views, or arguments. Persons submitting comments should include their name and address, identify this rulemaking (CGD07–97–016) and the specific section of this proposal to which each comment applies, and give a reason for each comment. Persons desiring acknowledgment of receipt of comments should enclose a stamped, self-addressed postcard or envelope.

The Coast Guard will consider all comments received during the comment period. It may change this proposal in the view of the comments.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the Project Manager at the address under **ADDRESSES.** If it is determined that the opportunity for oral presentations will aid this rulemaking, the Coast Guard will hold a public hearing at the time and place announced by a later notice in the **Federal Register.**

Regulatory Evaluation

The proposal 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. The proposed regulations would last for only two hours on June 13, 1997.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this proposal will have a significant economic impact on a substantial number of small entities. ''Small entities'' include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as ''small business concerns'' under section 3 of the Small Business Act (15 U.S.C. 632).

The Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this proposal, if adopted, will not have a significant impact on a substantial number of small entities because it will be in effect for only two hours in a limited area.

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 has analyzed this proposal in accordance with the principals 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.

Environmental Assessment

The Coast Guard has considered the environmental impact of this action, and has tentatively determined pursuant to section 2.B.2.e(34)(h) of Commandant Instruction M16475.1B, that this action is categorically excluded from further environmental documentation. A written Categorical Exclusion Determination will be prepared after the comment period for this proposed rulemaking has expired.

List of Subjects in 33 CFR Part 100

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

Proposed Regulations

In consideration of the foregoing, the Coast Guard proposes to amend part 100 of title 33, Code of Federal Regulations, 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 and 33 CFR 100.35.

2. A new temporary section 100.35T–07–016 is added to read as follows:

§ 100.35T–07–016 North Charleston Fireworks; Cooper River, SC.

(a) *Definitions:*

(1) *Regulated area.* The regulated area is formed between two lines drawn directly across the Cooper River at 32–52.2N and 32–53N. All coordinates referenced use Datum: NAD 83. The regulated area would encompass the width of the Cooper River between these two lines.

(2) *Coast Guard Patrol Commander.* The Coast Guard Patrol Commander is a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Group Charleston, SC.

(b) *Special Local Regulations.* (1) No person or vessel may enter, transit, or remain in the regulated area unless authorized by the Coast Guard Patrol Commander.

(2) The Coast Guard Patrol Commander may delay, modify, or cancel the fireworks as conditions or circumstances require. The Coast Guard Patrol Commander shall monitor the start of the fireworks with the event sponsor, to allow for a window of opportunity for inbound or outbound commercial traffic to transit the regulated area with minimal interference.

(3) At the conclusion of the fireworks demonstration, and at the discretion of the Patrol Commander, all vessels may resume normal operations.

(c) *Effective Date.* This section is effective from 9 to 11 p.m. on June 13, 1997.

Dated: April 16, 1997.

J.W. Lockwood,

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

[FR Doc. 97–11562 Filed 5–2–97; 8:45 am]

BILLING CODE 4910–14–M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 110

[CGD11–97–002]

RIN 2115–AA98

Anchorage Regulation; San Francisco Bay, California

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to revise the regulations for the existing explosive anchorage, Anchorage 14 within General Anchorage 9, in San Francisco Bay, California. This revision proposes to realign Anchorage 14 in a true north-south direction and move it northerly to include deeper water. This will allow vessels with drafts of 38 feet or greater laden with explosives, to safely anchor, while minimizing potential overcrowding of General Anchorage 9. This proposed anchorage amendment changes the position of Anchorage 14 to provide deeper water for explosive load activations while not tying up large areas of General Anchorage 9. The explosive limit of 3,000 tons net explosive weight (NEW) for Anchorage 14 will remain unchanged. A provision will be added, however, to allow the Captain of the Port to provide specific permission to exceed the limit.

DATES: Comments must be received on or before July 7, 1997.

ADDRESSES: Comments may be mailed to Commanding Officer, U.S. Coast Guard Marine Safety Office, Bldg. 14, Coast Guard Island, Alameda, CA 94501–5100, or may be delivered to Room 124 at the same address between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The telephone number is (510) 437–3074. The Captain of the Port maintains the public docket for this rulemaking. Comments will become part of this docket and will be available for inspection or copying at Bldg. 14, Room 124, Coast Guard Island, Alameda.

