

the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority since it contains aircraft executing instrument approach procedures to Columbus Municipal Airport.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

■ Accordingly, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

■ 1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9M, dated August 30, 2004, and effective September 16, 2004, is amended as follows:

Paragraph 6002 Class E Airspace Designated as Surface Areas.

* * * * *

ACE NE E2 Columbus, NE

Columbus Municipal Airport, NE
(Lat. 41°26'53" N., long. 97°20'34" W.)
Columbus VOR/DME

(Lat. 41°27'00" N., long. 97°20'27" W.)
Within a 4.7 mile radius of Columbus Municipal Airport, and within 2.4 miles each side of the Columbus VOR/DME 157° radial extending from the 4.7-mile radius of the airport to 7 miles southeast of the VOR/DME, and within 2.4 miles each side of the Columbus VOR/DME 317° radial extending from the 4.7-mile radius of the airport to 7 miles northwest of the VOR/DME. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

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Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.

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ACE NE E5 Columbus, NE

Columbus Municipal Airport, NE
(Lat. 41°26'53" N., long. 97°20'34" W.)
Columbus VOR/DME
(Lat. 41°27'00" N., long. 97°20'27" W.)
Columbus Municipal ILS Localizer

(Lat. 41°26'25" N., long. 97°20'12" W.)

Platte Center NDB

(Lat. 41°29'48" N., long. 97°22'54" W.)

That airspace extending upward from 700 feet above the surface within a 7.7-mile radius of Columbus Municipal Airport and within 1.6 miles each side of the Columbus VOR/DME 157° radial extending from the 7.7-mile radius of the airport to 11 miles southeast of the VOR/DME and within 3.8 miles each side of the Columbus Municipal ILS Localizer course extending from the 7.7-mile radius of the airport to 7 miles northwest of the Platte Center NDB.

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Issued in Kansas City, MO, on April 11, 2005.

Elizabeth S. Wallis,

Acting Area Director, Western Flight Services Operations.

[FR Doc. 05–8138 Filed 4–22–05; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 54

[TD 9166]

RIN 1545–AX84

DEPARTMENT OF LABOR

Employee Benefits Security Administration

29 CFR Part 2590

RIN 1210–AA54

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

45 CFR Part 146

RIN 0938–AL43

Final Regulations for Health Coverage Portability for Group Health Plans and Group Health Insurance Issuers Under HIPAA Titles I & IV; Correction

AGENCIES: Internal Revenue Service, Department of the Treasury; Employee Benefits Security Administration, Department of Labor; Centers for Medicare & Medicaid Services, Department of Health and Human Services.

ACTION: Correcting amendment.

SUMMARY: This document corrects final regulations that were published in the **Federal Register** on December 30, 2004 (69 FR 78720) governing portability requirements for group health plans and

issuers of health insurance coverage offered in connection with a group health plan.

DATES: These corrections are effective February 28, 2005.

FOR FURTHER INFORMATION CONTACT:

Dave Mlawsky, Centers for Medicare & Medicaid Services (CMS), Department of Health and Human Services, at 1–877–267–2323 ext. 61565; Amy Turner, Employee Benefits Security Administration, Department of Labor, at (202) 693–8335 (not a toll-free number); or Russ Weinheimer, Internal Revenue Service, Department of the Treasury, at (202) 622–6080 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

The final regulations that are the subject of these corrections are under sections 9801, 9831, 9832, and 9833 of the Internal Revenue Code; sections 701, 731, 732, 733, and 734 of the Employee Retirement Income Security Act; and sections 2701, 2721, 2723, 2791, and 2792 of the Public Health Service Act.

Need for Correction

As published, the final regulation contains errors that may prove to be misleading and are in need of clarification.

List of Subjects

26 CFR Part 54

Excise taxes, Health care, Health insurance, Pensions, Reporting and recordkeeping requirements.

29 CFR Part 2590

Continuation coverage, Disclosure, Employee benefit plans, Group health plans, Health care, Health insurance, Medical child support, Reporting and recordkeeping requirements.

45 CFR Part 146

Health care, Health insurance, Reporting and recordkeeping requirements, and State regulation of health insurance.

Correction of Publication

■ Accordingly, 26 CFR part 54, 29 CFR part 2590 and 45 CFR part 146 are corrected by making the following correcting amendment:

PART 54—PENSION EXCISE TAXES

■ **Paragraph 1.** The authority citation for part 54 continues to read in part as follows:

Authority: 26 U.S.C. 7805 * * *

§ 54.9831–1 [Corrected]

■ 1. Section 54.9831–1(c)(3)(iii)(B), the language “of which are for treatment of

the eye.” is removed and the language “all of which are for treatment of the eye.” is added in its place.

PART 2590—RULES AND REGULATIONS FOR GROUP HEALTH PLANS

■ **Paragraph 1.** The authority citation for part 2590 continues to read as follows:

Authority: 29 U.S.C. 1027, 1059, 1135, 1161–1168, 1169, 1181–1183, 1181 note, 1185, 1185a, 1185b, 1191, 1191a, 1191b, and 1191c, sec. 101(g), Public Law 104–191, 101 Stat. 1936; sec. 401(b), Public Law 105–200, 112 Stat. 645 (42 U.S.C. 651 note); Secretary of Labor’s Order 1–2003, 68 FR 5374 (Feb. 3, 2003).

