

Appendix E to § 1926.1127—Cadmium in Workplace Atmospheres

Note: The requirements applicable to construction work under this Appendix E are identical to those set forth in Appendix E to § 1910.1027 of this chapter.

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57. In § 1926.1127, Appendix F is revised to read as follows:

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Appendix F to § 1926.1127—Nonmandatory Protocol for Biological Monitoring

Note: The requirements applicable to construction work under this Appendix F are identical to those set forth in Appendix F to § 1910.1027 of this chapter.

58. Section 1926.1128 is revised to read as follows:

§ 1926.1128 Benzene.

Note: The requirements applicable to construction work under this section are identical to those set forth at § 1910.1028 of this chapter.

59. Section 1926.1129 is revised to read as follows:

§ 1926.1129 Coke oven emissions.

Note: The requirements applicable to construction work under this section are identical to those set forth at § 1910.1029 of this chapter.

60. Section 1926.1144 is revised to read as follows:

§ 1926.1144 1,2-dibromo-3-chloropropane.

Note: The requirements applicable to construction work under this section are identical to those set forth at § 1910.1044 of this chapter.

61. Section 1926.1145 is revised to read as follows:

§ 1926.1145 Acrylonitrile.

Note: The requirements applicable to construction work under this section are identical to those set forth at § 1910.1045 of this chapter.

62. Section 1926.1147 is revised to read as follows:

§ 1926.1147 Ethylene oxide.

Note: The requirements applicable to construction work under this section are identical to those set forth at § 1910.1047 of this chapter.

63. Section 1926.1148 is revised to read as follows:

§ 1926.1148 Formaldehyde.

Note: The requirements applicable to construction work under this section are identical to those set forth at § 1910.1048 of this chapter.

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD5-95-084]

RIN 2115-AE47

Drawbridge Operation Regulations; Atlantic Intracoastal Waterway, Sunset Beach, NC

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: At the request of the North Carolina Department of Transportation, the Coast Guard is changing the regulations that govern the operation of the drawbridge across the Atlantic Intracoastal Waterway, mile 337.9, at Sunset Beach, North Carolina, by extending the hours on weekends and holidays during the summer months during which the bridge may open only on the hour. This rule is intended to provide regularly scheduled drawbridge openings to help reduce motor vehicle traffic delays and congestion on the roads and highways linked by this drawbridge while providing for the reasonable needs of navigation.

EFFECTIVE DATE: This rule is effective on July 22, 1996.

FOR FURTHER INFORMATION CONTACT: Ann B. Deaton, Bridge Administrator, Fifth Coast Guard District, at (804) 398-6222.

SUPPLEMENTARY INFORMATION:

Regulatory History

On January 23, 1996, the Coast Guard published a Notice of Proposed Rulemaking (NPRM) entitled "Drawbridge Operation Regulations; Atlantic Intracoastal Waterway, Sunset Beach, North Carolina" in the Federal Register (61 FR 1725). In addition to publishing the NPRM, the Coast Guard also announced the proposed changes in Public Notice 5-881. The comment period ended March 8, 1996. One comment was received. A public hearing was not requested and one was not held.

Background and Purpose

The Sunset Beach drawbridge crosses the Atlantic Intracoastal Waterway at mile 337.9. The proposed changes were requested by the North Carolina Department of Transportation on behalf of the Town of Sunset Beach in order to alleviate delays to vehicle traffic caused by opening of the draw for passage of recreational vessels after 7 p.m. on the weekends and holidays.

Discussion of Comments and Changes

The NPRM proposed changes to 33 CFR 117.821(b)(6), regulations governing operation of a drawbridge across the Atlantic Intracoastal Waterway at Sunset Beach, North Carolina. The proposed changes include extending the hours on weekends and holidays to include 7 p.m. to 9 p.m. during the summer months when the bridge may open only on the hour.

One comment was received on the proposed change to 33 CFR 117.821(b)(6) from a recreational boater opposing the extension of the hourly openings during the weekends and holidays. The recreational boater stated that extending the hourly openings was an unreasonable burden to pleasure boaters and was particularly bad for those who are out on the water returning late in the day. He also stated that the present hourly openings of the bridge during weekends was an unreasonable burden to pleasure boats, and that North Carolina should consider increasing the number of openings for all its regulated bridges. The Coast Guard does not agree. All presently regulated bridges in North Carolina crossing the Atlantic Intracoastal Waterway have schedules which take into consideration the highway traffic volumes at those particular locations, keeping in mind the steady flow of vessel traffic on this waterway during the summer months. With respect to Sunset Beach, the North Carolina Department of Transportation has advised the Coast Guard that maintaining the existing hourly opening restrictions and extending them by hours in the evenings on the weekends and Federal holidays is critical in order to avoid severe traffic congestion to and from the island. Vehicular traffic is at its highest peak on the island during the summer season, and, in particular, on weekends and holidays. This increase in vehicular traffic is due to vacationers and residents of surrounding communities coming to Sunset Beach to enjoy the ocean and beaches. Those from the surrounding communities usually do not leave the island until sunset which extends the evening hours that SR 1172 is congested with cars. The increase in traffic also places a strain on the local streets in the Town of Sunset Beach. The need to free up traffic congestion coming from the island supports the request to extend hourly openings on weekends and holidays. Recreational boaters can plan their transits around the hourly schedule, as they do now. After 9 p.m., the drawbridge will revert back to opening on demand, so boaters may plan to

