

April 30; and 6 a.m. to 10 p.m., May 1 through October 31; and all other times if at least 4 hours advance notice is given.

In accordance with 33 CFR 117.35(c), this work will be performed with all due speed in order to return the bridge to normal operation as soon as possible. This deviation from the normal operating regulations in 33 CFR 117.5 is authorized in accordance with the provisions of 33 CFR 117.35.

Dated: April 19, 2000.

**T.H. Collins,**

*Vice Admiral, U.S. Coast Guard, Commander, Eleventh Coast Guard District.*

[FR Doc. 00-10548 Filed 4-27-00; 8:45 am]

BILLING CODE 4910-15-M

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 165

[COTP San Juan 00-013]

RIN 2115-AA97

#### Safety Zone Regulations; San Juan Harbor, San Juan, Puerto Rico

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary final rule; correction.

**SUMMARY:** The Coast Guard published a temporary rule on March 20, 2000, creating a safety zone around the grounded cement carrier M/V SERGO ZAKARIADZE. The section number in that rule was incorrect. This document changes the section number from 165.T07-013 to 165.T07-037.

**DATES:** This section was effective at 7 a.m. on March 1, 2000 and terminated at 7 a.m. on March 22, 2000.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant Commander Lefevers at Coast Guard Marine Safety Office San Juan, Puerto Rico, tel: (787) 706-2444.

#### SUPPLEMENTARY INFORMATION:

##### Background and Purpose

The Coast Guard published a temporary safety zone in the **Federal Register** on March 20, 2000, (65 FR 14864), adding temporary section 165.T07-013.

##### Need for Correction

As published, that section number was incorrect. That section number is assigned to a current CFR section. This document corrects the section number.

##### Correction of Publication

In rule FR Doc. 00-6684 published on March 20, 2000 (65 FR 14864) make the

following correction. On page 14865, in the first column, on lines 6 and 8, change the section number of the temporary safety zone to read § 165.T07-037.

**J. Servidio,**

*Commander, U.S. Coast Guard, Captain of the Port, San Juan, Puerto Rico.*

[FR Doc. 00-10498 Filed 4-27-00; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 165

[COTP Western Alaska 00-001]

RIN 2115-AA97

#### Safety Zone; Kachemak Bay, Alaska

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary 200 yard radius safety zone on the navigable waters of the United States around the Heavy-lift vessel SWAN that will load the Crowley Marine barge 240-1 carrying living quarters for the Exploratory Drilling Structure "OSPREY" in Kachemak Bay, Alaska. This safety zone is implemented to ensure the safe and timely anchoring, loading, and departure of vessels and a barge operating in Kachemak Bay.

**DATES:** This temporary final rule is effective from 12:01 a.m. on May 4, 2000, until 11:59 p.m. on May 9, 2000.

**ADDRESSES:** The public docket for this rulemaking is maintained by Coast Guard Marine Safety Office Anchorage, 510 "L" Street, Suite 100, Anchorage, AK 99501. Materials in the public docket are available for inspection and copying at Coast Guard Marine Safety Office Anchorage. Normal Office hours are 7:30 a.m. to 4 p.m., Monday through Friday, except federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant Commander Rick Rodriguez, Chief of Port Operations, USCG Marine Safety Office, Anchorage, at (907) 271-6724.

#### SUPPLEMENTARY INFORMATION:

##### Regulatory History

A notice of proposed rulemaking (NPRM) was not published for this regulation. In keeping with requirements of 5 U.S.C. 553(B), the Coast Guard finds that good cause exists for not publishing a NPRM. In keeping with the requirements of 5 U.S.C. 553 (d)(3), the Coast Guard also finds that

good cause exists for making this regulation effective less than 30 days after publication in the **Federal Register**. Meeting these requirements is impracticable because the scope of the loading activities and logistical details surrounding the loading of this barge on the Heavy-lift vessel SWAN was not finalized and provided to the Coast Guard until less than 30 days before the project date. Furthermore, it is in the public interest to insure the timely and safe loading of the barge onboard the Heavy-lift vessel SWAN to ensure that they do not place other vessels or personnel at risk to injury.

##### Background and Purpose

The Coast Guard is establishing a temporary 200-yard radius safety zone on the navigable waters of the United States around the Heavy-lift vessel SWAN that will load the Crowley Marine barge 240-1 carrying the living quarters for the Exploratory Drilling Structure "OSPREY" in Kachemak Bay, Alaska. The safety zone is designed to permit the safe and timely anchoring, loading, and departure of this vessel in the narrow timeframe in which this can be safely done. The safety zone's 200-yard standoff also aids the safety of these evolutions by minimizing conflicts and hazards that might otherwise occur with other transiting vessels. The limited size of the zone is designed to minimize impact on other mariners transiting through the area.

