

navigation position from 8 a.m., December 1, 2005, until 8 a.m., July 1, 2006.

(b) The draw of the Southern Railway Bridge over the Tennessee River, mile 470.7, at Hixon, Tennessee, shall open on signal when the vertical clearance beneath the draw is 50 feet or less. When the vertical clearance beneath the draw is more than 50 feet, at least eight hours notice is required. When the operator of a vessel returning through the draw within four hours informs the drawtender of the probable time of return, the drawtender shall return one half hour before the time specified and promptly open the draw on signal for the vessel without further notice. If the vessel giving notice fails to arrive within one hour after the arrival time specified, whether upbound or downbound, a second eight hours notice is required. Clearance gauges of a type acceptable to the Coast Guard shall be installed on both sides of the bridge.

Dated: October 27, 2005.

**Steve Venckus,**

*Chief, Office of Regulations & Administrative Law, Office of the Judge Advocate General, United States Coast Guard.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[CGD01-05-097]

#### Drawbridge Operation Regulations: Taunton River, MA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, First Coast Guard District, has issued a temporary deviation for the Brightman Street Bridge, at mile 1.8, across the Taunton River between Fall River and Somerset, Massachusetts. Under this temporary deviation the bridge may remain closed from 9 p.m. on December 2, 2005 through 5 a.m. on December 12, 2005. The purpose of this temporary deviation is to facilitate scheduled bridge repairs.

**DATES:** This deviation is effective from December 2, 2005 through December 12, 2005.

**FOR FURTHER INFORMATION CONTACT:** John McDonald, Project Officer, First Coast Guard District, at (617) 223-8364.

**SUPPLEMENTARY INFORMATION:** The Brightman Street Bridge has a vertical

clearance in the closed position of 27 feet at mean high water and 31 feet at mean low water. The existing drawbridge operation regulations are listed at 33 CFR 117.619(b).

The owner of the bridge, Massachusetts Highway Department, requested a temporary deviation from the drawbridge operation regulations to facilitate scheduled bridge repairs.

Under this temporary deviation the Brightman Street Bridge may remain closed from 9 p.m. on December 2, 2005 through 5 a.m. on December 12, 2005.

This deviation from the operating regulations is authorized under 33 CFR 117.35, and will be performed with all due speed in order to return the bridge to normal operation as soon as possible.

Dated: October 25, 2005.

**Gary Kassof,**

*Bridge Program Manager, First Coast Guard District.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[CGD01-05-099]

#### Drawbridge Operation Regulations: Jamaica Bay and Connecting Waterways, NY

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of temporary deviation from regulations and request for comment.

**SUMMARY:** The Commander, First Coast Guard District, has issued a temporary 90-day deviation from the drawbridge operation regulations to test an alternate drawbridge operation regulation for the Beach Channel Railroad Bridge mile 6.7, across Jamaica Bay, New York. Under this temporary deviation, in effect from December 1, 2005 through February 28, 2006, the bridge may remain closed during the commuter rail rush hours in the morning and afternoon, Monday through Friday, except Federal holidays. The purpose of this temporary deviation is to test an alternate drawbridge operation schedule for 90 days and solicit comment from the public.

**DATES:** This deviation is effective from December 1, 2005 through February 28, 2006. Comments must reach the Coast Guard on or before March 31, 2006.

**ADDRESSES:** You may mail comments to Commander (obr), First Coast Guard District Bridge Branch, One South

Street, Battery Park Building, New York, New York, 10004, or deliver them to the same address between 7 a.m. and 3 p.m., Monday through Friday, except, Federal holidays. The telephone number is (212) 668-7165. The First Coast Guard District, Bridge Branch, maintains the public docket for this rulemaking. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at the First Coast Guard District, Bridge Branch, 7 a.m. to 3 p.m., Monday through Friday, except Federal holidays.

### Request for Comments

We encourage you to participate in this rulemaking by submitting comments or related material. If you do so, please include your name and address, identify the docket number for this rulemaking (CGD01-05-099), indicate the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know if they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this rule in view of them.

**FOR FURTHER INFORMATION CONTACT:** Judy Leung-Yee, Project Officer, First Coast Guard District, at (212) 668-7195.

**SUPPLEMENTARY INFORMATION:** The Beach Channel Railroad Bridge has a vertical clearance in the closed position of 26 feet at mean high water and 31 feet at mean low water. The existing drawbridge operation regulations require the bridge to open on signal at all times.

The bridge owner, New York City Transit, requested a change to the drawbridge operation regulations to allow the bridge to remain closed during the morning and afternoon commuter rail rush hours, from 6:45 a.m. to 8:20 a.m. and 5 p.m. to 6:45 p.m., Monday through Friday, except Federal holidays.

The Coast Guard decided to test the above proposed change to the drawbridge operation regulations for a period of 90 days to help determine if this proposed rule change will help facilitate commuter rail traffic and still meet the reasonable needs of navigation.

