

Dated: August 21, 1998.

J.L. Grenier,

Captain, U.S. Coast Guard, Captain of the Port, Boston, Massachusetts.

[FR Doc. 98-23698 Filed 9-2-98; 8:45 am]

BILLING CODE 4910-15-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[COTP New Orleans, LA Regulation 98-019]

RIN 2115-AA97

Safety Zone; Baptiste Collette Bayou From Lower Mississippi River Mile 11.3 to Lighted Buoy #21 in Breton Sound

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone from the entrance to Baptiste Collette Bayou at Lower Mississippi River Mile 11.3 to Baptiste Collette Lighted Buoy #21 in Breton Sound, extending the entire width of the bayou. The safety zone has been established to ensure the safe transit of vessels in Baptiste Collette Bayou during a period of significantly increased vessel traffic as a result of the closure of the Inner Harbor Navigational Canal Lock and to protect the environment.

DATES: This regulation is effective from July 27, 1998, at 8 a.m. local time until September 27, 1998 at 8 p.m. local time.

FOR FURTHER INFORMATION CONTACT: LT(jg) Yuri Graves (504) 589-4256. U.S. Coast Guard Marine Safety Office, 1615 Poydras St., New Orleans, LA 70112-1254.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, a notice of proposed rulemaking will not be published for this regulation and good cause exists for making it effective in less than 30 days after **Federal Register** publication. Publishing a NPRM and delaying its effective date would be contrary to the public interest since immediate action is needed to respond to the potential hazards to local marine traffic involved.

Drafting Information. The drafter of this regulation is LT(jg) Yuri Graves, Project Manager for the Captain of the Port, and LT(jg) M.A. Woodruff Project Counsel, Eighth Coast Guard District Legal Office.

Background and Purpose

The hazardous condition requiring this regulation is a result of the de-watering and repair of the Inner Harbor

Navigation Canal Lock. The safety zone is needed to protect vessels transiting the Baptiste Collette Bayou during this period of significantly increased vessel traffic. This regulation is issued pursuant to 33 U.S.C. 1225 and 1231 as set out in the authority citation for all of Part 165.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 et. seq.), the Coast Guard must consider whether this regulation 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). Since the impact of this regulation on non-participating small entities is expected to be minimal, the Coast Guard certifies under 5 U.S.C. 605(b) that this regulation will not have a significant economic impact on a substantial number of small entities. This regulation will only be in effect for several hours and the impacts on small entities are expected to be minimal.

Regulatory Evaluation

This temporary rule is not a significant regulatory evaluation under Section 3(b) of Executive Order 12866 and is not significant under the "Department of Transportation Regulatory Policies and Procedures" (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 is unnecessary. This regulation will only be in effect for a short period of time, and the impacts on routine navigation are expected to be minimal.

Collection of Information

This rule contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 et seq.).

Federalism

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

Environment

The Coast Guard considered the environmental impact of this proposal and concluded that under Figure 2-1, paragraph (34)(g) of Commandant Instruction M16475.1C (series), this

proposal is categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 165

Harbors, Marine Safety, Navigation (water), Reporting and Record Keeping Requirements, Safety Measures, Vessels, Waterways.

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

PART 165—[AMENDED]

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

Authority: 33 U.S.C. 1225 and 1231; 50 U.S.C. 191; and 33 CFR 1.05-1(g), 6.04-1, 6.04-6, and 160.5; 49 CFR 1.46

2. A new temporary § 154.T08-047 is added to read as follows:

§ 165.T08-047 Safety Zone.

(a) *Location.* The following area is a safety zone: Baptiste Collette Bayou from its junction with the Mississippi River to Baptiste Collette Lighted Buoy #21 in Breton Sound, extending the entire width of the Bayou.

(b) *Effective date.* This section is effective from July 27, 1998 at 8 a.m. local time until September 27, 1998 at 8 p.m. local time.

(c) *Regulations.*

In accordance with the general regulations in § 165.23 of this part, entry into the zone by any vessel is prohibited unless authorized by the Captain of the Port.

W.R. Marhoffer,

Commander, U.S. Coast Guard, Captain of the Port, Acting.

[FR Doc. 98-23222 Filed 9-2-98; 8:45 am]

BILLING CODE 4910-15-M

DEPARTMENT OF COMMERCE

Patent and Trademark Office

37 CFR Part 1

RIN 0651-AA96

Revision of Patent Fees for Fiscal Year 1999; Correction

AGENCY: Patent and Trademark Office, Commerce.

ACTION: Final Rule; correction.

SUMMARY: The Patent and Trademark Office published a document revising certain patent fee amounts for fiscal year 1999 in the **Federal Register** of July 24, 1998. Inadvertently, an incorrect fee amount was stated for a national stage fee in section 1.492(a)(5). This

document corrects this national stage fee amount for fiscal year 1999.

EFFECTIVE DATE: October 1, 1998.

FOR FURTHER INFORMATION CONTACT:

Matthew Lee by telephone at (703) 305-8051, fax at (703) 305-8007, or by mail marked to his attention and addressed to the Commissioner of Patents and Trademarks, Office of Finance, Crystal Park 1, Suite 802, Washington, DC 20231.

SUPPLEMENTARY INFORMATION: The Patent and Trademark Office published a final rule entitled "Revision of Patent Fees for Fiscal Year 1999" in the **Federal Register** of July 24, 1998 (63 FR 39731). The final rule contains an error for a national stage fee in section 1.492(a)(5). The fee amount for fiscal year 1999 was incorrectly stated as \$395.00 for a small entity, and \$790.00 for other than a small entity. This correction revises this national stage fee amount.

In the "Revision of Patent Fees for Fiscal Year 1999" final rule that was published in the **Federal Register** of July 24, 1998 (63 FR 39731), make the following correction. On page 39734, in the third column, change the national stage fee amount for section 1.492(a)(5) to \$345.00 for a small entity, and \$690.00 for other than a small entity.

Dated: August 28, 1998.

Kenneth R. Corsello,

Associate Solicitor.

[FR Doc. 98-23682 Filed 9-2-98; 8:45 am]

BILLING CODE 3510-16-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA 102-0091a; FRL-6150-9]

Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision; Yolo-Solano Air Quality Management District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking direct final action to approve a revision to the California State Implementation Plan (SIP). The revision concerns Yolo-Solano Air Quality Management District's (YSAQMD) Rule 2.34. This rule controls oxides of nitrogen (NO_x) from stationary gas turbines. This action will incorporate the rule into the Federally approved SIP. The intended effect of approving this rule is to regulate emissions of NO_x in

accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). EPA is finalizing the approval of this rule into the California SIP under provisions of the CAA regarding EPA action on SIP submittals, SIPs for national primary and secondary ambient air quality standards and plan requirements for nonattainment areas. **DATES:** This direct final rule is effective on November 2, 1998, without further notice, unless EPA receives adverse comments by October 5, 1998. If EPA received such comments, then it will publish a timely withdrawal in the **Federal Register** informing the public that this rule will not take effect.

ADDRESSES: Written comments must be submitted to Andrew Steckel at the Region IX office listed below. Copies of the rule and EPA's evaluation report are available for public inspection at EPA's Region IX office during normal business hours. Copies of the submitted rule are also available for inspection at the following locations:

Rulemaking Office (AIR-4), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105.

Environmental Protection Agency, Air Docket (6102), 401 "M" Street, S.W., Washington, D.C. 20460.

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 "L" Street, Sacramento, CA 95812.

Yolo-Solano Air Quality Management District, 1947 Galileo court, Suite 103, Davis, CA 95616.

FOR FURTHER INFORMATION CONTACT:

Andrew Steckel, Rulemaking Office (AIR-4), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901, Telephone: (415) 744-1185.

SUPPLEMENTARY INFORMATION:

I. Applicability

The rule being approved into the California SIP includes YSAQMD's, Rule 2.34, Stationary Gas Turbines. This rule was submitted by the California Air Resources Board (CARB) to EPA on September 28, 1994.

II. Background

On November 15, 1990, the Clean Air Act Amendments of 1990 (CAA or the Act) were enacted. Pub. L. 101-549, 104 Stat. 2399, codified at 42 U.S.C. 7401-7671q. The air quality planning requirements for the reduction of NO_x emissions through reasonably available control technology (RACT) are set out in section 182(f) of the CAA. On November

25, 1992, EPA published a proposed rule entitled "State Implementation Plans; Nitrogen Oxides Supplement to the General Preamble; Clean Air Act Amendments of 1990 Implementation of Title I; Proposed Rule," (the NO_x Supplement) which describes the requirements of section 182(f). The November 25, 1992, proposed rule should be referred to for further information on the NO_x requirements and is incorporated into this document by reference.

Section 182(f) of the Clean Air Act requires States to apply the same requirements to major stationary sources of NO_x ("major" as defined in section 302 and section 182(c), (d), and (e)) as are applied to major stationary sources of volatile organic compounds (VOCs), in moderate or above ozone nonattainment areas. The Sacramento Metro Area in which the YSAQMD is located, is classified as serious;¹ therefore this area was subject to the RACT requirements of section 182(b)(2), cited below, and the November 15, 1992 deadline.

Section 182(b)(2) requires submittal of RACT rules for major stationary sources of VOC emissions (not covered by a pre-enactment control techniques guidelines (CTG) document or a post-enactment CTG document) by November 15, 1992. There were no NO_x CTGs issued before enactment and EPA has not issued a CTG document for any NO_x sources since enactment of the CAA. The RACT rules covering NO_x sources and submitted as SIP revisions, are expected to require final installation of the actual NO_x controls as expeditiously as practicable, but no later than May 31, 1995.

On September 28, 1994, the State of California submitted to EPA YSAQMD's Rule 2.34, Stationary Gas Turbines, which was adopted by YSAQMD on July 13, 1994. This submitted rule was found to be complete on October 21, 1994 pursuant to EPA's completeness criteria that are set forth in 40 CFR Part 51 Appendix V² and is being finalized for approval into the SIP. By today's document, EPA is taking direct final action to approve this submittal. This final action will incorporate this rule into the Federally approved SIP.

NO_x emissions contribute to the production of ground level ozone and

¹ Sacramento Metro Area retained its designation of nonattainment and was classified by operation of law pursuant to sections 107(d) and 181(a) upon the date of enactment of the CAA. See 56 FR 56694 (November 6, 1991).

² EPA adopted the completeness criteria on February 16, 1990 (55 FR 5830) and, pursuant to section 110(k)(1)(A) of the CAA, revised the criteria on August 26, 1991 (56 FR 42216).