FOR FURTHER INFORMATION CONTACT: Lieutenant Robert Lee, Port Operations, Coast Guard Marine Safety Office San Francisco Bay, telephone (510) 437–3073.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views, or comments. Persons submitting comments should include their names and address, identify this rulemaking (CGD 11–97–002) and the specific section of this proposal to which each comment applies, and give the reason for each comment. The Coast Guard requests that all comments and attachments be submitted in an unbound format suitable for copying and electronic filing. If not practical, a second copy of any bound materials is requested. Persons wanting acknowledgment of receipt of comments should enclose a stamped, self-addressed postcard or envelope. The Coast Guard will consider all comments received during this comment period. It may change this proposal in view of the comments.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the Project Manager at the address under **ADDRESSES**. The request should include reasons why a hearing would be beneficial. If it is determined that the opportunity for oral presentations will aid this rulemaking, the Coast Guard will hold a public hearing at a time and place announced by a later notice in the **Federal Register**.

Background and Purpose

In the past, San Francisco Bay was a major explosive load out port due to the activities of the military facilities located or homeported within the area. During periods of military conflict, San Francisco Bay was a primary port call for vessels and barges entering and departing the port laden with military ordnance. These vessels and barges conducting military ordnance outloads were easily accommodated by explosive Anchorages 12 and 14. In the past, the vessels conducting explosive outloads were smaller and handled less cargo than those vessels now contracted by Military Sealift Command to transport military ordnance. The smaller ships, which handled less explosive cargo, did not require as large of a minimum safe distance, as calculated by the DOD Ammunition and Explosive Safety Standards Manual (DOD 6055.9–STD, October 1992), as do the larger vessels now hired to transport military ordnance. In addition to handling smaller explosive cargo loads, the drafts of the smaller vessels were much shallower than those of the larger ships now contracted to transport ordnance. Current local policy is to maintain a two-foot clearance under keel for vessels transiting the Bay. Since the water in the current Anchorage 14 is relatively shallow, anchoring a vessel of 38 feet draft or greater can be difficult depending on the number of other vessels anchored in Anchorages 9 and 14. Using explosive Anchorage 12 as an alternate anchorage is suitable for the depth of the water, but is not satisfactory to meet the safety distance requirements from inhabited shoreside areas and other vessels in General Anchorage 9. Therefore, it has periodically become necessary to create special anchorages for large deep draft vessels laden with explosives, in a location that might not be entirely within a charted explosive anchorage. In order to accommodate the larger vessels now using the anchorage and to alleviate the need to designate special anchorages, the Coast Guard is proposing that the anchorage grounds designated in 33 CFR 110.224(e)(10) be changed.

Additionally, the proposed movement of Anchorage 14 would mitigate the burden on commercial vessels looking for safe anchorage in General Anchorage 9, and would eliminate the need to establish special anchorages outside of established anchorages. This proposal will also allow for more usable space in General Anchorage 9 at times when the explosive anchorage is activated.

An analysis of past anchorage activations indicates that the vessels currently being chartered for the carriage of DOD explosive cargo are approximately 26,400 gross tons or greater. Each vessel has carried a load of 5.8 million pounds net explosive weight or more and required at least 42 feet of water to adequately maintain a 2 foot under keel clearance. In its current location explosive Anchorage 14 is limited in depth of available water such that vessels with a draft greater than 38 feet find it difficult to anchor and remain within the designated anchorage. Existing Captain of the Port policy places restriction on locations where lightering of tank vessels and bunkering of all commercial vessels can take place. Captain of the Port Advisory 4–95 allows lightering and bunkering to take place only in Anchorage 9. The current location of explosives Anchorage 12 and 14 does not always allow for the most effective use of space in General Anchorage 9, the only anchorage authorized for lightering and bunkering, when Anchorage 12 or 14 is activated.

Discussion of the Proposed Amendment

The regulation moves the anchorage, as currently configured in size and shape, to a new position where the centers of the semicircular end boundaries are located, respectively, at latitude 37°42′6″ N., longitude 122°19′48″ W. and latitude 37°43′5″ N., longitude 122°19′8″ W. (NAD 83). With this proposed movement, Anchorage 14 will include deeper water, while maintaining an effective area of safety for vessels laden with explosives with a net explosive weight of 3,000 tons or greater. This proposed regulation is designed to eliminate undue congestion and provide an effective area of safety in an area that can only accommodate a limited number of commercial vessels with drafts greater than 38 feet. Additionally, a provision will be added specifically giving the Captain of the Port the authority to permit vessels to exceed the 3,000 ton explosives limit.

Regulatory Evaluation

This proposal 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 the DOT, is unnecessary.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this proposed rule will have a significant economic impact on a substantial number of small entities. ''Small entities'' may include

small businesses and not-for-profit organizations that are not dominant in their fields and (2) governmental jurisdictions with populations less than 50,000. Because it expects the impact of this proposal to be so minimal, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this proposal, if adopted, will not have a significant impact on a substantial number of small entities.

