

the Director shall consult with the Board.

#### **§ 4002.10 Emergency procedures.**

(a) An emergency exists if a quorum of the Corporation's Board cannot readily be assembled or act through written contact because of the declaration of a government-wide emergency. These emergency procedures shall remain in effect during the emergency and upon the termination of the emergency shall cease to be operative unless and until another emergency occurs. The emergency procedures shall operate in conjunction with the PBGC Continuity of Operations Plan ("COOP Plan") of the current year, and any government-wide COOP protocols in effect.

(b) During an emergency, the business of the PBGC shall continue to be managed in accordance with its COOP Plan. The functions of the Board of Directors will be carried out by those Members of the Board of Directors in office at the time the emergency arises, or by persons designated by the agencies' COOP plans to act in place of the Board Members, who are available to act during the emergency. If no such persons are available, then the authority of the Board shall be transferred to the Board Representatives who are available. If no Board Representatives are available, then the Director of the Corporation shall perform essential Board functions.

(c) During an emergency, meetings of the Board may be called by any available Member of the Board. The notice thereof shall specify the time and place of the meeting. To the extent possible, notice shall be given in accordance with these bylaws. Notice shall be given to those Board Members whom it is feasible to reach at the time of the emergency, and notice may be given at a time less than 24 hours before the meeting if deemed necessary by the person giving notice.

#### **§ 4002.11 Seal.**

The seal of the Corporation shall be in such form as may be approved from time to time by the Board.

#### **§ 4002.12 Amendments.**

These bylaws may be amended or new bylaws adopted by unanimous vote of the Board.

Issued in Washington, DC, this 20th day of May, 2008.

**Charles E.F. Millard,**  
*Director, Pension Benefit Guaranty Corporation.*

Issued on the date set forth above pursuant to Resolution 2008-09 of the Board of

Directors authorizing adoption of the revised Bylaws contained in this final rule.

**Judith R. Starr,**

*Secretary, Board of Directors, Pension Benefit Guaranty Corporation.*

[FR Doc. E8-11667 Filed 5-22-08; 8:45 am]

**BILLING CODE 7709-01-P**

## **DEPARTMENT OF HOMELAND SECURITY**

### **Coast Guard**

#### **33 CFR Part 165**

[USCG-2008-0375]

#### **Portland Rose Festival Fireworks Display**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce the "Portland Rose Festival Fireworks Display safety zone on the Willamette River"; from 8:30 p.m. through 11:30 p.m. on May 30, 2008. This action is necessary to provide a safe display for the public and to keep them clear of the fall out area of the fireworks. During the enforcement period, no person or vessel may enter the safety zone without permission of the Captain of the Port.

**DATES:** The regulations in 33 CFR 165.1315(a)(2) will be enforced from 8:30 p.m. through 11:30 p.m. on May 30, 2008.

**FOR FURTHER INFORMATION CONTACT:** BM2 Joshua Lehner, Sector Portland Waterways Management at (503) 247-4015.

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the safety zone for the Portland Rose Festival fireworks display in 33 CFR 165.1315(a)(2) on May 30, 2008 from 8:30 p.m. to 11:30 p.m.

Under the provisions of 33 CFR 165.1315, a vessel may not enter the regulated area, unless it receives permission from the COTP. The Coast Guard may be assisted by other Federal, state, or local law enforcement agencies in enforcing this regulation.

This notice is issued under authority of 33 CFR 165.1315(a)(2) 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 this enforcement period via the Local Notice to Mariners and a marine information broadcast. If the COTP determines that the regulated area need not be enforced for the full duration stated in this notice, he may use a Broadcast Notice to Mariners to

grant general permission to enter the regulated area.

Dated: May 7, 2008.

**F.G. Myer,**

*Captain, U.S. Coast Guard, Captain of the Port Portland.*

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**BILLING CODE 4910-15-P**

## **ENVIRONMENTAL PROTECTION AGENCY**

### **40 CFR Part 271**

[EPA-R08-RCRA-2006-0127; FRL-8569-9]

#### **Utah: Final Authorization of State Hazardous Waste Management Program Revisions**

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

**ACTION:** Final rule.

**SUMMARY:** The Solid Waste Disposal Act, as amended, commonly referred to as the Resource Conservation and Recovery Act (RCRA), allows the Environmental Protection Agency (EPA) to authorize states to operate their hazardous waste management programs in lieu of the federal program. Utah has applied to EPA for final authorization of the changes to its hazardous waste program under RCRA. EPA has determined that these changes satisfy all requirements needed to qualify for final authorization and is authorizing Utah's changes through this final action.

**DATES:** This final authorization will become effective on May 23, 2008.

**FOR FURTHER INFORMATION CONTACT:** Carl Daly, Solid and Hazardous Waste Program, EPA Region 8, 1595 Wynkoop Street, Denver, Colorado 80202, (303) 312-6416, [daly.carl@epa.gov](mailto:daly.carl@epa.gov).

**SUPPLEMENTARY INFORMATION:**

#### **A. Why Are Revisions to State Programs Necessary?**

States that have received final authorization from EPA under RCRA section 3006(b), 42 U.S.C. 6926(b), must maintain a hazardous waste program that is equivalent to, consistent with, and no less stringent than the federal program. As the federal program changes, states must change their programs and ask EPA to authorize the changes. Changes to state programs may be necessary when federal or state statutory or regulatory authority is modified or when certain other changes occur. Most commonly, states must change their programs because of changes to EPA's regulations in 40 Code of Federal Regulations (CFR) Parts 124, 260 through 266, 268, 270, 273 and 279.