

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

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

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 165 as follows:

**PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS**

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, 160.5; 49 CFR 1.46.

2. Add temporary § 165.T01–009 to read as follows:

**§ 165.T01–009 Safety Zones: OPSAIL 2000 Fireworks Displays, and Search and Rescue Demonstrations, Port of New York/New Jersey.**

(a) *Safety Zones Locations and Enforcement Periods.*

(1) *East River Fireworks Safety Zone:* All waters of the East River east of a line drawn from the Fireboat Station Pier, Battery Park City, in approximate position 40°42'15.5"N 074°01'07" W (NAD 1983) to Governors Island Light (2) (LLNR 35010), in approximate position 40°41'34.5"N 074°01'11" W (NAD 1983); north of a line drawn from Governors Island, in approximate position 40°41'25.3"N 074°00'42.5"W (NAD 1983) to the southwest corner of Pier 9A, Brooklyn; south of a line drawn through the southern point of Roosevelt Island from East 47th street, Manhattan to 46 Road, Brooklyn, and all waters of Newtown Creek west of the Pulaski Bascule Bridge.

(2) *Hudson River Fireworks Safety Zone.* All waters of the Hudson River north of a line drawn from the southwest corner of Pier 94, Manhattan, to 40°46'31.3"N, 074°00'37.9"W (NAD 1983) onshore in Weehawken, NJ, and south of a line drawn from the northeast corner of Pier D, Weehawken, NJ, to the northwest corner of the northern pier of the West 30th Street Heliport in Manhattan.

(3) *Liberty Island Fireworks Safety Zone.* All waters of Upper New York Bay, east of Liberty Island, bound by the following points: 40°41'33.2"N 074°02'24.4"W; 40°41'11.3"N 074°02'44.4"W; 40°41'02.1"N 074°02'25.1"W; 40°41'09.1"N 074°02'10.2"W; 40°41'25.6"N 074°02'09.6"W (NAD 1983); thence to the point of beginning.

(4) *Anchorage Channel Fireworks Safety Zone.* All waters of Anchorage Channel, Upper New York Bay, bound

by the following points: 40°38'12.4"N 074°03'05.6"W; 40°38'01.5"N 074°03'00.7"W; 40°37'21.0"N 074°02'50.0"W; 40°37'15.6"N 074°03'16.6"W; 40°38'08.3"N 074°03'37.4"W (NAD 1983); thence to the point of beginning.

(5) *Search and Rescue Demonstrations Safety Zone:* All waters of Hudson River bound by the following points: from the southeast corner of Pier 90, Manhattan, where it intersects the seawall, west to approximate position 40°46'10" N, 074°00'13" W (NAD 1983), south to approximate position 40°45'54" N, 074°00'25" W (NAD 1983), then east to the northeast corner of Pier 83 where it intersects the seawall.

(6) *Enforcement period.* Paragraphs (a)(1) through (a)(4) are effective from 6:30 p.m. (e.s.t.) until 11:30 p.m. (e.s.t.) on Tuesday, July 4, 2000. If the event is cancelled due to inclement weather, then paragraphs (a)(1) through (a)(4) are effective from 6:30 p.m. (e.s.t.) to 11:30 p.m. (e.s.t.) on Wednesday, July 5, 2000.

(7) *Enforcement period.* Paragraph (a)(5) is effective daily from 12 p.m. (e.s.t.) until 6 p.m. (e.s.t.) from Thursday, July 6, through Saturday, July 8, 2000.

(b) *Effective period.* This section is effective from 6:30 p.m. (e.s.t.) on July 4, 2000, until 6 p.m. (e.s.t.) on July 8, 2000.

(c) *Regulations.* (1) The general regulations contained in 33 CFR 165.23 apply.

(2) No vessels will be allowed to transit the safety zone without the permission of the Captain of the Port, New York.

(3) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on-scene-patrol personnel. These personnel comprise commissioned, warrant, and petty officers of the Coast Guard. Upon being hailed by a U. S. Coast Guard vessel by siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.

(4) Vessels may remain in the safety zone described in paragraph (a)(1) for the purpose of viewing the event in accordance with the following pre-established viewing area: Vessels equal to or greater than 20 meters (65.6 feet) in length, carrying persons for the purpose of viewing the fireworks, may take position in an area at least 200 yards off the bulkhead on the west bank and just off the pierhead faces on the east bank of the East River between the Williamsburg Bridge and a line drawn through the East River Main Channel Lighted Buoy 18 (LLNR 27335), to a point on the Brooklyn shore at North

9th Street. All vessels must be positioned in this viewing area within the safety zone by 6:30 p.m. (e.s.t.) on July 4, 2000.

Dated: May 11, 2000.

**R.E. Bennis,**

*Captain, U. S. Coast Guard,, Captain of the Port, New York.*

[FR Doc. 00–12415 Filed 5–12–00; 5:05 pm]

**BILLING CODE 4910–15–P**

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52**

[CA 226–0186b; FRL–6606–4]

**Approval and Promulgation of State Implementation Plans; California State Implementation Plan Revision, Antelope Valley Air Pollution Control District**

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is approving revisions to the California State Implementation Plan (SIP) for the Antelope Valley Air Pollution Control District (AVAPCD). There are six revisions: three rule rescissions with accompanying negative declarations for source categories that emit volatile organic compounds (VOC); two negative declarations for source categories that emit oxides of nitrogen (NO<sub>x</sub>), and one rule rescission for a source category that emits oxides of sulfur (SO<sub>x</sub>). The intended effect of this action is to bring the AVAPCD SIP up to date in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). EPA is finalizing the approval of these rescissions from 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. EPA is approving these revisions in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). In the Final Rules section of this **Federal Register**, the EPA is approving the state's SIP submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision and anticipates no adverse comments. A detailed rationale for this approval is set forth in the direct final rule. If no adverse comments are received, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all

public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period. Any parties interested in commenting should do so at this time.

