

(c) [Reserved]

(d) * * *

(5) * * *

(x) Decoquinate alone or in combination as in § 558.195.

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Dated: July 9, 1998.

Stephen F. Sundlof,

Director, Center for Veterinary Medicine.

[FR Doc. 98-19025 Filed 7-16-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD07-98-006]

RIN 2115-AE46

Security Zone; Coast Waters Adjacent to Florida

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: Pursuant to Presidential Proclamation No. 6867, declaring a national emergency, the Coast Guard, after consultation with the Department of Justice, established a security zone, restricting the operation of certain vessels within the internal waters and territorial seas of the United States, adjacent to or within the coastal waters around southern Florida. The Coast Guard is revising the security zone to encompass all of the internal waters and territorial seas of the United States adjacent to or within the State of Florida and within the boundaries of the Seventh Coast Guard District (defined in 33 CFR 3.35-1); that is, all the described waters in and off Florida with the exception of those waters west of 083-50 W. The Coast Guard Captain of the Port (COTP) may exercise complete control over all vessel operations and movements within the security zone. Non-public vessels of less than 50 meters (165 feet) in length, may not get underway in or depart the security zone with the intent to enter Cuban territorial waters, absent express authorization from the COTP. These vessels control measures are necessary to provide for the safety of the United States citizens and residents and to prevent threatened disturbances of the international relations of the United States.

DATES: This rule is effective July 14, 1998 and will terminate when the National Emergency as declared by the President in Presidential Proclamation No. 6867 terminates. The Coast Guard will publish a separate document in the

Federal Register announcing termination of this rule.

ADDRESSES: Permission of a Captain of the Port (COTP) to depart the security zone with the intent of entering Cuban territorial waters may be obtained from the following U.S. Coast Guard units: Marine Safety Office Miami, 51 S.W. First Avenue, Miami, FL 33130, ph. (305) 536-5693; Marine Safety Office Tampa, 155 Columbia Drive, Tampa, FL 33603, ph. (813) 228-2195; Marine Safety Office Jacksonville, 7802 Arlington Expy., Suite 400, Jacksonville, FL 32211-7445; Station Miami Beach, 100 MacArthur Causeway, Miami Beach, FL 33139, ph. (305) 535-4368; Station Fort Lauderdale, 7000 N. Ocean Dr., FL 33004, ph. (305) 927-1611; Station Marathon, 1800 Overseas Highway, Marathon, FL 33050, ph. (305) 743-1945; Station Islamorada, PO Box 547, 183 Palermo Dr., Islamorada, FL 33036, ph. (305) 292-8862; Station Key West, Key West, FL 33040, ph. (305) 292-8862; Station Fort Myers Beach, 719 San Carlos Drive, Fort Myers Beach, FL 33931, ph. (813) 463-5754. Additional locations may be established.

FOR FURTHER INFORMATION CONTACT: Chief, Marine Safety Division, Seventh Coast Guard District, 909 SE First Avenue, Brickell Plaza Federal Building, Miami, FL 33931, Phone (305) 536-5651.

SUPPLEMENTARY INFORMATION:

Background and Purpose

Regulatory History

On March 1, 1996, the President of the United States signed Proclamation No. 6867 declaring a national emergency following the February 24 1996, shooting down of two Brothers to the Rescue aircraft by Cuban armed forces. The Proclamation, which addressed the disturbances or threatened disturbances of United States international relations, the President authorized the Secretary of Transportation to regulate the anchorage and movement of domestic and foreign vessels. Order No. 96-3-7, signed by the Secretary of Transportation delegated this authority to the Commandant, United States Coast Guard. This authority has been further delegated to the Commander, Seventh Coast Guard District and appropriate Captains of the Port. To secure the rights and obligations of the United States and to protect its citizens and residents from the use of excessive force upon them by foreign powers, the Coast Guard on March 8, 1996 (61 FR 9348), pursuant to its regulatory authority in 50 U.S.C. 191 and as supplemented by the authority

delegated to the Secretary of Transportation in the Presidential Proclamation, established a security zone.

