

Processes	Use	Reference or limitation
Reverse osmosis <sup>1</sup> .....	To reduce the ethyl alcohol content of wine and to remove off flavors in wine,.	Permeable membranes which are selective for molecules not greater than 500 molecular weight with transmembrane pressures of 200 psi and greater. The addition of water other than that originally present prior to processing will render standard wine "other than standard." Use shall not alter vinous character.
Spinning cone column <sup>1</sup> ....	To reduce the ethyl alcohol content of wine and to remove off flavors in wine,.	Use shall not alter vinous character. For standard wine, the same amount of essence must be added back to any lot of wine as was originally removed.
Ultrafiltration .....	To remove proteinaceous material from wine; to reduce harsh tannic material from white wine produced from white skinned grapes; to remove pink color from blanc de noir wine; to separate red wine into low color and high color wine fractions for blending purposes.	Permeable membranes which are selective for molecules greater than 500 and less than 25,000 molecular weight with transmembrane pressures less than 200 psi. Use shall not alter vinous character. 21 CFR 175.300, 177.1520, 177.1550, 177.1630, 177.2440, 177.2600, and 177.2910.

<sup>1</sup> This process must be done on distilled spirits plant premises. However, reverse osmosis, under certain limited conditions, may be used on bonded winery premises if ethyl alcohol is only temporarily created within a closed system.

(Sec. 201, Pub. L. 85-859, 72 Stat. 1383, as amended (26 U.S.C. 5381, 5382, 5385, 5386, and 5387)).

Signed: March 11, 1996.

Bradley A. Buckles,  
*Acting Director.*

Approved: April 1, 1996.

John P. Simpson,  
*Deputy Assistant Secretary (Regulatory, Tariff and Trade Enforcement).*

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 60**

[FRL-5502-4]

**Standards of Performance for New Stationary Sources; Supplemental Delegation of Authority to Mississippi**

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

**ACTION:** Delegation of authority.

**SUMMARY:** On March 7, 1996, the state of Mississippi, through the Department of Environmental Quality, requested that EPA delegate authority for implementation and enforcement of eight (8) amended categories of the New Source Performance Standards (NSPS). Since EPA's review of Mississippi's pertinent laws, rules, and regulations showed them to be adequate and effective procedures for the implementation and enforcement of these Federal standards, EPA has made the delegation as requested.

**EFFECTIVE DATE:** The effective date of the delegation of authority is April 15, 1996.

**ADDRESSES:** Copies of the request for delegation of authority and EPA's letter of delegation are available for public inspection during normal business hours at the following locations:

Environmental Protection Agency,  
Region 4, Air Programs Branch, 345  
Courtland Street, Atlanta, Georgia  
30365

Mississippi Department of  
Environmental Quality, Bureau of  
Pollution Control, Air Quality  
Division, P.O. Box 10385, Jackson,  
Mississippi 39289-0385.

Effective immediately, all requests, applications, reports and other correspondence required pursuant to the newly delegated standards should not be submitted to the Region 4 office, but should instead be submitted to the following address: Office of Pollution Control, Mississippi Department of Environmental Quality, P.O. Box 10385, Jackson, Mississippi 39289-0385.

**FOR FURTHER INFORMATION CONTACT:** Scott M. Martin, Regulatory Planning and Development Section, Air Programs Branch, United States Environmental Protection Agency, Region 4, 345 Courtland Street N.E., Atlanta, Georgia 30365, (404) 347-3555, x4216.

**SUPPLEMENTARY INFORMATION:** Section 301, in conjunction with Sections 110 and 111(c)(1) of the Clean Air Act as amended November 15, 1990, authorizes EPA to delegate authority to implement and enforce the standards set out in 40 CFR Part 60, (NSPS).

On November 10, 1981, EPA initially delegated the authority for implementation and enforcement of the NSPS programs to the state of Mississippi. On March 7, 1996, Mississippi requested a delegation of

authority for implementation and enforcement of the following NSPS categories found in 40 CFR Part 60.

**1. Subpart A—General Provisions Except § 60.8(b) (1) Thru (5); § 60.11(e) (7) and (8); § 60.13(g) (i) and (j)(2)**

**2. Subpart Cb—Municipal Waste Combustors Constructed On or before December 19, 1995**

**3. Subpart Cd—Sulfuric Acid Production Units**

**4. Subpart Ea—Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994**

**5. Subpart Eb—Municipal Waste Combustors For Which Construction is Commenced After September 20, 1994**

**6. Subpart NNN—Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations**

**7. Subpart RRR—Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Process**

**8. Appendix A—Test Methods**

After a thorough review of the request, the Regional Administrator determined that such a delegation was appropriate for this source category with the conditions set forth in the original delegation letter of November 30, 1981. Mississippi sources subject to the

requirements of this subpart will now be under the jurisdiction of Mississippi.

Since review of the pertinent Mississippi laws, rules, and regulations showed them to be adequate for the implementation and enforcement of the aforementioned category of NSPS, the EPA hereby notifies the public that it has delegated the authority for the source category listed above on October 30, 1995. The Office of Management and Budget has exempted this rule from the requirements of section 6 of Executive Order 12866.

Authority: This notice is issued under the authority of sections 101, 111, and 301 of the Clean Air Act, as Amended (42 U.S.C. 7401, 7411, and 7601).

Dated: April 24, 1996.

A. Stanley Meiburg,

Acting Regional Administrator.

[FR Doc. 96-11478 Filed 5-8-96; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### 46 CFR Parts 403 and 404

[OST Docket No. 50248]

RIN 2105-AC21

#### Great Lakes Pilotage Rate Methodology

AGENCY: Office of the Secretary, DOT.

ACTION: Final rule.

**SUMMARY:** The Department of Transportation (the Department) is responding to comments to a final rule published April 11, 1995, establishing new procedures and methodology for determining Great Lakes pilotage rates and making corresponding changes to the financial reporting requirements required of Great Lakes pilot associations. Based on these comments, the Department has made minor changes to the rule. This final rule does not change the existing Great Lakes pilotage rates and charges.

**EFFECTIVE DATE:** This rule is effective on June 10, 1996.

**ADDRESSES:** Unless otherwise indicated, documents referred to in this preamble are available for inspection or copying at the office of the Docket Clerk, OST Docket No. 50248, U.S. Department of Transportation, 400 7th St. SW., room PL-401, Washington, DC 20590 from 9 a.m. to 5:30 p.m., Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** Scott A. Poyer, Project Manager, St. Lawrence Seaway Development

Corporation, 400 Seventh St. SW, Room 5421, Washington, DC 20590, 1-800-785-2779, or Steven B. Farbman, Office of the Assistant General Counsel for Regulation and Enforcement, 400 7th St. SW., room 10424, Washington, DC 20590, (202) 366-9306.

#### SUPPLEMENTARY INFORMATION:

##### Regulatory History

On December 7, 1988, the Department of Transportation published the Great Lakes Pilotage Study Final Report (1988 DOT Pilotage Study). The study revealed weaknesses in accounting for the expenses incurred by the pilot associations and the need to formally establish the factors used in establishing pilotage rates. On April 25, 1990, the Coast Guard published a final rule (55 FR 17580) establishing improved audit requirements and general guidelines and procedures to be followed in ratemaking (CGD 92-072).

In May 1990, the Inspector General (IG) for the Department of Transportation initiated an audit of Coast Guard oversight of Great Lakes pilotage. The final report of the audit (Audit of the U.S. Coast Guard's Oversight and Management of the Great Lakes Pilotage Program), detailing further issues affecting the basis for Great Lakes pilotage rates, was issued on December 14, 1990.

On August 2, 1991, a DOT Task Force was formed to: (1) Develop an interim rate adjustment; and (2) establish a new pilotage ratemaking methodology. On June 5, 1992, an interim rate increase was published (CGD 89-104). The DOT Task Force then developed a new pilotage ratemaking methodology, which the Coast Guard published in a notice of proposed rulemaking (NPRM) (59 FR 17303) dated April 12, 1994.

THE NPRM proposed to amend the Great Lakes pilotage regulations by establishing new procedures for determining Great Lakes pilotage rates and revising the financial reporting requirements mandated for Great Lakes pilot associations (CGD 92-072). The NPRM also announced a public hearing which was held in Cleveland, OH on May 20, 1994. The comment period for the NPRM ended on July 11, 1994.

In response to the NPRM and the public hearing, the Coast Guard received 31 comments and two requests for additional public meetings to explain the proposals contained in the NPRM. In the Federal Register (59 FR 18774) on April 20, 1994, the Coast Guard announced that it would conduct two public meetings. The first public meeting was held in Chicago, IL on May

3, 1994. The second public meeting was held in Massena, NY on May 5, 1994.

The Coast Guard also received one request to extend the comment period for the NPRM. Because the comment period for the NPRM was 90 days, the Coast Guard and the Department determined that there was sufficient time to submit comments. Therefore, the comment period was not extended.

On April 11, 1995, the Department published a final rule with request for comments (60 FR 18366) (1995 final rule) establishing improved procedures for determining Great Lakes pilotage rates, and revised financial reporting requirements mandated for Great Lakes pilot associations. The comment period ended on May 11, 1995. Although the Coast Guard issued the NPRM under authority delegated to the Commandant by the Secretary, the Secretary issued the 1995 final rule. On December 11, 1995, the Secretary transferred authority to administer the Great Lakes Pilotage Act of 1960 (Public Law 86-555, 46 U.S.C. 9301 *et seq.*) (the Act) to the Administrator of the SLSDC. Nevertheless, the Secretary is issuing this final rule. Under 49 CFR 1.43(a), the Secretary may exercise powers and duties delegated or assigned to officials other than the Secretary.

Several commenters requested that the comment period for the rulemaking be extended. Because all late-filed comments were considered, and because this rulemaking has already been the subject of extensive public comment, the Department determined that there was sufficient time to submit comments regarding this 1995 final rule. Therefore, the comment period was not extended.

#### Background and Purpose

Under the Act, vessels of the United States operating on register and foreign vessels must engage a U.S. or Canadian registered pilot when traversing the waters of the Great Lakes. The Act vests the Secretary of Transportation with responsibility for setting pilotage rates. Section 9303(f) of the Act provides that the Secretary shall prescribe by regulation rates and charges for pilotage services, giving consideration to the public interest and the costs of providing the services.

Currently, the navigable waters of the great Lakes are divided into eight pilotage areas. United States registered pilots, along with their Canadian counterparts, provide pilotage services in areas 1, 2, 4, 5, 6, 7, and 8. Pilotage area 3 (the Welland Canal) is currently a wholly-Canadian area where only Canadian pilots provide services. Pilotage areas 2, 4, 6, and 8 are