

33 CFR Part 165

[COTP Los Angeles-Long Beach, 94-004]

RIN 2115-AA97

Safety Zone; Los Angeles Harbor-San Pedro Bay, CA

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is adopting as final the interim rule that established safety zones in two locations on the waters of San Pedro Bay, California. The event requiring establishment of these safety zones is the dredging and landfill activities for the Port of Los Angeles Pier 400 project. Duration of this project is estimated to be 33 months. Two separate safety zone locations are covered by this rulemaking. The first location, the site of the future Pier 400, is to the east of the Los Angeles main channel, adjacent to Reservation Point. It encompasses anchorages B1-B3, B6-B8, C1-C3, and C7-C9. The second location, to the southwest of the main channel, will be used to accommodate the transformation of anchorages A1-A5 into a permanent shallow water habitat as a mitigation measure for the Pier 400 landfill project. Entry into, transit through, or anchoring within the safety zones is prohibited unless authorized by the Captain of the Port.

EFFECTIVE DATE: This regulation is effective on February 22, 1995.

FOR FURTHER INFORMATION CONTACT: Commander Mike Moore, Chief of Port Operations, Coast Guard Marine Safety Office Los Angeles-Long Beach, California; telephone (310) 980-4454.

SUPPLEMENTARY INFORMATION: These safety zones were established via an Interim Final Rule published in 59 FR 46173 (September 7, 1994), and are necessary in order to provide for the safety of the maritime community during the dredging and fill activities connected with the Los Angeles Pier 400 construction project. The interim rule provided a 60-day period for public comment. No comments were received pertaining to this rulemaking. Therefore, the interim rule is being adopted as a final rule.

Drafting Information

The drafters of this notice are Lieutenant Commander Chris Lockwood, project officer for the Captain of the Port, and Lieutenant Commander Craig Juckniess, project attorney, Eleventh Coast Guard District Legal Office.

Regulatory Evaluation

This regulation 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 been exempted from review 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 proposal to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary. Only minor delay to mariners is foreseen as vessel traffic is routed around the construction areas.

Collection of Information

This regulation 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 regulation under the principles and criteria contained in Executive Order 12612 and has determined that this regulation does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environmental Assessment

The Coast Guard has considered the environmental impact of this regulation and concluded that under section 2.B.2. of Commandant Instruction M16475.1B it will have no significant environmental impact and it 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.

PART 165—[AMENDED]

1. Accordingly, under the authority of 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, the interim rule amending 33 CFR Part 165 which was published in 59 FR 46173 on September 7, 1994 is adopted as a final rule without change.

E.E. Page,

Captain, U.S. Coast Guard Captain of the Port, Los Angeles-Long Beach, CA.

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ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 271**

[FRL-5142-2]

Louisiana; Final Authorization of State Hazardous Waste Management Program Revisions

AGENCY: Environmental Protection Agency.

ACTION: Review of immediate final rule; response to public comments.

SUMMARY: The State of Louisiana applied for final authorization of revisions to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). The Environmental Protection Agency (EPA) reviewed the Louisiana Department of Environmental Quality's (LDEQ) application and made a decision, subject to public review and comment, that Louisiana's hazardous waste program revision satisfied all of the requirements necessary to qualify for final authorization of many of the provisions of the Hazardous and Solid Waste Amendments of 1984 (HSWA) to RCRA. As such, EPA published an Immediate Final Rule on November 7, 1994, for a 45-day public review and comment period.

During the public comment period, EPA received comments from three commentors opposed to the Agency granting authorization to Louisiana for this program revision, which includes corrective action. Two commentors expressed concern about LDEQ having adequate resources and the will to enforce RCRA regulations, based on its handling of reported violations at Bayou Steel Corporation (Bayou Steel), LaPlace, Louisiana. The third commentor raised concerns about LDEQ's current appeal scheme and position on public participation in settlements. Today's publication is EPA's response to the comments received regarding this program revision authorization, which contains most rules referred to by EPA as HSWA Cluster I.

DATES: This response to the public comments received regarding final authorization for Louisiana affirms the immediate final decision previously published and notifies the public that the final authorization shall be effective on January 23, 1995.

FOR FURTHER INFORMATION CONTACT: Dick Thomas, Region 6 Authorization Coordinator, Grants and Authorization Section, RCRA Programs Branch, U.S. EPA Region 6, First Interstate Bank