This security zone established on March 1, 1996, restricted the operation of vessels within the internal waters and territorial seas of the United States, adjacent to or within the coastal waters around southern Florida. The security zone prohibits private, noncommercial vessels less than 50 meters in length from departing the security zone with the intent to enter Cuban territorial waters, absent express authorization from the Captain of the Port (COTP).

On May 14, 1997 (62 FR 26390) the Coast Guard published a temporary rule revising the security zone by additional security measures that prohibit a similar class of vessels from getting underway in or departing the security zone with the intent to enter Cuban territorial waters without express authorization from the COTP. Additionally, under the revised security zone, commercial vessels less than 50 meters in length became subject to the same restrictions as private, noncommercial vessels less than 50 meters in length.

Discussion of Rule

This temporary rule further amends the security zone by expanding its geographic scope of the Florida peninsula. During the Pope's visit to Cuba in January, 1998, several boaters asserted that they had evaded the requirements of the security zone by departing for Cuba from a port north of Fort Lauderdale, outside the geographic limits of the prior security zone. Expansion of the geographic limits of the security zone around Florida will cure this potential enforcement problem, thereby enhancing boater safety and better preventing a possible disturbance of the foreign relations of the United States.

The Coast Guard has determined that control of the movement of non-public vessels less than 50 meters in length in the security zone, or departure of such vessels from the security zone, with the intent to enter Cuban territorial waters (hereinafter "subject vessels"), is necessary to protect the safety of United States citizens and residents and prevent threatened disturbance of the international relations of the United States. These controls do not apply to foreign flag vessels in innocent passage in the territorial sea of the United States. Maintaining such control of vessel movement will necessitate some temporary limitations on traditional freedoms of navigation. Efforts will be made to keep these limitations to a minimum.

A COTP may issue appropriate orders to control the launching, anchorage, docking, mooring, operation, and movement of all subject vessels within the security zone. Additionally, the COTP may remove all persons not specifically authorized to go or remain on board the subject vessel, may place guards on the subject vessel and may take full or partial possession or control of any such vessel or part thereof. Such actions to be taken are in the discretion of the COTP as deemed necessary to ensure compliance with the provisions of the security zone or any other order issued under the authority of the COTP.

Under the special regulations included in this rule, subject vessels may not get underway in or depart from the security zone without express authorization from the COTP. Authorization may be requested in person or in writing. If the request is approved, the COTP will issue a written authorization. As a condition of getting underway in or departing from the security zone, the COTP has the discretion, where there is an articulable basis to believe that a vessel intends to enter Cuban territorial waters, to require the owner, master or person in charge to provide verbal assurance to the COTP that the vessel will not enter Cuban territorial waters and require that the COTP be informed of the identity of all persons on board the vessel.

Vessels 50 meters or greater in length and foreign flagged vessels in innocent passage in the territorial sea of the United States are exempt from these security zone control regulations. Past experiences, including flotillas on July 13, 1995, September 2, 1995, March 2, 1996, July 13, 1996, May 17, 1997, July 13, 1997, November 1, 1997, and January 23–24, 1998, did not involve vessels outside the subject class of vessels. This temporary rule expands the geographic scope of the security zone to the Florida peninsula.

Any non-public vessel less than 50 meters in length getting underway from a berth, pier, mooring, or anchorage in the security zone or departing from the security zone, with the intent to enter Cuban territorial waters, without having express authorization from the COTP will be in violation of the security zone. Failure to comply with the regulations or orders issued under the authority of the COTP may result in seizure and forfeiture of the vessel, suspension or revocation of Coast Guard licenses, and criminal fines and imprisonment. Making a false statement to any agency of the United States may result in additional penalties pursuant to 18 USC § 1001.

This rule is published as a final rule, which is effective upon the signing of this rule. It is based upon a Presidential declaration of a national emergency. Because of recent events discussed in the preamble above, immediate action is needed to protect the safety of lives and property at sea and to prevent threatened disturbance of the international relations of the United States. For this reason, the Coast Guard finds good cause, under 5 USC 553(B) and (d), that notice and public comment on the rule before the effective date of this rule are, impractical, unnecessary, contrary to the public interest and this rule should be made effective in less than 30 days after publication. Further, because this temporary rule involves the foreign affairs of the United States it is excepted from rulemaking procedures in accordance with 5 USC 553(a)(1).

