

§ 207.255(a)(1)(ii) and a mortgagee refuses to comply promptly with the Commissioner's request to accelerate payment pursuant to § 207.257, an amount equal to the difference between the project's market value as of the date of the Commissioner's request and the project's market value as of the date the mortgagee makes an election to assign the mortgage, or convey title to the project, as determined by appraisal procedures established by the Commissioner.

(vii) For multifamily project mortgages for which HUD issued a firm commitment for mortgage insurance on or after September 1, 2011, the regulations of paragraph (b)(2)(vi) of this section shall apply, unless the mortgagor demonstrates to the satisfaction of the Commissioner that financial hardship to the mortgagor would result from application of the regulations in paragraph (b)(2)(vi) of this section due to the reasonable expectations of the mortgagor that the transaction would close under the regulations in effect prior to September 1, 2011, in which case, the regulations of paragraph (b)(2)(vi) shall not apply.

\* \* \* \* \*

Dated: April 26, 2011.

**Robert C. Ryan,**

*Acting Assistant Secretary for Housing-Federal Housing Commissioner.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG-2011-0287]

#### Drawbridge Operation Regulation; Mispillion River, Milford, DE

**AGENCY:** Coast Guard, DHS.

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

**SUMMARY:** The Commander, District Fifth Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the Route 1/ Rehoboth Blvd Bascule Bridge across the Mispillion River, mile 11.0, at Milford, DE. This deviation allows the bridge to remain in the closed position for two months to accommodate the necessary bridge cleaning and painting of the bridge.

**DATES:** This deviation is effective from 12 a.m. on May 13, 2011 through 11:59 p.m. on July 17, 2011.

**ADDRESSES:** Documents mentioned in this preamble as being available in the docket are part of docket USCG-2011-0287 and are available online by going to <http://www.regulations.gov>, inserting USCG-2011-0287 in the "Keyword" box and then clicking "Search". They are also available for inspection or copying at 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.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or e-mail Lindsey Middleton, Bridge Management Specialist, Coast Guard; telephone 757-398-6629, e-mail [Linsley.R.Middleton@uscg.mil](mailto:Linsley.R.Middleton@uscg.mil). If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

**SUPPLEMENTARY INFORMATION:** Marinis Bros. Inc., (Marinis) on behalf of Delaware Department of Transportation, has requested a temporary deviation from the current operating regulation of the Route 1/Rehoboth Blvd Bascule Bridge across the Mispillion River, mile 11.0, at Milford, DE. The vertical clearance of this bridge is five feet at mean high water (MHW) in the closed position and unlimited in the open position. During this deviation period, the vertical clearance will be limited to four feet at MHW due to the scaffolding that will be used for the maintenance of the bridge. Vessels that are able to pass through the bridge may do so at anytime. The bridge is able to open for emergencies if at least five business days are given. There are no alternate routes available to vessels.

The current operating schedule for the bridge is set out in 33 CFR 117.241. The regulation requires the bridge to open on signal if at least 24 hours notice is given. The requested deviation is to accommodate painting and cleaning of the bridge. To carry out the bridge maintenance safely and successfully, the draw of the bridge will be maintained in the closed-to-navigation position from 12 a.m. on May 13, 2011 through 11:59 p.m. on July 17, 2011.

Logs from the past two years have shown that there are minimal openings during the period of time this deviation will be enforced. The majority of vessel traffic is recreational boaters. Most, if not all, of the past openings have been requested by one specific resident of the area. The Coast Guard and Marinis have been in contact with this resident and have worked together to accommodate

any necessary bridge openings during the temporary deviation. The Coast Guard will inform the users of the waterway through our Local and Broadcast Notices to Mariners so that mariners can arrange their transits to minimize any impact caused by the temporary deviation.

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: April 18, 2011.

**Waverly W. Gregory, Jr.,**

*Chief, Bridge Administration Branch, Fifth Coast Guard District.*

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[DE104-1102; FRL-9298-3]

#### Approval and Promulgation of Air Quality Implementation Plans; Delaware; Update to Materials Incorporated by Reference

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

**ACTION:** Final rule; administrative change.

**SUMMARY:** EPA is updating the materials submitted by Delaware that are incorporated by reference (IBR) into the state implementation plan (SIP). The regulations affected by this update have been previously submitted by the Delaware Department of Natural Resources and Environmental Control (DNREC) and approved by EPA. This update affects the SIP materials that are available for public inspection at the National Archives and Records Administration (NARA), the Air and Radiation Docket and Information Center located at EPA Headquarters in Washington, DC, and the EPA Regional Office.

**DATES:** *Effective Date:* This action is effective May 2, 2011.

**ADDRESSES:** SIP materials which are incorporated by reference into 40 CFR part 52 are available for inspection at the following locations: Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103; the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 1301 Constitution Avenue, NW., Room Number 3334, EPA