

with minimal or no disruption to vessel traffic or other interests in the port. In addition extensive, advance advisories will be made to the maritime community so mariners can adjust their plans accordingly.

Collection of Information

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

Federalism

The Coast Guard 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.

Small Entities

The Coast Guard has considered the economic impact of this rule under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). For the reasons discussed in the Regulatory Evaluation section, the Coast Guard finds that there will not be a significant impact on small entities.

Environment

The Coast Guard considered the environmental impact of this rule and concluded that, under 2.B.2.e.(34)(g) of Commandant Instruction M16475.1B (as revised by 59 FR 38654, July 29, 1994), this safety zone 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.

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 section 165.T01-026 is added to read as follows:

§ 165.T01-026 Safety Zone: USS WASP, Fleet Week 1997, Port of New York and New Jersey.

(a) *Location.* This moving safety zone includes all waters within 500 yards fore and aft and 200 yards on each side of the USS WASP as it transits the Port of New York and New Jersey between

Pier 88, Manhattan, New York, and Ambrose Channel Lighted Buoys "1" and "2", at or near 40°29.6' N latitude, 73°55.9' W longitude (NAD 1983).

(b) *Effective period.* This regulation is effective on May 28, 1997.

(c) *Regulations.*

(1) The general regulations contained in 33 CFR 165.23 apply to this safety zone.

(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: May 12, 1997.

Richard C. Vlaun,

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

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[NM 22-1-7103a; FRL-5831-3]

Approval and Promulgation of Implementation Plan for New Mexico: General Conformity Rules

AGENCY: Environmental Protection Agency (EPA).

ACTION: Withdrawal of direct final rule.

SUMMARY: The EPA published, without prior proposal, a **Federal Register** (FR) action approving a State Implementation Plan (SIP) revision submitted by the State of New Mexico for general conformity in fulfilling the requirements of 40 CFR part 52, subpart W—Determining Conformity of General Federal Actions to State or Federal Implementation Plans. The direct final approval action was published on March 26, 1997 (62 FR 14332). The EPA subsequently received an adverse comment on the action. Therefore, EPA is withdrawing its direct final approval action. The public comment received will be addressed in a subsequent final rulemaking action.

EFFECTIVE DATE: This withdrawal is effective on May 27, 1997.

ADDRESSES: Copies of the New Mexico General Conformity SIP and other relevant information are available for 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.

Air Planning Section (6PDL), Multimedia Planning and Permitting Division, Environmental Protection Agency, Region 6, 1445 Ross Avenue, Dallas, Texas 75202, Telephone: (214) 665-7214.

Air Quality Bureau, New Mexico Environment Department, 1190 St. Francis Drive, Santa Fe, New Mexico 87502, Telephone: (505) 827-0042.

FOR FURTHER INFORMATION CONTACT: Mr. J. Behnam, P. E.; Air Planning Section (6PDL), Multimedia Planning and Permitting Division, Environmental Protection Agency, Region 6, 1445 Ross Avenue, Dallas, Texas 75202, Telephone (214) 665-7247.

SUPPLEMENTARY INFORMATION:

I. Background

On March 26, 1997, EPA published a direct final action for approving the New Mexico general conformity SIP revision without a prior proposal action. Subsequently, EPA received an adverse comment on the direct final action. The commenter cited that a section in the New Mexico general conformity rule is more stringent than the Federal rule.

II. Withdrawal Action

The EPA is withdrawing its direct final approval action on the New Mexico general conformity SIP revision which was submitted by the Governor on July 18, 1996. The direct final approval action was published in the **Federal Register** of March 26, 1997 (62 FR 14332). The EPA is taking this action because an adverse comment was received during the public notice period. A subsequent final action will be published in the **Federal Register** for addressing the public comment. This withdrawal action is effective May 27, 1997.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, General conformity, Hydrocarbons, Intergovernmental relations, Nitrogen dioxide, Ozone, Particulate matter, Volatile organic compounds.

Dated: May 16, 1997.

Jerry Clifford,

Acting Regional Administrator.

2. Accordingly, the direct final rule published on March 26, 1997 (62 FR 14332) that amended 40 CFR 52.1620 is withdrawn.

[FR Doc. 97-13925 Filed 5-27-97; 8:45 am]

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