

33 CFR Part 100

[CGD08-96-039]

RIN 2115-AE46

Special Local Regulations; Mississippi Blackhaws Water Ski Show Upper Mississippi River Mile 633.0-634.0, McGregor, IA

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: Special local regulations are being adopted for the Mississippi Blackhaws Water Ski Show. This event will be held on August 31, 1996 at McGregor, Iowa. These regulations are needed to provide for the safety of life on navigable waters during the event.

EFFECTIVE DATE: These regulations are effective from 1:30 p.m. to 4 p.m. local time on August 31, 1996.

FOR FURTHER INFORMATION CONTACT: SCPO J.R. Van Reese, U.S. Coast Guard, Marine Safety Detachment, P.O. Box 65428, St. Paul, MN 55165-0428. Tel: (612) 290-3991.

SUPPLEMENTARY INFORMATION:

Regulatory History

In accordance with 5 U.S.C. 553, a notice of proposed rulemaking for these regulations has not been published and good cause exists for making them effective in less than 30 days from the date of publication. Following normal rulemaking procedures would have been impracticable. Specifically, the details of the event were not finalized until August 5, 1996, and there was not sufficient time remaining to publish proposed rules in advance of the event or to provide for a delayed effective date.

Background and Purpose

The marine event requiring this regulation is a water ski show consisting of large acts involving up to twenty performers. The event is sponsored by the McGregor Chamber of Commerce. Spectators are to maintain a safe distance which will be determined by event sponsor and controlled by Coast Guard patrol commander.

Regulatory Evaluation

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 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 rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary because of the event's short duration.

Federalism Assessment

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

Small Entities

The Coast Guard finds that because of the event's short duration the impact on small entities, if any, is not significant. Therefore, the Coast Guard under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et. seq.*) certifies that this temporary rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

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

Environmental Assessment

The Coast Guard considered the environmental impact of this rule and concluded that under section 2.B.2.C. of Commandant Instruction M16475.1B, (as revised by 61 FR 13563; March 27, 1996) this rule is excluded from further environmental documentation.

List of Subjects in 33 CFR Part 100

Marine Safety, Navigation (water), Reporting and Recordkeeping requirements, Waterways.

Temporary Regulations

In consideration of the forgoing, Part 100 of Title 33, Code of Federal Regulations, is amended as follows:

PART 100—[AMENDED]

1. The authority citation for part 100 continues to read as follows:

Authority: 33 U.S.C. 1233; 49 CFR 1.46.

2. A temporary section 100.35-T08-039 is added to read as follows:

§ 100.T08-35-039 Upper Mississippi River near McGregor, Iowa.

(a) *Regulated Area.* Upper Mississippi River mile 633.0-634.0.

(b) *Special Local Regulation:* All persons and vessels not registered with the sponsors as participants or official

patrol vessels are considered spectators. "Participants" are those persons and vessels identified by the sponsor as taking part in the event. The "official patrol" consists of any Coast Guard, public, state or local law enforcement and sponsor provided vessels assigned to patrol the event.

(1) No spectators shall anchor, block, loiter in or impede the through transit of participants or official patrol vessels in the regulated area during effective dates and times, unless cleared for such entry by or through an official patrol vessel.

(2) When hailed or signaled, by an official patrol vessel, a spectator shall come to an immediate stop. Vessels shall comply with all directions given; failure to do so may result in a citation.

(3) The Patrol Commander is empowered to forbid and control the movement of all vessels in the regulated area. The Patrol Commander may terminate the event at any time it is deemed necessary for the protection of life or property and can be reached on VHF-FM Channel 16 by using the call sign "PATCOM".

(c) *Effective Date:* This section is effective from 1:30 p.m. to 4 p.m. local time on August 31, 1996.

Dated: August 8, 1996.

T.W. Josiah,

Rear Admiral, U.S. Coast Guard Commander, Eighth Coast Guard District.

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ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 52**

[CA 13-13-6749; FRL-5557-2]

Approval and Promulgation of Implementation Plans, California State Implementation Plan Revision, San Joaquin Valley Unified Air Pollution District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is finalizing limited approval and limited disapproval of a revision to the California State Implementation Plan (SIP) proposed in the Federal Register on March 21, 1994. The revision concerns Rule 465.01 from the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD). This final action will incorporate this rule into the federally approved SIP. The intended effect of finalizing this action is to regulate emissions of