

significant economic impact on a substantial number of small entities.

#### Collection of Information

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

#### Federalism

The Coast Guard has analyzed this rule under the principals and criteria contained in Executive Order 12612, and it has been determined that the proposed rulemaking 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 section 2.B.2.e.(32)(e) of Commandant Instruction M16475.1B, (as amended, 59 FR 38654, 29 July 1994), this rule is categorically excluded from further environmental documentation. A Categorical Exclusion Determination statement has been prepared and placed in the rulemaking docket.

#### List of Subjects in 33 CFR Part 117

Bridges.

#### Regulations

### **PART 117—DRAWBRIDGE OPERATION REGULATIONS**

Accordingly, the interim rule amending 33 CFR part 117 which was published at 60 FR 31246 on June 14, 1995, is adopted as a final rule without change.

Dated: October 11, 1995.

W.J. Ecker,

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

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### **33 CFR Part 165**

[CGD 05-95-068]

RIN 2115-AA97

#### **Safety Zone: Atlantic Intracoastal Waterway, MCB Camp Lejeune, NC**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary rule.

**SUMMARY:** The Coast Guard Captain of the Port, Wilmington, has established a safety zone in the Atlantic Intracoastal Waterway (AICW) along Marine Corps Base Camp Lejeune (MCB), North Carolina. The safety zone encompasses

the waters of the Atlantic Intracoastal Waterway between lighted dayboards 64 and 65. The safety zone is needed to protect people, vessels, and property from safety hazards associated with the launching of inert line charges in support of amphibious assault training. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port.

**EFFECTIVE DATE:** This regulation is effective from 8 a.m. on October 28, through 6 p.m. October 31, 1995 local time, unless sooner terminated by the Captain of the Port Wilmington.

**FOR FURTHER INFORMATION CONTACT:** Ltjg K.J. Delooff, USCG, Project Officer, c/o Commanding Officer, U.S. Coast Guard Marine Safety Office, 272 North Front Street, Wilmington, North Carolina 28401-3907. Phone: (910) 343-4895, Extension 108.

#### **SUPPLEMENTARY INFORMATION:**

##### Drafting Information

The drafters of this regulation are Ltjg K.J. Delooff, project officer for the Captain of the Port, October Wilmington, North Carolina, and Lt K.A. Duignan, project attorney, Fifth Coast Guard District Legal Office.

##### Discussion of Regulation

The Coast Guard has been requested by MCB Camp Lejeune to establish a safety zone to prevent damage or injury which could result from a training exercise. The exercise involves a training assault on a simulated mined beach. The assault involves firing an inert line charge which clears the simulated minefield. The line charge is propelled by a 5 foot solid fuel rocket which trails the inert explosives. The rocket is typically prevented from flying its full flight by a cable attached to the firing point. If this cable breaks, the rocket motor and possibly the line charge could impact in the Atlantic Intracoastal Waterway. The safety zone will prevent vessels from transiting during the firing of the line charge and prevent possible property damage, injury, or death.

The safety zone will be effective from 8 a.m. on October 28, 1995 and will cease at 6 p.m. on October 31, 1995 unless terminated sooner by the Captain of the Port Wilmington. The actual times the waterway will be closed will be approximately 30-90 minute periods one to three times per day. When actual firing is not scheduled to take place, the waterway will be open for traffic. Mariners will be notified via VHF channel 16 when the waterway is about to be closed for firing. Vessels from either the U.S. Coast Guard or U.S. Navy

will be patrolling each end of the safety zone to inform and control vessel traffic.

The safety zone can be described as follows:

The waters of the Atlantic Intracoastal Waterway from lighted dayboard number 64 at approximately 34° 33' 59.7" North, 077° 16' 50.5" West to lighted dayboard 65 at approximately 34° 33' .03" North, 077° 18' 30" West.

In accordance with 5 U.S.C. 553, a notice of proposed rulemaking was not published for this regulation and good cause exists for making this regulation effective in less than 30 days after Federal Register publication. Publishing a NPRM and delaying the effective date would be contrary to the public interest since immediate action is needed to protect mariners from potential hazards associated with potential flight of an inert rocket propelled line charge over navigable waters. The final schedule for this event and other related activities was not communicated to the Coast Guard in sufficient time to allow for a period for comments.

#### Assessment

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs 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 rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary.

#### Collection of Information

This rule contains no information collection requirements under the Paperwork Reduction Act (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 proposal 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 conclude that, under paragraph 2.B.2.e(34) of Commandant Instruction M16475.1B (amended by 59 FR 38654),

this rule is categorically excluded from further environmental documentation.

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

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

For the reasons set out in the preamble, the Coast Guard is amending 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 new temporary § 165.T5068 is added to read as follows:

#### **§ 165.T5068 Safety Zone: Atlantic Intracoastal Waterway, Marine Corps Base Camp Lejeune, North Carolina.**

(a) *Location.* The following area is a safety zone:

(1) The waters of the Atlantic Intracoastal Waterway from lighted dayboard number 64 at approximately 34° 33' 59.7" North, 077° 16' 50.5" West to lighted dayboard 65 at approximately 34° 33' .03" North, 077° 18' 30" West (Datum: NAD 83).