Regulatory Process Matters

This final rule, designed under the emergency conditions, is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential cost and benefits under section 6(a)(3) of that order. Therefore, a regulatory evaluation is not required. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). For the reasons stated above, the USCG certifies that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. This rule does not impose unfunded mandates or contain reporting or record keeping requirements that require new approval under the Paperwork Reduction Act.

Environment

The Coast Guard considered the environmental impact of this rule and concluded that under figure 2–1 of Commandant Instruction M16475.1C, this proposal is categorically excluded from further environmental documentation. A categorical exclusion determination and an environmental analysis checklist have been completed and are available in the docket.

Federalism Assessment

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that this rule will not have sufficient federalism implication to warrant preparation of a Federalism Assessment.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Security measures and waterways.

In consideration of the foregoing, Part 165 of Title 33, Code of Federal Regulations, is amended as follows:

1. The authority citation for part 165 continues to read as follows:

Authority: 33 USC 1231; 50 USC 191; 33 CFR 1.05–1(g), 6.04–1, 6.04–6, and 160.5; 49 CFR 1.46.

2. In § 165.T07–013 revise the heading and paragraph (a) to read as set forth below, and republish paragraphs (b) through (d) to read as follows:

§ 165.T07–013 Security Zone: Internal waters and territorial seas adjacent to the Florida peninsula.

(a) *Location.* The following area is established as a security zone: All U.S. internal waters and territorial seas adjacent to the State of Florida south of the Florida-Georgia border and extending seaward three nautical miles from the baseline from which the territorial sea is measured around the Florida peninsula to the extent where the Florida panhandle and adjacent internal waters and territorial sea intersect with longitude 83°50' West. In general these are the U.S. internal waters and territorial seas adjacent to the Florida peninsula.

(b) *Applicability.* This section applies to non-public vessels less than 50 meters (165 feet) in length and all associated auxiliary vessels within the security zone, but shall not apply to foreign flagged vessels in innocent passage in the territorial sea of the United States. For the purpose of this section, an “auxiliary vessel” includes every description of watercraft or other artificial contrivance used or capable of being used as a means of transportation on water attached to, or embarked in, another vessel to which this section applies.

(c) *Regulations.* (1) The general regulations in § 165.33 of this part do not apply to this security zone.

(2) Non-public vessels less than 50 meters (165 feet) in length and persons on board those vessels may not get underway from a berth, pier, mooring or anchorage in the security zone, or depart from the security zone, with the intent to enter Cuban territorial waters without express written authorization from one of the following officials or their designees; Commander, Seventh Coast Guard District; the Captain of the Port Miami; or the Captain of the Port Tampa. The aforementioned officials may issue orders to control the

movement of vessels to which this section applies.

(3) Where there is an articulable basis to believe a vessel to which this section applies intends to enter Cuban territorial waters, an official referenced in paragraph (c)(2) of this section may require the master, owner, or person in charge of a vessel within the security zone, including all auxiliary vessels, to provide verbal assurance that the vessel will not enter Cuban territorial waters as a condition for a vessel to get underway from a berth, pier, mooring, or anchorage in the security zone, or depart from the security zone. In addition, an official referenced in paragraph (c)(2) may require the master, owner, or person in charge of the vessel to identify all persons on board the vessel and provide verbal assurances that all persons on board have received actual notice of the regulations in this section.

(4) The owner or person in charge of the vessel shall maintain the express written authorization for the vessel on board the vessel.

(d) *Enforcement.* (1) Vessels or persons violating this section may be subject to:

- (i) Seizure and forfeiture of the vessel;
- (ii) A monetary penalty of not more than \$10,000; and
- (iii) Imprisonment for not more than 10 years.

(2) Violation of 18 U.S.C. 1001 may result in imprisonment for not more than five years or a fine, or both.

