

the Hudson and Harlem Rivers; vessels may safely transit the East River east of the zone each evening from 7 p.m. until 7 a.m.; and the extensive, advance notifications that will be made to the maritime community. New York City is in a heightened state of security awareness due to the World Trade Center bombing trials. In view of the potential for threats to the Heads of State and the Port of New York/New Jersey, this regulation provides the minimum degree of security necessary. The United Nations waterfront exposure makes it and its occupants vulnerable to waterborne threats. Landside security spans Manhattan's eastern shoreline, covering approximately the same distance north to south as the security zone provides waterside. The major roadways on Manhattan's east side, the Franklin D. Roosevelt (FDR) Drive and First Avenue, will be closed to vehicular traffic. The waterside security provided by this regulation, in conjunction with the landside security, provides a complete security area around the Heads of State and the United Nations complex. Accordingly, the Coast Guard expects the economic impact of this to be minimal and that a Regulatory Evaluation is unnecessary.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.), the Coast Guard must consider whether this regulation will have a significant economic impact on a substantial number of small entities. "Small entities" include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as "small business concerns" under Section 3 of the Small Business Act (15 U.S.C. 632).

For the reasons set forth in the Regulatory Evaluation, the Coast Guard expects the impact of this regulation to be minimal. The Coast Guard certifies under 5 U.S.C. 605(b) that this regulation will not have a significant economic impact on a substantial number of small entities.

Collection of Information

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

Federalism

The Coast Guard has analyzed this action in accordance with the principles and criteria contained in Executive Order 12612 and has determined that this regulation does not raise sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard has considered the environmental impact of this regulation and concluded that under section 2.B.2.e. of Commandant Instruction M16475.1B, revised 59 FR 38654, July 29, 1994, the promulgation of this regulation is categorically excluded from further environmental documentation. A Categorical Exclusion Determination and Environmental Analysis Checklist are included in the docket.

List of Subjects in 33 CFR Part 165

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

Temporary Regulation

For reasons set out 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. A temporary § 165.T01-156, is added to read as follows:

§ 165.T01-156 Security Zone: United Nations 50th Anniversary Celebration, United Nations, East River, New York.

(a) *Location.* (1) From 7 a.m. to 7 p.m., the security zone includes all waters of the East River north of a line drawn between a point at the foot of East 35th Street, Manhattan, New York, at 40°44'36" N latitude, 073°58'16" W longitude (NAD 1983) and Hunters Point, Long Island City, New York, at 40°44'18" N latitude, 073°57'44" W longitude (NAD 1983); and south of a line drawn shore to shore along the Queensboro Bridge inclusive of all waters east and west of Roosevelt Island, New York.

(2) From 7 p.m. to 7 a.m., the security zone includes all waters of the East River 100 yards off the east shore of Manhattan, New York, between East 48th Street and East 42nd Street. This area is bounded by the following points: from a point at the foot of East 48th Street at 40°45'06" N latitude, 073°57'53" W longitude (NAD 1983); thence southeasterly 100 yards to a point at 40°45'05" N latitude, 073°57'50" W longitude (NAD 1983); thence southwesterly 100 yards to a point off the foot of East 42nd Street at 40°44'51" N latitude, 073°58'01" W longitude (NAD 1983); thence northwesterly to a point at the foot of

East 42nd Street at 40°44'52" N latitude, 073°58'05" W longitude (NAD 1983); thence northeasterly along the Manhattan shoreline to the point of origin.

(b) *Effective period.* This section is effective from 7 a.m. on October 22, 1995, until 7 p.m. on October 24, 1995, unless extended or terminated sooner by the Captain of the Port New York.

(c) *Regulations.* (1) The general regulations contained in 33 CFR 165.33 apply.

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

Dated: October 17, 1995.

T.H. Gilmour,

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

[FR Doc. 95-26318 Filed 10-19-95; 2:42 pm]

BILLING CODE 4910-14-M

POSTAL SERVICE

39 CFR Part 233

Definition of Post Office Burglary

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: Recent events, including the theft of office equipment from rooms in buildings in which the Postal Service business is conducted, but not post office operations, revealed the need to expand the definition of "burglary of post office" to include all buildings in which Postal Service business is conducted. Therefore it is necessary to amend the CFR to reflect the revised definition.

EFFECTIVE DATE: October 23, 1995.

FOR FURTHER INFORMATION CONTACT: H.J. Bauman, Counsel, Postal Inspection Service, (202) 268-4415.

SUPPLEMENTARY INFORMATION: The Postal Service offers rewards for information and services leading to the arrest and conviction of perpetrators of postal crimes, including the burglary of a post office. Regulations concerning these rewards are published in 39 CFR 233.2. That section, which contains the text of Postal Service Poster 296, Notice of Reward, defines "burglary of post office" as "breaking into, or attempting to break into, a post office, station,

branch, or a building used wholly or partially as a post office with intent to commit a larceny or other depredation in that part used as a post office.”

Recent events, including the theft of office equipment from rooms in buildings in which Postal Service business is conducted, but not post office operations, revealed the need to expand the definition of “burglary of post office” to include all buildings in which Postal Service business is conducted. Therefore it is necessary to amend the CFR to reflect the revised definition.

List of Subjects in 39 CFR Part 233

Crime, Law enforcement, Postal Service.

