2000, and EPA published notices of proposed

rulemaking on December 2, 2002, and on January 23, 2007, that proposed to approve these rules. EPA received one adverse comment letter. EPA will honor the commenter's recommendation to fully codify the effects of this action, but EPA does not agree that further notice and opportunity for comment is necessary. As a result of this action, previous State modifications to EVELs will become effective at the Federal level on November 15, 2007. Similarly, any future action by the State to establish, modify, or rescind EVELs in accordance with the criteria given in these Ohio rules, as approved, will become effective at the federal level immediately upon the effective date of the State action.

**DATES:** This final rule is effective on November 15, 2007.

**ADDRESSES:** EPA has established a docket for this action under Docket ID No. EPA-R05-OAR-2005-OH-0005. 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 (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 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 John Summerhays, Environmental Scientist, at (312) 886-6067 before visiting the Region 5 office.

**FOR FURTHER INFORMATION CONTACT:** John Summerhays, Environmental Scientist, Criteria Pollutant Section, Air Programs Branch (AR-18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-6067, [summerhays.john@epa.gov](mailto:summerhays.john@epa.gov).

**SUPPLEMENTARY INFORMATION:** This supplementary information section is arranged as follows:

- I. What did EPA Propose?
- II. What Is EPA's Response to Comments?
- III. What Action Is EPA Taking Today?
- IV. What Statutory and Executive Orders Apply?

#### I. What Did EPA Propose?

On July 18, 2000, Ohio submitted and requested approval of numerous

particulate matter rules. On December 2, 2002, at 67 FR 71515, EPA proposed to approve many of these rules, including provisions in Ohio Administrative Code (OAC) 3745-17-07(C) relating to EVELs. (On August 9, 2005, at 70 FR 46127, EPA proposed to approve most of the remainder of the rules that Ohio had submitted.) These provisions on EVELs established procedures and criteria by which sources meeting applicable particulate mass emission limits but unable to meet applicable opacity limits could justify a visible emission limit that is "equivalent" in stringency to the mass emission limit. Ohio's rules provide further that EVELs established according to the rules' procedures and criteria immediately modify the federally enforceable opacity limits without requirement for review as a revision to the State Implementation Plan (SIP).

Most States' rules provide no detailed criteria for establishing EVELs. In these situations, EPA requires that any EVEL that the State wishes to adopt must be submitted to EPA for review, and the EVEL does not alter the federally enforceable opacity limits unless and until EPA approves the EVEL.

Ohio sought to apply a different process for establishing, modifying, and rescinding EVELs. Ohio adopted detailed procedures and criteria by which it would determine whether and at what level it would establish EVELs. EPA proposed to find that those procedures and criteria are appropriate and replicable, i.e., that an EPA review of appropriate opacity limits for particular facilities would follow the same procedures and criteria and would reach the same conclusion as Ohio. Under these circumstances, EPA proposed to find federal review of the actions that Ohio takes to establish, modify, or rescind EVELs to be unnecessary. As a result, EPA proposed in effect to delegate responsibility to Ohio for managing the subset of EVELs within the set of federally enforceable opacity limits for sources in Ohio.

EPA approved most of the Ohio rules on November 8, 2006, at 71 FR 65417. However, EPA did not approve Ohio's rules regarding EVELs in that rulemaking. Instead, on January 23, 2007, at 72 FR 2823, EPA re-proposed action on the rules regarding EVELs. EPA published this re-proposal for purposes of clarifying and soliciting comments on the treatment of historic EVELs that were previously approved into the State Implementation Plan (SIP).

Under the approach that EPA proposed to approve, Ohio may take several actions on EVELs. Ohio may