

Harbor to the race starting area if they maintain a minimum distance of 500 yards behind the last participant, at the discretion of the Patrol Commander. Upon completion of the start of the race and when the last race participant has passed the outermost boundary of the regulated area, all vessels may resume normal operations.

(4) The regulations specified in this paragraph apply only within the navigable waters of the United States. In the waters within the regulated area that are outside the navigable waters of the United States, the following nonobligatory guidelines apply.

(i) All unaffiliated vessels should remain clear of the regulated area and avoid interfering with any Around Alone participant or Coast Guard vessel. Interference with participants or any race activity may constitute a safety hazard warranting cancellation or termination of all or part of the Around Alone activities by the Captain of the Port.

(ii) Any unauthorized entry into the zone by unaffiliated vessels constitutes a risk to the safety of marine traffic. Such entry will constitute a factor to be considered in determining whether a person has operated a vessel in a negligent manner in violation of 46 U.S.C. 2302.

(c) *Date*. This section becomes effective at 10 a.m. and terminates at 2 p.m. EDT on September 26, 1998.

Dated: September 10, 1998.

**Norman T. Saunders,**

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

[FR Doc. 98-25161 Filed 9-18-98; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 60

[TN-AT-98-01; FRL-6163-4]

### New Stationary Sources; Supplemental Delegation of Authority to Tennessee and Nashville-Davidson, Tennessee

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

**ACTION:** Delegation of Authority.

**SUMMARY:** The State of Tennessee and Nashville-Davidson County, Tennessee have requested that EPA delegate authority for implementation and enforcement of existing New Source Performance Standards (NSPS) which have been previously adopted by the State, but have remained undelegated by EPA, and to approve the mechanism for

delegation (automatic) of future NSPS. The purpose of the agency requests for approval of their delegation mechanism is to streamline the existing administrative procedures by eliminating unnecessary steps involved in taking delegation of federal NSPS regulations. With the new NSPS delegation mechanism in place, once a new or revised NSPS is promulgated by EPA, delegation of authority from EPA to the Tennessee Department of Environment and Conservation and the Metropolitan Health Department of Nashville and Davidson County will become effective on the date the NSPS is promulgated. No further State or local requests for delegation will be necessary. Likewise, no further **Federal Register** notices will be published. The EPA's review of each of the agencies' pertinent laws, rules, and regulations indicate that adequate and effective procedures are in place for the implementation and enforcement of these Federal standards. This document was written to inform the public of delegations that were made to the above mentioned agencies for which a **Federal Register** notice was not previously written and to inform the public of the agencies' new mechanism for delegation of future NSPS.

**EFFECTIVE DATE:** The effective date is September 21, 1998.

**ADDRESSES:** Copies of the request for delegation of authority and EPA's letter of delegation are available for public inspection during normal business hours at the following locations:

Environmental Protection Agency,  
Region 4, Air & Radiation Technology Branch, 61 Forsyth Street, S.W.,  
Atlanta, Georgia 30303

Tennessee Department of Environment and Conservation, Division of Air Pollution Control, 9th Floor L&C Annex, 401 Church Street, Nashville, Tennessee 37243-1531

Metropolitan Health Department of Nashville and Davidson County, Bureau of Environmental Health Services, 311-23rd Avenue, North, Nashville, Tennessee 37203,

Effective immediately, all requests, applications, reports and other correspondence required pursuant to the delegated standards should not be submitted to the Region 4 office, but should instead be submitted to the following addresses:

Tennessee Department of Environment and Conservation, Division of Air Pollution Control, 9th Floor L&C Annex, 401 Church Street, Nashville, Tennessee 37243-1531

Metropolitan Health Department of Nashville and Davidson County,

Bureau of Environmental Health Services, 311-23rd Avenue, North, Nashville, Tennessee 37203.

**FOR FURTHER INFORMATION CONTACT:** Ms. Katy Forney, Air & Radiation Technology Branch, Environmental Protection Agency, Region 4, 61 Forsyth St. SW, Atlanta, Georgia 30303, 404-562-9130.

**SUPPLEMENTARY INFORMATION:** Section 301, in conjunction with Sections 110 and 111(c)(1) of the Clean Air Act as amended November 15, 1990, authorizes EPA to delegate authority to implement and enforce the standards set out in 40 CFR Part 60, New Source Performance Standards (NSPS).

On April 11, 1980, the EPA initially delegated the authority for implementation and enforcement of the NSPS program to the State of Tennessee and on May 25, 1977, the NSPS program was initially delegated to the Nashville-Davidson County local program. These agencies have subsequently requested a delegation of authority for implementation and enforcement of the previously adopted, undelegated Part 60 NSPS categories listed below as well as future NSPS categories codified in 40 CFR Part 60.

The State of Tennessee:

Currently, no NSPS regulations are waiting delegation.

Nashville-Davidson County, Tennessee:

Delegation Requested on October 24, 1996:

40 CFR part 60, Subpart Ea, as amended 12-19-95

40 CFR part 60, Subpart Eb, promulgated 12-19-95

40 CFR part 60, Subpart WWW, promulgated 3-12-96

Delegation Requested on October 6, 1997:

40 CFR part 60, Subpart Ec, promulgated 9-15-97

All current NSPS categories are delegated with the exception of the following sections within those subparts that may not be delegated. Future NSPS regulations will contain a list of sections that will not be delegated for that subpart.

1. Subpart A—§§ 60.8(b) (1) through (5), § 60.11(e) (7) and (8), § 60.13 (g), (i) and (j)(2)
2. Subpart B—§§ 60.22, § 60.27, and § 60.29
3. Subpart Da—§ 60.45a
4. Subpart Db—§ 60.44b(f), § 60.44b(g), § 60.49b(a)(4)
5. Subpart Dc—§ 60.48c(a)(4)
6. Subpart Ec—§ 60.56(c)(i)
7. Subpart J—§ 60.105(a)(13)(iii), § 60.106(i)(12)
8. Subpart Ka—§ 60.114a

9. Subpart Kb—§ 60.111b(f)(4), § 60.114b, § 60.116b(e)(3) (iii) and (iv), § 60.116b(f)(2)(iii)
10. Subpart O—§ 60.153(e)
11. Subpart EE—§ 60.316(d)
12. Subpart GG—§ 60.334(b)(2), § 60.335(f)(1)
13. Subpart RR—§ 60.446(c)
14. Subpart SS—§ 60.456(d)
15. Subpart TT—§ 60.466(d)
16. Subpart UU—§ 60.474(g)
17. Subpart VV—§ 60.482–1(c)(2) and § 60.484
18. Subpart WW—§ 60.496(c)
19. Subpart XX—§ 60.502(e)(6)
20. Subpart AAA—§ 60.533, § 60.534, § 60.535, § 60.536(i)(2), § 60.537, § 60.538(e), § 60.539
21. Subpart BBB—§ 60.543(c)(2)(ii)(B)
22. Subpart DDD—§ 60.562–2(c)
23. Subpart III—§ 60.613(e)
24. Subpart NNN—§ 60.663(e)
25. Subpart RRR—§ 60.703(e)
26. Subpart SSS—§ 60.711(a)(16), § 60.713(b)(1)(i), § 60.713(b)(1)(ii), § 60.713(b)(5)(i), § 60.713(d), § 60.715(a), § 60.716
27. Subpart TTT—§ 60.723(b)(1), § 60.723(b)(2)(i)(C), § 60.723(b)(2)(iv), § 60.724(e), § 60.725(b)
28. Subpart VVV—§ 60.743(a)(3)(v)(A) and (B), § 60.743(e), § 60.745(a), § 60.746

After a thorough review of the request, the Regional Administrator determined that such a delegation was appropriate for all source categories. All sources subject to the requirements of 40 CFR Part 60 will now be under the jurisdiction of the appropriate above mentioned agency.

Since review of the pertinent laws, rules, and regulations for the State and local agencies have shown them to be adequate for implementation and enforcement of existing, previously adopted, undelegated NSPS and future NSPS, EPA hereby notifies the public that it has delegated the authority for existing, previously adopted and undelegated NSPS as well as the mechanism for delegation (automatic) of future NSPS source categories upon publication of this **Federal Register** notice.

The Office of Management and Budget has exempted this rule from the requirements of section 6 of Executive Order 12866.

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, does not apply because this action is not a rule, as that term is defined in 5 U.S.C. 804(3).

**Authority:** This notice is issued under the authority of sections 101, 110, 111, 112 and 301 of the Clean Air Act, as amended (42 U.S.C. 7401, 7410, 7411, 7412 and 7601).