(e) This section implements Presidential Proclamation No. 6867. This section is issued under the authority delegated in Department of Transportation Order No. 96-3-7.

Dated: July 14, 1998.

R.C. Olsen, Jr.,

*Captain, U.S. Coast Guard, Commander,
Seventh Coast Guard District Acting*
[FR Doc. 98-19265 Filed 7-15-98; 3:37 pm]

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POSTAL SERVICE

39 CFR Part 20

Stay of Interim Rule for Global Package Link to Germany and France

AGENCY: Postal Service.

ACTION: Stay of interim rule.

SUMMARY: The Postal Service is staying its recently published interim rule on Global Package Link which added a merchandise return service for customers utilizing the GPL service to Germany and France.

DATES: The amendment to the International Mail Manual published in the **Federal Register** on July 10, 1998 (63 FR 37251-37254), is stayed until further notice as of 12:01 a.m. on July 17, 1998.

ADDRESSES: Any written comments should be mailed or delivered to the International Business Unit, U.S. Postal Service, 475 L'Enfant Plaza SW, room 370-IBU, Washington, DC 20260-6500. Copies of all written comments will be available for public inspection and photocopying between 9 a.m. and 4 p.m., Monday through Friday, at the above address.

FOR FURTHER INFORMATION CONTACT: Bill Brandt (202) 314-7165.

SUPPLEMENTARY INFORMATION: Pending further internal review, the Postal Service is staying an interim rule in the **Federal Register** on July 10, 1998 (63 FR 37251-37254), concerning the establishment of a GPL return service in Germany and France. This stay will be effective immediately, and the contemplated service will not be available until the internal review has been completed and a further notice published.

List of Subjects in 39 CFR Part 20

International postal service, Foreign relations.

The Postal Service hereby stays its amendment of July 10, 1998, to the International Mail Manual, which is incorporated by reference in the Code of Federal Regulations. See 39 CFR 20.1.

PART 20—[AMENDED]

1. The authority citation for 39 CFR part 20 continues to read as follows:

Authority: 5 U.S.C. 552(a); 39 U.S.C. 401, 404, 407, 408.

I. Subchapter 620 of the International Mail Manual, Issue 20, sections 626.24 and 626.25, are stayed until further notice.

Stanley F. Mires,

Chief Counsel, Legislative.

[FR Doc. 98-19170 Filed 7-15-98; 10:40 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 63

[FRL-6123-4]

Delegation of National Emission Standards for Hazardous Air Pollutants for Source Categories; State of Arizona; Arizona Department of Environmental Quality

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking direct final action to delegate the authority to implement and enforce specific national emission standards for hazardous air pollutants (NESHAPs) to the Arizona Department of Environmental Quality (ADEQ) in Arizona. The preamble outlines the process that ADEQ will use to receive delegation of any future NESHAP, and identifies the NESHAP categories to be delegated by today's action. EPA has reviewed ADEQ's request for delegation and has found that this request satisfies all of the requirements necessary to qualify for approval. Thus, EPA is hereby granting ADEQ the authority to implement and enforce the unchanged NESHAP categories listed in this rule.

DATES: This rule is effective on September 15, 1998, without further notice, unless EPA receives relevant adverse comments by August 17, 1998. If EPA receives such comment, then it will publish a timely withdrawal in the **Federal Register** informing the public that this rule will not take effect.

ADDRESSES: Comments must be submitted to Andrew Steckel at the Region IX office listed below. Copies of the request for delegation and other supporting documentation are available for public inspection (docket number A-96-25) at the following location: U.S. Environmental Protection Agency, Region IX, Rulemaking Office (AIR-4), Air Division, 75 Hawthorne Street, San Francisco, California 94105-3901.

FOR FURTHER INFORMATION CONTACT: Mae Wang, Rulemaking Office (AIR-4), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, California 94105-3901, (415) 744-1200.

SUPPLEMENTARY INFORMATION:

I. Background

Section 112(l) of the Clean Air Act, as amended in 1990 (CAA), authorizes EPA to delegate to state or local air pollution control agencies the authority to implement and enforce the standards