Accordingly, 39 CFR part 233 is amended as set forth below.

PART 233—INSPECTION SERVICE/INSPECTOR GENERAL AUTHORITY

1. The authority citation for part 233 continues to read as follows:

Authority: 39 U.S.C. 101, 401, 402, 403, 404, 406, 410, 411, 3005(e)(1); 12 U.S.C. 3401–3422; 18 U.S.C. 981, 1956, 1957, 2254, 3061; 21 U.S.C. 881; Inspector General Act of 1978, as amended (Pub. L. No. 95–452, as amended), 5 U.S.C. App. 3.

2. In § 233.2, the note following paragraph (b)(2) is amended by republishing the introductory text and by revising the definition of “Burglary of Post Office” to read as follows:

§ 233.2 Circulars and rewards.

- * * * * *
- (b) * * *
- (1) * * *
- (2) * * *

Note: The text of Postal Service Poster 296, referred to in paragraph (b)(1) of this section, reads as follows:

* * * * *

Burglary of Post Office, \$10,000. Breaking into, or attempting to break into, a post office, station, branch, building used wholly or partly as a post office, or any building or area in a building where the business of the Postal Service is conducted, with intent to commit a larceny or other depredation therein.

* * * * *

Stanley F. Mires,
Chief Counsel, Legislative.

[FR Doc. 95–26204 Filed 10–20–95; 8:45 am]

BILLING CODE 7710–12-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[LA–19–1–6934a; FRL–5310–2]

Approval and Promulgation of Implementation Plans; State of Louisiana; Clean Fuel Fleet Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The EPA is approving the State Implementation Plan (SIP) revision submitted by the State of Louisiana for the purpose of establishing a Clean Fuel Fleet Program. The SIP revision was submitted by the State to satisfy the Federal mandate, found in the Clean Air Act, as amended in 1990 (CAA), to implement a program whereby at least a certain percentage of all newly acquired vehicles of certain on-road fleets in the Baton Rouge ozone nonattainment area, beginning with model year 1998, shall be lower pollution emitting vehicles, Clean Fuel Vehicles (CFV’s). The rationale for the approval is set forth in this document.

DATES: This final rule is effective on December 22, 1995, unless adverse or critical comments are received by November 22, 1995. If the effective date is delayed, timely notice will be published in the Federal Register.

ADDRESSES: Written comments should be submitted to Mr. Thomas Diggs, Chief, Air Planning Section (6PD–L), at the EPA Regional Office listed below. Copies of the documents relevant to this proposed rule are available for public inspection during normal business hours at the following locations. Interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the visiting day.

U.S. Environmental Protection Agency, Region 6, Air Planning Section (6PD–L), 1445 Ross Avenue, suite 700, Dallas, Texas 75202–2733, telephone (214) 665–7214.

Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460.

Louisiana Department of Environmental Quality, Office of Air Quality and Radiation Protection, 7290 Bluebonnet Blvd., Baton Rouge, Louisiana 70810.

FOR FURTHER INFORMATION CONTACT: H.D. Brown, Jr., Air Planning Section (6PD–L), EPA Region 6, telephone (214) 665–7248.

SUPPLEMENTARY INFORMATION:

I. Background

On November 15, 1990, Congress enacted amendments to the 1977 Clean Air Act; Public Law 101–549, 104 Stat. 2399, codified at 42 U.S.C. 7401–7671q. The Clean Fuel Fleet Program (CFFP) is contained under part C, entitled “Clean Fuel Vehicles,” of title II of the CAA. Part C was added to the CAA to establish two programs: a clean-fuel vehicle pilot program in the State of California (the California Pilot Test Program) and a federal CFFP in certain ozone and carbon monoxide (CO) nonattainment areas.

The CFFP will introduce CFV’s into centrally fueled fleets by requiring covered fleet operators to include a percentage of CFV’s in their new fleet purchases. The goal of the CFFP is to reduce emissions of non-methane organic gasses (NMOG), oxides of nitrogen (NO_x), and CO through the introduction of CFV’s into the covered areas. Both NMOG and NO_x are precursors of ozone and, in most areas, their reduction will reduce the concentration of ozone in covered ozone nonattainment areas. Reductions of vehicular CO emissions will reduce the concentration of CO in covered CO nonattainment areas.

Congress chose centrally fueled fleets because operators of these fleets have more control over obtaining fuel than the general public. Additionally, the control which operators maintain over their fleets simplifies maintenance and refueling of these vehicles. Finally, because fleet vehicles typically travel more miles on an annual basis than do non-fleet vehicles, they provide greater opportunity to improve air quality on a per vehicle basis.

Section 182(c)(4) of the CAA, 42 U.S.C. 7511a(c)(4), allows States to opt-out of the CFFP by submitting, for EPA approval, a SIP revision consisting of a substitute program resulting in as much or greater long-term emission reductions in ozone producing and toxic air emissions as the CFFP. The EPA may approve such a revision “only if it consists exclusively of provisions other than those required under the [CAA] for the area.”

II. Program Requirements

Unless a State chooses to opt-out of the CFFP per section 182(c)(4); section 246 of the CAA, 42 U.S.C. 7586, directs a State containing covered areas to revise its SIP, within 42 months after enactment of the CAA, to establish a CFFP, whereby at least a specified percentage of all new covered fleet vehicles, beginning with model year