**DATES:** Written comments must be received by June 16, 2000.

**ADDRESSES:** Comments should be addressed to: Andrew Steckel, Chief, Rulemaking Office (AIR-4), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901.

Copies of the rule revisions and EPA's technical support document of each rule are available for public inspection at EPA's Region IX office during normal business hours. Copies of the submitted rule revisions are also available for inspection at the following locations:

California Air Resources Board,  
Stationary Source Division, Rule  
Evaluation Section, 2020 "L" Street,  
Sacramento, CA 95812.  
Antelope Valley Air Pollution Control  
District, 43301 Division Street, Suite  
206, Lancaster, CA 93539-4409

**FOR FURTHER INFORMATION CONTACT:** Julie A. Rose, Rulemaking Office, AIR-4, Air Division, U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105-3901, Telephone: (415) 744-1184).

**SUPPLEMENTARY INFORMATION:** The rules being approved for rescission and the negative declarations being approved for the Antelope Valley Air Pollution Control District (AVAPCD) portion of the California SIP are listed in the following Table:

#### SUBMITTED RECISSIONS AND NEGATIVE DECLARATIONS

Rule No. and title	Adoption date	Submittal date	Type of revision
1105, Fluid Catalytic Cracking Units—Oxides of Sulfur .....	04-21-98	05-13-99	Recission.
1109, Emissions of Oxides of Nitrogen from Boilers and Process Heaters in Petroleum Refineries.	04-21-98	05-13-99	Negative Declaration.
1112, Emissions of Oxides of Nitrogen from Cement Kilns .....	03-16-99	07-23-99	Negative Declaration.
1115, Motor Vehicle Assembly Line Coating Operations .....	11-18-97	01-12-99	Recission/Negative Declaration.
1117, Emissions of Oxides of Nitrogen from Glass Melting Furnaces .....	03-16-99	07-23-99	Recission/Negative Declaration.
1123, Refinery Process Turnarounds .....	11-08-97	02-16-99	Recission/Negative Declaration.

The rule rescissions and negative declarations listed above were submitted to EPA by the California Air Resources Board (CARB) on the dates indicated. For further information, please see the information provided in the direct final action that is located in the rules section of this **Federal Register**.

**Authority:** 42 U.S.C. 7401 *et seq.*

Dated: May 3, 2000.

**Felicia Marcus,**

*Regional Administrator, Region IX.*

[FR Doc. 00-11997 Filed 5-16-00; 8:45 am]

**BILLING CODE 6560-50-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 17

**RIN 1018-AE87**

#### Endangered and Threatened Wildlife and Plants; Reopening of Comment Period on Proposed Threatened Status for the Plant *Gaura neomexicana* ssp. *coloradensis*

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Proposed rule; notice of reopening of comment period.

**SUMMARY:** We, the Fish and Wildlife Service (Service), pursuant to the Endangered Species Act of 1973, as amended (Act), reopen the comment period on the proposal to list the plant

*Gaura neomexicana* ssp. *coloradensis* (Colorado butterfly plant) as a threatened species. The comment period is extended to accommodate the public notice requirement of the Act and to consider any new scientific information. In addition, reopening of the comment period will allow further opportunity for all interested parties to submit comments on the proposal, which was published on March 24, 1998 (63 FR 14060). We are seeking comments or suggestions from the public, other concerned governmental agencies, the scientific community, industry, or any other interested parties concerning the proposed rule. Comments already submitted on the proposed rule need not be resubmitted as they will be fully considered in the final determination.

**DATES:** The reopened comment period closes June 16, 2000.

**ADDRESSES:** Copies of the proposed rule are available on the World Wide Web at <mountain-prairie.fws.gov/endspp/plants/>. You may also request copies from, and submit comments and materials concerning this proposed rule to, the Field Supervisor, U.S. Fish and Wildlife Service, 4000 Airport Parkway, Cheyenne, Wyoming 82001. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the above address.

**FOR FURTHER INFORMATION CONTACT:** Mike Long, Field Supervisor, Wyoming Field Office (see **ADDRESSES** section), telephone 307/772-2374; facsimile 307/772-2358.

#### SUPPLEMENTARY INFORMATION:

##### Background

On March 24, 1998, we published a rule proposing threatened status for *Gaura neomexicana* ssp. *coloradensis* in the **Federal Register** (63 FR 14060). The original comment period closed on May 26, 1998. Section 4(b)(5)(D) of the Act (16 U.S.C. 1531 *et seq.*) requires us to "publish a summary of the proposed regulation in a newspaper of general circulation in each area of the United States in which the species is believed to occur." Due to an oversight, we failed to complete this requirement. To correct the oversight, we are reopening the comment period for this proposal to list *G.n. ssp. coloradensis* and publishing the required notices. The comment period now closes on June 16, 2000. Written comments should be submitted to the Service (see **ADDRESSES** section).

*Gaura neomexicana* ssp. *coloradensis* is a short-lived, perennial herb endemic to moist soils in mesic or wet meadows of floodplain areas in southeastern Wyoming, northcentral Colorado, and extreme western Nebraska. This early to mid-seral stage species occurs primarily in habitats created and maintained by streams active within their floodplains, with vegetation that is relatively open and not overly dense or overgrown. The disturbance of riparian areas that contain native grasses by agricultural conversion, water diversions, channelization, and urban development threaten *G.n. ssp. coloradensis* by