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 has analyzed this proposal under the principles and criteria contained in Executive Order 12612 and has determined that this rule does not raise sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environmental Assessment

The Coast Guard considered the environmental impact of this proposal and concluded that under paragraph 2.B.2 of Commandant Instruction M16475.1B, as revised in 59 FR 38654, July 29, 1994, and 61 FR 13563, March 27, 1996, it will have no significant environmental impact and it is categorically excluded from further environmental documentation. The environmental analysis checklist and Categorical Exclusion Determination will be available for inspection and copying in the docket to be maintained at the address listed in **ADDRESSES**.

List of Subjects in 33 CFR Part 110

Anchorage grounds.

Proposed Regulation

For the reasons set out in the preamble, the Coast Guard proposes to amend part 110, title 33, Code of Federal Regulations as follows:

PART 110—[AMENDED]

1. The authority citation for Part 110 continues to read as follows:

Authority: 33 U.S.C. 471, 2071; 49 CFR 1.46; and 33 CFR 1.05–1(g). Section 110.1a and each section listed in it are also listed under 33 U.S.C. 1223 and 1231.

2. In section 110.224, note f to TABLE 110.224(d)(1) in paragraph (d) and paragraph (e)(10) are revised to read as follows:

§ 110.224 San Francisco Bay, San Pablo Bay, Carquinez Strait, Suisun Bay, Sacramento River, San Joaquin River, and connecting waters, CA.

* * * * *

(d) * * *

TABLE 110.224(d)(1)

* * * * *

Notes: f. the maximum total quantity of explosives that may be on board a vessel using this anchorage shall be limited to 3,000 tons unless otherwise authorized with the written permission of the Captain of the Port.

* * * * *

(e) * * *

(10) *Anchorage No. 14.* In San Francisco Bay east of Hunters Point an area 1,000 yards wide and 2,760 yards long, the end boundaries of which are semicircles, with a radii of 500 yards and center, respectively at latitude 37°42′37″ N., longitude 122°19′48″ W. and latitude 37°43′29″ N., longitude 122°19′48″ W. (NAD 83); and the side boundaries of which are parallel tangents joining the semicircles. A 667 yard-wide forbidden anchorage zone surrounds this anchorage.

* * * * *

Dated: April 15, 1997.

J.M. MacDonald,

Captain, U.S. Coast Guard, Commander, Eleventh Coast Guard District (Acting).

[FR Doc. 97–11561 Filed 5–2–97; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[WI66–01–7242; FRL–5821–1]

Approval and Promulgation of Implementation Plans; Wisconsin

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: On November 15, 1994, the Wisconsin Department of Natural Resources (WDNR) submitted an overwhelming transport petition to the United States Environmental Protection Agency (EPA) requesting temporary suspension of the automatic reclassification to Serious Nonattainment and the delay of the attainment date (from 1996 to 2007) for three ozone Moderate Nonattainment Counties (Manitowoc, Sheboygan, and Kewaunee). However, on August 26, 1996, the counties of Sheboygan and Kewaunee were redesignated to attainment. As a result, this overwhelming transport request is being applied only to Manitowoc County. The petition is supported with results from photochemical grid modeling. Approval of the temporary attainment date delay will suspend the automatic reclassification of Manitowoc County from Moderate to Serious. Final approval of the new attainment date is dependent upon the results of an attainment demonstration for both the upwind and downwind areas. Approval of the attainment date delay petition does not preclude the State from submitting a request for redesignation to attainment for the county, based on 3 years of clean air quality monitoring data.

DATES: Comments on this request and on the proposed EPA action must be received by June 4, 1997.

ADDRESSES: Written comments should be addressed to: Carlton Nash, Chief, Regulation Development Section, Air Programs Branch (AR–18J), United States Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

Copies of the State's submittal and other information are available for inspection during normal business hours at the following location.

Regulation Development Section, Air Programs Branch (AR–18J), United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: Rick Tonielli, Air Programs Branch, Regulation Development Section (AR–18J), United States Environmental Protection Agency, Region 5, Chicago, Illinois 60604, (312) 886–6068.

SUPPLEMENTARY INFORMATION:

I. Background

On November 15, 1994, the Wisconsin Department of Natural Resources submitted a petition to the EPA requesting temporary suspension of the automatic reclassification to serious nonattainment and the delay of the attainment date (from 1996 to 2007) for 3 ozone Moderate Nonattainment Counties (Manitowoc, Sheboygan, and Kewaunee). On May 15, 1996, the WDNR submitted a request for redesignation to attainment for the three moderate nonattainment areas based on 3 years of clean air quality data. On August 26, 1996, the counties of Sheboygan and Kewaunee were redesignated to attainment (61 FR 43668–43675). Manitowoc County was not redesignated to attainment due to violations of the ozone national ambient air quality standard (NAAQS) during the summer of 1996. As a result, this overwhelming transport request will be applied solely to Manitowoc County.