(b) *Definitions.* The following definition applies to this section: *The designated representative of the Captain of the Port* means: Any Coast Guard commissioned, warrant, or petty officer who has been authorized by the Captain of the Port, Wilmington, North Carolina to act on his behalf.

(c) The Captain of the Port and the Duty Officer at the Marine Safety Office, Wilmington, North Carolina, can be contacted at telephone number (910) 343-4895.

(d) The designated representative on each vessel enforcing the safety zone can be contacted on VHF-FM channel 16.

(e) *Regulation.* The limitations on entry and use of the water area of the safety zone created by this regulation as described in the general regulations contained in 33 CFR 165.23, will only be in effect during the time periods announced on VHF channel 16.

(f) During the announced time periods, entry into this safety zone is prohibited except as authorized by the Captain of the Port.

(g) *Effective Dates.* This section is effective from 8 a.m. on October 28 through 6 p.m. October 31, 1995 local time, the zone will be activated intermittently up to three times daily (approximately 30-90 minutes each period in duration) by announcement on VHF channel 16.

Dated: September 19, 1995.

T.L. Rice,  
*Captain, U.S. Coast Guard, Captain of the Port, Wilmington, NC.*

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## **ENVIRONMENTAL PROTECTION AGENCY**

### **40 CFR Part 52**

[IL125-1-7030a; FRL-5312-7]

#### **Approval and Promulgation of Implementation Plans; Illinois**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Direct final rule.

**SUMMARY:** On May 5, 1995, the State of Illinois submitted a State Implementation Plan (SIP) revision request to the United States Environmental Protection Agency (USEPA) for automotive/transportation and business machine plastic parts coatings operations as part of the State's 15 percent (%) Reasonable Further Progress (RFP) plan control measures for Volatile Organic Matter (VOM) emissions. VOM, as defined by the State of Illinois, is identical to "volatile organic compounds" (VOC), as defined by USEPA. VOC is one of the air pollutants which combine on hot summer days to form ground-level ozone, commonly known as smog. Ozone pollution is of particular concern because of its harmful effects upon lung tissue and breathing passages. RFP plans are intended to bring areas which have been exceeding the public health based Federal ozone air quality standard closer toward the goal of reaching and maintaining attainment with this standard. The control measures specified in this plastic parts SIP revision are expected by Illinois to reduce VOC (VOM) emissions by 0.28 tons per day in the Chicago area. No applicable sources exist in the Metro-East (East St. Louis) area at this time.

A supplement to the May 5, 1995, SIP revision request was submitted on May 26, 1995. USEPA made a finding of completeness in a letter dated July 13, 1995. A final approval action is being taken because the submittal meets all pertinent Federal requirements. This SIP revision establishes VOM emission limits for applicable plastic parts sources located in the Chicago and Metro-East ozone nonattainment areas. The USEPA is publishing this action without prior proposal because USEPA views this action as a noncontroversial revision and anticipates no adverse

comments. However, USEPA is publishing a separate document in this Federal Register publication, which constitutes a "proposed approval" of the requested SIP revision and clarifies that the rulemaking will not be deemed final if timely adverse or critical comments are filed. If USEPA receives comments adverse to or critical of the approval, USEPA will withdraw this approval before its effective date by publishing a subsequent Federal Register document which withdraws this final action. All public comments received will then be addressed in a subsequent rulemaking document. Please be aware that USEPA will institute another comment period on this action only if warranted by significant revisions to the rulemaking based on any comments received in response to today's action. Any parties interested in commenting on this action should do so at this time.

**DATES:** The direct final rule is effective on December 26, 1995, unless USEPA receives adverse or critical comments by November 27, 1995. If the effective date is delayed, timely notice will be published in the Federal Register.

**ADDRESSES:** Copies of the revision request and USEPA's analysis (Technical Support Document) are available for inspection at the following address: U.S. Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. (It is recommended that you telephone Mark J. Palermo at (312) 886-6082 before visiting the Region 5 Office.)

Written comments should be sent to: J. Elmer Bortzer, Chief, Regulation Development Section, Regulation Development Branch (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

**FOR FURTHER INFORMATION CONTACT:** Mark J. Palermo at (312) 886-6082.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

Section 182(b)(1) of the Clean Air Act (the Act) requires all moderate and above ozone nonattainment areas to achieve a 15% reduction of 1990 emissions of VOC (VOM) by 1996. In Illinois, the Chicago area is classified as "severe" nonattainment for ozone, while the Metro-East area is classified as "moderate" nonattainment. As such, these areas are subject to the 15% RFP requirement.

On September 12, 1994, the Illinois Environmental Protection Agency (IEPA) filed the proposed plastic parts coating rule with the Illinois Pollution Control Board (Board). A public hearing