§ 2590.731 [Corrected]

■ 2. Section 2590.731(c)(2)(i), the language “§ 2590.701–3(a)(1)(i) (for purposes of)” is removed and the language “§ 2590.701–3(a)(2)(i) (for purposes of)” is added in its place.

■ 3. Section 2590.731(c)(2)(ii), the language “and § 2590.701–3(a)(1)(ii) (for purposes)” is removed and the language “§ 2590.701–3(a)(2)(ii) (for purposes)” is added in its place.

■ 4. Section 2590.731(c)(2)(iii), the language “the Act and §§ 2590.701–3(a)(1)(iii) and” is removed and the language “the Act and §§ 2590.701–3(a)(2)(iii) and” is added in its place.

PART 146—REQUIREMENTS FOR THE GROUP HEALTH INSURANCE MARKET

■ **Paragraph 1.** The authority citation for part 146 continues to read as follows:

Authority: Secs 2701 through 2763, 2791, and 2792, of the Public Health Service Act, 42 U.S.C. 300gg through 300gg–63, 300gg–91, 300gg–92 as amended by HIPAA (Pub. L. 104–191, 110 Stat. 1936), MHPA (Pub. L. 104–204, 110 Stat. 2944, as amended by Pub. L. 107–116, 115 Stat. 2177), NMHPA (Pub. L. 104–204, 110 Stat. 2935), WHCRA (Pub. L. 105–277, 112 Stat. 2681–436), and section 103(c)(4) of HIPAA.

§ 146.125 [Corrected]

■ 5. Section 146.125, the language “Sections 146.111 through 146.119,” is removed and the language “Section 144.103, §§ 146.111 through 146.119,” is added in its place.

§ 146.143 [Corrected]

■ 6. Section 146.143(b), the language “section 514 of the Act with respect to” is removed and the language “section 514 of ERISA with respect to” is added in its place.

■ 7. Section 146.143(c)(2)(i), the language “§ 146.111(a)(1)(i) (for purposes of)” is removed and the language “§ 146.111(a)(2)(i) (for purposes of)” is added in its place.

■ 8. Section 146.143(c)(2)(ii), the language “PHS Act and § 146.111(a)(1)(ii) (for)” is removed and the language “PHS Act and § 146.111(a)(2)(ii) (for)” is added in its place.

■ 9. Section 146.143(c)(2)(iii), the language “the PHS Act and §§ 146.111(a)(1)(iii)” is removed and the language “the PHS Act and §§ 146.111(a)(2)(iii)” is added in its place.

Cynthia E. Grigsby,

Acting Chief, Publications and Regulations Branch Legal Processing Division, Associate Chief Counsel (Procedure and Administration), Internal Revenue Service, Department of the Treasury.

Dated this 16th day of March, 2005.

Ann Agnew,

Executive Secretary, Department of Health and Human Services.

Dated this 15th day of February, 2005.

Daniel J. Maguire,

Director, Office of Health Plan Standards and Compliance Assistance, Employee Benefits Security Administration, Department of Labor.

[FR Doc. 05–8154 Filed 4–22–05; 8:45 am]

BILLING CODE 4830–01–P; 4510–29–P; 4120–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[FRL–7885–7]

Finding of Failure To Submit Section 110 State Implementation Plans for Interstate Transport for the National Ambient Air Quality Standards for 8-Hour Ozone and PM 2.5

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The EPA is today making a finding that States have failed to submit State Implementation Plans (SIPs) to satisfy the requirements of section 110(a)(2)(D)(i) of the Clean Air Act (CAA) for the 8-hour ozone and PM_{2.5} (particles with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers) National Ambient Air Quality Standards (NAAQS). Section 110(a)(1) of the CAA requires that States submit SIPs to meet the applicable requirements of section 110(a)(2) within 3 years after the promulgation of a new or revised NAAQS, or within such shorter period as EPA may provide. Pursuant to section 110(a)(1), States are required to submit SIPs that satisfy the requirements of section 110(a)(2)(D)(i) related to interstate transport of pollution. At present, States have not yet submitted SIPs to satisfy this requirement of the CAA, and EPA is by this action making a finding of failure to submit which starts a 2-year clock for the promulgation of a Federal Implementation Plan (FIP) by EPA unless, prior to that time, each State makes a submission to meet the requirements of section 110(a)(2)(D)(i) and EPA approves such submission.

DATES: The effective date of this rule is May 25, 2005.

FOR FURTHER INFORMATION CONTACT:

General questions concerning this final rule should be addressed to Mr. Larry D. Wallace, Ph.D., Office of Air Quality Planning and Standards, Air Quality Strategies and Standards Division, Mail Code C504–02, Research Triangle Park, N.C. 27711; telephone (919) 541–0906.

SUPPLEMENTARY INFORMATION: For questions related to a specific State, please contact the appropriate regional office:

Regional offices	States
Dave Conroy, Acting Branch Chief, Air Programs Branch, EPA New England, 1 Congress Street, Suite 1100, Boston, MA 02114–2023, (617) 918–1661.	Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.
Raymond Werner, Chief, Air Programs Branch, EPA Region II, 290 Broadway, 25th Floor, New York, NY 10007–1866, (212) 637–4249.	New Jersey, New York, Puerto Rico, and Virgin Islands.
Makeba Morris, Branch Chief, Air Quality Planning Branch, EPA Region III, 1650 Arch Street, Philadelphia, PA 19103–2187, (215) 814–2187.	Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia.