

30 days from the date of publication. Following normal rule making procedures would have been impracticable. There was not sufficient time to publish proposed rules in advance of implementing the change to the bridge operating procedures or to provide for a delayed effective date.

### Background and Purpose

The bridge has a vertical clearance of 40 feet above mean high water in the closed-to-navigation position. Mean high water elevation is 3 feet above Mean Sea Level (MSL). Navigation on the waterway consists primarily of fishing vessels, some tugs with tows and occasional recreational craft. Presently, the draw opens on signal for the passage of vessels. The contractor has requested a complete closure of the bridge to allow for the replacement of the electrical and mechanical components of the bridge and for the pulling of electric conduit wiring on the bridge. During portions of this repair work, scaffolding may be placed below the bridge over the navigation channel reducing the approved vertical clearance to less than 40 feet above mean high water. The reduction in the vertical clearance will be approximately 4 feet. Additionally, if a tropical storm or hurricane develops in the Gulf of Mexico, work will be discontinued and the bridge returned to normal operation for the passage of vessel traffic. Alternate routes are available to vessel operators wishing to enter the area. This work is essential for the continued safe operation of the vertical lift span.

### Regulatory Evaluation

This temporary rule 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. The Office of Management and Budget has not reviewed it 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 temporary rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This is because the majority of vessels using the waterway will not be affected by the closure. The majority of the fishing vessels are able to transit under the bridge, which has a vertical clearance of 40 feet above mean high water in the closed-to-navigation position. Additionally, larger vessels

will be able to off load their cargoes downstream of the bridge site.

### Small Entities

Under the Regulatory Flexibility Act, 5 U.S.C. 601 et seq., the Coast Guard must consider whether this temporary rule will have a significant economic impact on a substantial number of small entities. "Small entities" may include (1) small businesses and not-for-profit organizations that are independently owned and operated and are not dominate in their fields and (2) governmental jurisdictions with populations of less than 50,000. The majority of commercial vessels and fishing vessels that normally transit the bridge will still be able to do so beneath the bridge in the closed-to-navigation position. Thus, the Coast Guard expects there be no significant economic impact on these vessels. The Coast Guard is not aware of any other waterway users who would suffer economic hardship from being unable to transit the waterway during these closure periods. Therefore, the Coast Guard certifies under 5 U.S.C. 605(b) that this temporary rule will not have a significant economic impact on a substantial number of small entities.

### Collection of Information

This temporary 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 proposal under the principles and criteria contained in Executive Order 12612, and it has been determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

### Environment

The Coast Guard considered the environmental impact of this temporary rule and concluded that this action is categorically excluded from further environmental documentation under current Coast Guard CE #32(e), in accordance with Section 2.B.2 and Figure 2-1 of the National Environmental Protection Act Implementing Procedures, COMDTINST M16475.1C. A "Categorical Exclusion Determination" is available in the docket for inspection or copying where indicated under ADDRESSES.

### List of Subjects in 33 CFR Part 117

Bridges.

### Temporary Regulations

For the reasons set out in the preamble, the Coast Guard is

temporarily amending part 117 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; and 33 CFR 1.05-1(g); section 117.255 also issued under the authority of Pub. L. 102-587, 106 Stat. 5039.

2. Effective noon, October 5, 1998, through noon, November 6, 1998, § 117.465 is amended by adding paragraph (g) to read as follows:

#### § 117.465 Lafourche Bayou.

\* \* \* \* \*

(g) The draw of the SR 1 bridge, mile 13.3, at Leeville, shall open to signal, except that; from noon on October 5, 1998, through noon on November 6, 1998, the draw will remain closed to navigation continuously from noon on Mondays through noon on Fridays. In the event of an approaching tropical storm or hurricane, work on the bridge will be discontinued and the draw will return to normal operation.

Dated: August 27, 1998.

**Paul J. Pluta,**

*Rear Admiral, U.S. Coast Guard Commander, Eighth Coast Guard District.*

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 165

[COTP CHARLESTON 98-053]

RIN 2115-AA97

#### Safety Zone; Around Alone 98/99 Fireworks, Custom House Reach, Charleston, SC.

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a safety zone on September 25 in the vicinity of the Custom House Reach, Charleston Harbor, South Carolina to protect vessels in the vicinity from the hazards associated with the storage, preparation, and launching of fireworks. Entry into this zone is prohibited unless authorized by the Captain of the Port.

**DATES:** This regulation becomes effective at 9 p.m. Eastern Standard Time (EST), and terminates at 10:15 p.m. (EST), on September 25, 1998.

**FOR FURTHER INFORMATION CONTACT:**

LTJG Robert M. Hengst, Project Manager, U.S. Coast Guard Marine Safety Office Charleston, at (843) 724-7685.

#### SUPPLEMENTARY INFORMATION:

##### Background and Purpose

The event requiring this regulation will occur on September 25, 1998. The Charleston Maritime Commission is sponsoring a Bon Voyage Fireworks Display on this date for the departure of the Around Alone fleet. The fireworks display will be positioned on a barge in the Custom House Reach, Charleston Harbor, South Carolina. The approximate position of this barge will be 32-46.86' North, 079-55.17' West, directly east of Waterfront Park, downtown Charleston. The safety zone will be bounded on the north by the 32-47.03' North latitude and on the south by the 32-46.65' North latitude. The border to the east is Shutes Folly and to the west is the downtown Charleston peninsula. The safety zone is needed to prevent damage to vessels or injury to persons from hazards associated with a fireworks display.

In accordance with 5 U.S.C. 553, a notice of proposed rulemaking was not 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 safety interests since immediate action is needed to minimize potential danger to the public as the permit was not received in sufficient time to process as an NPRM.

##### 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)(3) of the 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. Maritime traffic will not be significantly impacted because this proposal will only be in effect for approximately one hour and fifteen minutes in a limited area.

##### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this rule, if

adopted, will have a significant economic impact on a substantial number of small entities. "Small entities" include small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their field and governmental jurisdictions with populations of less than 50,000.

Therefore, the Coast Guard certifies under section 605(b) that this rule will not have a significant effect upon a substantial number of small entities because this proposal will only be in effect for approximately one hour and fifteen minutes in a limited area.

##### Collection of Information

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

##### Federalism

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that the rulemaking does not have sufficient Federal implications to warrant the preparation of a Federalism Assessment.

##### Environmental Assessment

The Coast Guard has considered the environmental impact of this action and has determined pursuant to Figure 2-1, paragraph 34(g) of Commandant Instruction M16475.1C that this action is categorically excluded from further environmental documentation.

##### List of Subjects in 33 CFR Part 165

Harbors, Marine Safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

##### Temporary Regulation

In consideration of the foregoing, the Coast Guard amends part 165 of Title 33, Code of Federal Regulations, as follows:

##### PART 165—[AMENDED]

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

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

2. A new § 165.T07-053 is added to read as follows:

**§ 165.T07-053 Temporary Safety Zone; Around Alone 98/99 Fireworks Custom House Reach, Charleston, SC.**

(a) *Location.* The following boundaries are established as a safety zone: All waters within an area bounded on the north by the 32-47.03' North

latitude; bounded on the south by the 32-46.65' North latitude; bounded on east by Shutes Folly and bounded on the west by the downtown Charleston peninsula. All coordinates referred use datum: NAD 1983.

(b) *Regulations.* (1) The Captain of the Port, Charleston, SC will activate this safety zone by means of a locally promulgated broadcast notice to mariners. Once implemented, all vessels and persons are prohibited from entering this zone, unless otherwise authorized by the Captain of the Port, Charleston, SC.

(2) The general regulations governing safety zones contained in 33 CFR 165.20 and 165.23 apply.

(c) *Effective Date.* this section is effective from 9 p.m. EST and until 10:15 p.m. EST, on September 25, 1998.

Dated: August 20, 1998.

**F.J. Sturm,**

*Commander of the Port, Charleston, South Carolina.*

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[LA-47-1-7388a; FRL-6156-3]

#### Approval and Promulgation of Implementation Plans; Louisiana: Reasonable Available Control Technology for Emissions of Volatile Organic Compounds from Batch Processes

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

**ACTION:** Direct final rule.

**SUMMARY:** The EPA is approving a revision to the Louisiana State Implementation Plan (SIP) rule requiring Reasonable Available Control Technology (RACT) for emissions of Volatile Organic Compounds (VOC) from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Batch Processes. The EPA finds the rules for Batch Processes in the Louisiana SIP are consistent with EPA's guidance for this source category and therefore constitute RACT. This action converts the conditional approval to a full approval.

**DATES:** This action is effective on November 9, 1998 unless adverse or critical comments are received by October 8, 1998. If EPA receives such comments, then it will publish a timely withdrawal in the **Federal Register** informing the public that this rule will not take effect.