Under this temporary 90-day deviation, effective from December 1, 2005 through February 28, 2006, the Beach Channel Railroad Bridge need not

open for the passage of vessel traffic between 6:45 a.m. and 8:20 a.m. and between 5 p.m. and 6:45 p.m., Monday through Friday, except Federal holidays.

This deviation from the operating regulations is authorized under 33 CFR 117.43.

Dated: October 25, 2005.

**Gary Kassof,**

*Bridge Program Manager, First Coast Guard District.*

[FR Doc. 05-21856 Filed 11-1-05; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[R03-OAR-2005-PA-0002; FRL-7992-1]

#### Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; VOC and NO<sub>x</sub> RACT Determinations for Three Individual Sources

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

**ACTION:** Final rule.

**SUMMARY:** EPA is taking final action to approve revisions to the Commonwealth of Pennsylvania State Implementation Plan (SIP). The revisions were

submitted by the Pennsylvania Department of Environmental Protection (PADEP) to establish and require reasonably available control technology (RACT) for three major sources of volatile organic compounds (VOC) and nitrogen oxides (NO<sub>x</sub>) pursuant to the Commonwealth of Pennsylvania's (Pennsylvania's or the Commonwealth's) SIP-approved generic RACT regulations. EPA is approving these revisions in accordance with the Clean Air Act (CAA).

**DATES:** This rule is effective on December 2, 2005.

**ADDRESSES:** EPA has established a docket for this action under Regional Material in EDocket (RME) ID Number R03-OAR-2005-PA-0002. All documents in the docket are listed in the RME index at <http://docket.epa.gov/rmepub/>. Once in the system, select "quick search," then key in the appropriate RME identification number. Although listed in the electronic docket, some information is not publicly available, i.e., confidential business information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically in RME or

in hard copy for public inspection during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the State submittal are available at the Pennsylvania Department of Environmental Protection, Bureau of Air Quality, P.O. Box 8468, 400 Market Street, Harrisburg, Pennsylvania 17105.

**FOR FURTHER INFORMATION CONTACT:** Amy Caprio, (215) 814-2156, or by e-mail at [caprio.amy@epa.gov](mailto:caprio.amy@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

On August 30, 2004, PADEP submitted a formal SIP revision that consists of source-specific operating permits and/or plan approvals issued by PADEP to establish and require RACT pursuant to the Commonwealth's SIP-approved generic RACT regulations. On April 4, 2005 (70 FR 16955), EPA published a direct final rule (DFR) approving revisions to PADEP-issued operating permits which establish and require RACT for three individual sources. The following table identifies the sources and the individual plan approvals (PAs) and operating permits (OPs) which are the subject of this rulemaking.

#### PENNSYLVANIA—VOC AND NO<sub>x</sub> RACT DETERMINATIONS FOR INDIVIDUAL SOURCES

| Source's name                                                                  | County                | Plan Approval (PA #)<br>Operating Permit (OP #) | Source type                                          | "Major source" pollutant |
|--------------------------------------------------------------------------------|-----------------------|-------------------------------------------------|------------------------------------------------------|--------------------------|
| Waste Management Disposal Services of Pennsylvania, Inc. (Pottstown Landfill). | Berks; Montgomery ... | OP-46-0033                                      | Turbines; Enclosed Flares .....                      | NO <sub>x</sub> and VOC. |
| Waste Management Disposal Services of PA, Inc.                                 | York .....            | 67-02047 ....                                   | Internal Combustion Engines; Enclosed Ground Flares. | NO <sub>x</sub> and VOC. |
| Armstrong World Industries, Inc .....                                          | Lancaster .....       | 36-2001 .....                                   | Space Heaters; Dryers; Surface Coatings              | NO <sub>x</sub> and VOC. |

An explanation of the CAA's RACT requirements as they apply to the Commonwealth and EPA's rationale for approving these SIP revisions were provided in the DFR and will not be restated here.

In accordance with direct final rulemaking procedures, on April 4, 2005 (70 FR 16955), EPA also published a companion notice of proposed rulemaking on these SIP revisions inviting interested parties to comment on the DFR. Timely adverse comments were submitted on EPA's April 4, 2005 DFR.

On May 26, 2005 (70 FR 30378), due to receipt of the adverse comments on its approval of the PADEP's RACT

determination for the three individual sources, EPA published a withdrawal of the DFR. A summary of those comments and EPA's responses are provided in Section II of this document.

#### II. Summary of Public Comments and EPA Responses

##### Comment

On April 16, 2005, a citizen submitted adverse comments on EPA's DFR notice approving PADEP's VOC and NO<sub>x</sub> RACT determinations for three individual sources. The commenter states that Pennsylvania's air goes to New Jersey so the dirty air harms people in both states and RACT should be more rigorous. The commenter also states that

prescribed burning in parks and wildlife areas fills the air with particulate matter which causes lung cancer, heart attacks, strokes, and asthma.

##### Response

The rulemaking at issue is limited in scope and addresses the CAA section 182(b)(1) RACT requirements for sources located in the ozone nonattainment area classified as moderate or above. The commenter did not comment specifically on the RACT determinations for the three individual sources and did not submit any supporting technical data or information to support that the standards for the three individual sources do not