##### 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 cost and benefits under section 6(a)(3) of that order. It has not been reviewed 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 proposal to be so minimal that a full Regulatory Evaluation under paragraph 10(e) 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 considers whether this rule will have significant economic impacts 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 fields, and governmental jurisdictions

with populations less than 50,000. Because this safety zone is very small, will only be in effect for six days, and does not impede access to other maritime facilities in the area, the Coast Guard believes there will be no impact to small entities. Therefore, 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 does not provide for a collection of information under the Paperwork Reduction Act of 1995 (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 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 rule and concluded that, under Figure 2-1, paragraph 34(g) of Commandant Instruction M16475.1C, this rule is categorically excluded from further environmental documentation because it establishes a safety zone. A "Categorical Exclusion Determination" is available in the docket for inspection or copying where indicated under ADDRESSES.

#### Unfunded Mandates

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538) and E.O. 12875, Enhancing the Intergovernmental Partnership, (58 FR 58093, October 28, 1993) govern the issuance of Federal regulations that require unfunded mandates. An unfunded mandate is a regulation that requires a State, local, or tribal government or the private sector to incur direct costs without the Federal Government's having first provided the funds to pay those costs. This rule will not impose an unfunded mandate.

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

Harbors, Marine safety, Navigation (water), Reporting and record keeping requirements, Security measures, Waterways.

#### Temporary Regulation

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 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. From 12:01 a.m. on May 4, 2000, until 11:59 p.m. on May 9, 2000, § 165.T17-00-001 is temporarily added to read as follows:

#### § 165.T17-00-001 Safety Zone; Kachemak Bay, Alaska.

(a) *Description.* The following area is a Safety Zone: All navigable waters within a 200 yard radius of the Heavy-lift vessel SWAN, located in Kachemak Bay, Alaska.

(b) *Effective Dates.* This section is effective from 12:01 a.m. on May 4, 2000, until 11:59 p.m. on May 9, 2000.

(c) *Regulations.*

(1) The Captain of the Port means the Captain of the Port, Western Alaska. The Captain of the Port may authorize or designate any Coast Guard commissioned, warrant, or petty officer to act on his behalf as his representative.

(2) The general regulations governing safety zones contained in Title 33 Code of Federal Regulations, § 165.23 apply. No person or vessel may enter, transit through, anchor or remain in this safety zone, with the exception of attending vessels, without first obtaining permission from the Captain of the Port, Western Alaska, or his representative. The Captain of the Port or his representative may be contacted in the vicinity of the SWAN via marine VHF channel 16. The Captain of the Port's representative can also be contacted by telephone at (907) 271-6700.

Dated: April 13, 2000.

**W.J. Hutmacher,**

*Captain, U.S. Coast Guard, Captain of the Port, Western Alaska.*

[FR Doc. 00-10607 Filed 4-27-00; 8:45 am]

**BILLING CODE 4910-15-P**

#### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 52

[Region II Docket No. NY42-21-1; FRL-6583-8]

#### Approval and Promulgation of Implementation Plans; Reasonably Available Control Technology for Oxides of Nitrogen for the State of New York

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

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is approving New York's revisions to the State Implementation Plan (SIP) for ozone. The State submitted this portion of the implementation plan to satisfy Clean Air Act (the Act) requirements for adoption of rules for the application of reasonably available control technology (RACT) for oxides of nitrogen (NO<sub>x</sub>) in the entire State. The intended effect of this SIP revision is to reduce emissions of NO<sub>x</sub> from combustion sources in order to help attain the national ambient air quality standard for ozone.

**EFFECTIVE DATE:** This rule will be effective May 30, 2000.

**ADDRESSES:** Copies of the state submittal(s) are available at the following addresses for inspection during normal business hours:

Environmental Protection Agency, Region II Office, Air Programs Branch, 290 Broadway, 25th Floor, New York, New York 10007-1866.

New York State Department of Environmental Conservation, Division of Air Resources, 50 Wolf Road, Albany, New York 12233.

Environmental Protection Agency, Air and Radiation Docket and Information Center, Air Docket (6102), 401 M Street, SW, Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** Ted Gardella, Air Programs Branch, Environmental Protection Agency, 290 Broadway, 25th Floor, New York, New York 10278, (212) 637-3892.

#### SUPPLEMENTARY INFORMATION:

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#### What Action Is EPA Approving?

The EPA is approving revisions to New York's ozone State Implementation Plan (SIP) which New York submitted to EPA on January 20, 1994 and April 29, 1999. The January 20, 1994 submittal includes New York's Subpart 227-2 entitled "Reasonably Available Control Technology (RACT) for Oxides of Nitrogen (NO<sub>x</sub>)." The April 29, 1999 submittal includes amendments to Subpart 227-2. A separate EPA action approved other portions (Part 200, Part 201, Subpart 227-1 and Subpart 227-3) of the January 1994 and April 1999 submittals in a **Federal Register**