Dated: September 8, 1998.

**A. Stanley Meiburg,**

*Acting Regional Administrator, Region 4.*

[FR Doc. 98–25202 Filed 9–18–98; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 60

[FL–AT–98–01; FRL–6163–5]

### New Stationary Sources; Supplemental Delegation of Authority to the State of Florida

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

**ACTION:** Delegation of Authority.

**SUMMARY:** The State of Florida has requested that EPA delegate authority for implementation and enforcement of existing New Source Performance Standards (NSPS) which have been previously adopted by the State, but have remained undelegated by EPA, and to approve the mechanism for delegation (adopt-by-reference) of future NSPS. The purpose of Florida's request for approval of their delegation mechanism is to streamline the existing administrative procedures by eliminating unnecessary steps involved in taking delegation of federal NSPS regulations. With the new NSPS delegation mechanism in place, once a new or revised NSPS is promulgated by EPA, formal delegation of authority from EPA to the Florida Department of Environmental Protection will become effective on the date that the NSPS is adopted by the State of Florida without change. No further State requests for delegation will be necessary. Likewise, no further **Federal Register** notices will be published. If an NSPS regulation is adopted with changes, EPA reserves the right to review and comment on the adopted NSPS. The State will notify EPA, and in return, EPA will review any State revisions and reserve the option to implement the NSPS regulation directly, in which case a **Federal Register** notice will advise accordingly. The EPA's review of Florida's pertinent laws, rules, and regulations indicates that adequate and effective procedures are in place for the implementation and enforcement of these Federal standards. This document was written to inform the public of delegations made to the State of Florida for which a **Federal Register** notice was not previously written and to inform the public of Florida's new mechanism for delegation of future NSPS.

**EFFECTIVE DATE:** The effective date is September 21, 1998.

**ADDRESSES:** Copies of the request for delegation of authority and EPA's letter of delegation are available for public inspection during normal business hours at the following locations:

Environmental Protection Agency,  
Region 4, Air & Radiation Technology  
Branch, 61 Forsyth Street, S.W.,  
Atlanta, Georgia 30303

Florida Department of Environmental  
Protection, Division of Air Resources  
Management, 2600 Blair Stone Road,  
Tallahassee, Florida 32399–2400.

Effective immediately, all requests, applications, reports and other correspondence required pursuant to the delegated standards should not be submitted to the Region 4 office, but should instead be submitted to the following address: Florida Department of Environmental Protection, Division of Air Resources Management, 2600 Blair Stone Road, Tallahassee, Florida 32399–2400.

**FOR FURTHER INFORMATION CONTACT:** Ms. Katy Forney, Air & Radiation Technology Branch, Environmental Protection Agency, Region 4, 61 Forsyth St. SW, Atlanta, Georgia 30303, 404–562–9130.

**SUPPLEMENTARY INFORMATION:** Section 301, in conjunction with Sections 110 and 111(c)(1) of the Clean Air Act as amended November 15, 1990, authorizes EPA to delegate authority to implement and enforce the standards set out in 40 CFR Part 60, New Source Performance Standards (NSPS).

On June 10, 1982, the EPA initially delegated the authority for implementation and enforcement of the NSPS program to the State of Florida. The State of Florida subsequently requested a delegation of authority for implementation and enforcement of the previously adopted, undelegated Part 60 NSPS categories listed below as well as future NSPS categories codified in 40 CFR Part 60.

1. Subpart Eb, adopted June 5, 1996
2. Subpart VV, adopted June 5, 1996
3. Subpart NNN, adopted June 5, 1996
4. Subpart QQQ, adopted June 5, 1996
5. Subpart RRR, adopted June 5, 1996
6. Subpart A, adopted October 7, 1996
7. Subpart Dc, adopted October 7, 1996
8. Subpart J, adopted October 7, 1996
9. Subpart VV, adopted October 7, 1996
10. Subpart WWW, adopted October 17, 1996
11. Subpart A, adopted February 24, 1997
12. Subpart X, adopted October 23, 1997
13. Subpart OOO, adopted October 23, 1997
14. Subpart Eb, adopted March 2, 1998
15. Subpart Ec, adopted March 2, 1998

All current NSPS categories are delegated with the exception of the