come and go as early or late as they desire, with minimal delays. The purpose of the proposed change is to establish a schedule that balances the reasonable needs of waterway and vehicular traffic. The Coast Guard believes this schedule will help alleviate seasonal highway traffic congestion on weekends and holidays at this bridge without placing any undue hardship on waterway users since the change is minimal.

This final rule adopts the changes proposed in the NPRM. It extends the hourly opening of the drawbridge from 7 p.m. to 9 p.m. on Saturdays, Sundays, and Federal holidays from June 1 to September 30. The draw will continue to open on signal for commercial vessels. It will also continue to open on signal for passage of vessels in emergencies involving danger to life or property. The Coast Guard believes this final rule will not unduly restrict navigation by pleasure vessels, which may plan their transits to coincide with scheduled hourly openings.

Regulatory Evaluation

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(1)(3) of that order. It has been exempted from review by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this final rule will have a significant economic impact on a substantial number of small entities. "Small entities" include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as "small business concerns" under section 3 of the Small Business Act (15 U.S.C. 632). Because it expects the impact of this rule to be minimal, the Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This rule contains no collection of information requirements under the

Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism Assessment

The Coast Guard has analyzed this rule under the principles and criteria contained in Executive Order 12612, and it has been determined that this rule will not have sufficient federalism implications to warrant preparation of a Federalism Assessment.

Environment

The Coast Guard considered the environmental impact of this rule and concluded that under section 2.B.2.e.(32)(e) of Commandant Instruction M16475.1B (as amended, 59 FR 38654, July 29, 1994), this rule is categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 117

Bridges.

Regulations

In consideration of the foregoing, the Coast Guard is amending part 117 of title 33, Code of Federal Regulations, as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05-1(g); section 117.255 also issued under the authority of Pub. L. 102-587, 106 Stat. 5039.

2. In § 117.821, paragraph (b)(6) is revised to read as follows:

§ 117.821 Atlantic Intracoastal Waterway, Albemarle Sound to Sunset Beach.

* * * * *

(b) * * *

(6) S.R. 1172 bridge, mile 337.9, at Sunset Beach, NC, shall open on the hour on signal between 7 a.m. and 7 p.m., April 1 through November 30, except that on Saturdays, Sundays and Federal holidays, from June 1 through September 30, the bridge shall open on signal on the hour between 7 a.m. and 9 p.m.

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Dated: May 15, 1996.

W.J. Ecker,

Rear Admiral, U.S. Coast Guard, Commander, Fifth Coast Guard District.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 63

[AD-FRL-5521-7]

RIN 2060-AC19

National Emission Standards for Hazardous Air Pollutants for Source Categories: Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry and Other Processes Subject to the Negotiated Regulation for Equipment Leaks; Clarifications

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; Amendments.

SUMMARY: On April 10, 1995, the EPA proposed amendments to certain portions of the "National Emission Standards for Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry and Other Processes Subject to the Negotiated Regulation for Equipment Leaks" (collectively known as the "hazardous organic NESHAP" or the "HON"). This action announces the EPA's final decisions on those proposed amendments.

The rule is being revised to remove three compounds (glycerol tri-(polyoxypropylene)ether, polyethylene glycol, and polypropylene glycol) from the list of chemical production processes regulated by the HON. The production of these compounds is also included in the source category "Polyether Polyols Production" and will be regulated by that national emission standards for hazardous air pollutants (NESHAP). The equipment leak requirements in the rule are also being revised to clarify the intent of certain provisions, to correct oversights, and to simplify demonstration of compliance with the regulation. These changes are being made to ensure that the rule is implemented as intended.

EFFECTIVE DATE: June 20, 1996.

FOR FURTHER INFORMATION CONTACT: Dr. Janet S. Meyer, Coatings and Consumer Products Group, Emission Standards Division (MD-13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone number (919) 541-5254.

SUPPLEMENTARY INFORMATION:

I. Regulated Entities and Background Information

The regulated category and entities affected by this action include: