

October 27, 1997, and \$3.45 an hour effective October 27, 1998.

(2) The publishing industry is that industry which is engaged in the publishing of newspapers, magazines, or similar publications other than the publishing of a weekly, semiweekly or daily newspaper with a circulation of less than 4,000, the major part of which circulation is within the county or counties contiguous thereto.

3. Section 697.3 is revised to read as follows:

§ 697.3 Effective dates.

The wage rates specified in § 697.1 shall be effective on October 27, 1997 except as otherwise specified.

[FR Doc. 97-26830 Filed 10-9-97; 8:45 am]

BILLING CODE 4510-27-P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD08-97-040]

Drawbridge Operation Regulation; Gulf Intracoastal Waterway, Algiers Alternate Route, LA

AGENCY: Coast Guard, DOT.

ACTION: Notice of temporary deviation from regulations.

SUMMARY: The Commander, Eighth Coast Guard District has issued a temporary deviation from the regulation governing the operation of the Belle Chasse vertical lift span drawbridge on State Route 23 across the Gulf Intracoastal Waterway, Algiers Alternate Route at mile 3.8 at Belle Chasse, Louisiana. This deviation allows the bridge to remain closed to navigation between the hours of 4 p.m. and 6:45 p.m. on Saturday, October 25, 1997 and between the hours of 4 p.m. and 7 p.m. on Sunday, October 26, 1997. This closure is necessary to facilitate movement of vehicular traffic for the New Orleans Open House 1997 Air Show, to be held at the U.S. Naval Air Station at Belle Chasse, Louisiana.

DATES: The deviation is effective from 4 p.m. on October 25, 1997 until 7 p.m. on October 26, 1997.

SUPPLEMENTARY INFORMATION: The Belle Chasse bridge has a vertical clearance of 40 feet above mean high water in the closed-to-navigation position and 100 feet in the open-to-navigation position.

Navigation on the waterway consists primarily of tugs with tows, commercial fishing vessels, sailboats and other recreational craft. Between 150,000 and 200,000 members of the public are expected to attend the New Orleans

Open House Air Show on each day. The Louisiana Department of Transportation and Development has requested a temporary deviation from the normal operation of the bridge so that the extremely heavy volume of vehicular traffic that will be departing the Naval Air Station following the event can be expeditiously dispersed.

This deviation requires that the draw of the Belle Chasse bridge remain closed to navigation between the hours of 4 p.m. and 6:45 p.m. on Saturday, October 25, 1997 and between the hours of 4 p.m. and 7 p.m. on Sunday, October 26, 1997. Presently, the draw is required to open on signal during weekends.

Dated: September 18, 1997.

T.W. Josiah,

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

[FR Doc. 97-26917 Filed 10-9-97; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA 198-0056; FRL-5907-2]

California State Implementation Plan Revision; Interim Final Determination That State Has Corrected Deficiencies

AGENCY: Environmental Protection Agency (EPA).

ACTION: Interim final determination.

SUMMARY: Elsewhere in today's **Federal Register**, EPA has published a notice of proposed rulemaking fully approving revisions to the California State Implementation Plan (SIP). The revisions concern a rule from the San Diego County Air Pollution Control District (SDCAPCD): Rule 67.10, Kelp Processing and Bio-Polymer Manufacturing Operations. Based on the proposed full approval, EPA is making an interim final determination by this action that the State has corrected the deficiencies for which sanctions clocks began on April 15, 1996. This action will defer the imposition of the offsets sanction and defer the imposition of the highway sanction. Although the interim final action is effective upon publication, EPA will take comment. If no comments are received on EPA's proposed approval of the State's submittal, EPA will finalize its determination that the State has corrected the deficiencies that started the sanctions clocks by publishing a notice of final rulemaking in the **Federal Register**. If comments are received on EPA's proposed approval and this interim final action, EPA will publish a

final rule taking into consideration any comments received.

DATES: Effective: October 10, 1997. Comments must be received by November 10, 1997.

ADDRESSES: Comments should be sent to Andrew Steckel, Rulemaking Office (AIR-4), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, 94105-3901.

The state submittal and EPA's analysis for that submittal, which are the basis for this action, are available for public review at the above address and at the following locations:

San Diego County Air Pollution Control District, 9150 Chesapeake Drive, San Diego, CA 92123-1096

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 "L" Street, Sacramento, CA 95814.

FOR FURTHER INFORMATION CONTACT: Patricia A. Bowlin, Rulemaking Office (AIR-4), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901, (415) 744-1188.

SUPPLEMENTARY INFORMATION:

I. Background

On July 13, 1994, the State submitted SDCAPCD Rule 67.10, Kelp Processing and Bio-Polymer Manufacturing Operations. EPA published a limited approval/limited disapproval for this rule in the **Federal Register** on February 14, 1996. 61 FR 5701. EPA's disapproval action started an 18-month clock for the imposition of one sanction (followed by a second sanction 6 months later) under section 179 of the Clean Air Act (Act) and a 24-month clock for promulgation of a Federal Implementation Plan (FIP) under section 110(c) of the Act. The State subsequently submitted a revised rule on August 1, 1997. The revised rule was adopted by SDCAPCD on June 25, 1997. In the Proposed Rules section of today's **Federal Register**, EPA has proposed full approval of the State of California's submittal of SDCAPCD's Rule 67.10, Kelp Processing and Bio-Polymer Manufacturing Operations.

Based on the proposed approval set forth in today's **Federal Register**, EPA believes that it is more likely than not that the State has corrected the original disapproval deficiencies. Therefore, EPA is taking this interim final rulemaking action, effective on publication, finding that the State has corrected the deficiencies. However, EPA is also providing the public with an

opportunity to comment on this final action. If, based on any comments on this action and any comments on EPA's proposed full approval of the State's submittal, EPA determines that the State's submittal is not fully approvable and this final action was inappropriate, EPA will either propose or take final action finding that the State has not corrected the original disapproval deficiencies. As appropriate, EPA will also issue an interim final determination or a final determination that the deficiencies have not been corrected. Until EPA takes such action, the application of sanctions will continue to be deferred and/or stayed.

This action does not stop the sanctions clocks that started for this area on April 15, 1996. However, this action will defer the imposition of the offsets sanction and will defer the imposition of the highway sanction. See 59 FR 39832 (August 4, 1994). If EPA publishes a notice of final rulemaking fully approving the State's submittal, such action will permanently stop the sanctions clock and will permanently lift any imposed, stayed, or deferred sanctions. If EPA must withdraw the proposed full approval based on adverse comments and EPA subsequently determines that the State, in fact, did not correct the disapproval deficiencies, the sanctions consequences described in the sanctions rule will apply. See 59 FR 39832, codified at 40 CFR 52.31.

II. EPA Action

EPA is taking interim final action finding that the State has corrected the disapproval deficiencies that started the sanctions clocks. Based on this action, imposition of the offsets sanction will be deferred and imposition of the highway sanction will be deferred until EPA's final action fully approving the State's submittal becomes effective or until EPA proposes or takes final action disapproving in whole or part the State submittal. If EPA's proposed rulemaking action fully approving the State submittal becomes final, at that time any sanctions clocks will be permanently stopped and any imposed, stayed, or deferred sanctions will be permanently lifted.

Because EPA has preliminarily determined that the State has corrected the deficiencies identified in EPA's limited disapproval action, relief from sanctions should be provided as quickly as possible. Therefore, EPA is invoking the good cause exception under the Administrative Procedure Act (APA) in not providing an opportunity for

comment before this action takes effect.¹ 5 U.S.C. 553(b)(3). EPA believes that notice-and-comment rulemaking before the effective date of this action is impracticable and contrary to the public interest. EPA has reviewed the State's submittal and, through its proposed action, is indicating that it is more likely than not that the State has corrected the deficiencies that started the sanctions clocks. Therefore, it is not in the public interest to initially impose sanctions or to keep applied sanctions in place when the State has most likely done all it can to correct the deficiencies that triggered the sanctions clocks. Moreover, it would be impracticable to go through notice-and-comment rulemaking on a finding that the State has corrected the deficiencies prior to the rulemaking approving the State's submittal. Therefore, EPA believes that it is necessary to use the interim final rulemaking process to temporarily stay or defer sanctions while EPA completes its rulemaking process on the approvability of the State's submittal. Moreover, with respect to the effective date of this action, EPA is invoking the good cause exception to the 30-day notice requirement of the APA because the purpose of this document is to relieve a restriction. See 5 U.S.C. 553(d)(1).

III. Administrative Requirements

A. Executive Order 12866

The Office of Management and Budget (OMB) has exempted this regulatory action from E.O. 12866 review.

B. Regulatory Flexibility Act

Under the Regulatory Flexibility Act, 5 U.S.C. 600 et seq., EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C. 603 and 604. Alternatively, EPA may certify that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

This action temporarily relieves sources of an additional burden potentially placed on them by the sanctions provisions of the Act. Therefore, I certify that it does not have an impact on any small entities.

¹ As previously noted, however, by this action EPA is providing the public with a chance to comment on EPA's determination after the effective date, and EPA will consider any comments received in determining whether to reverse such action.

C. Unfunded Mandates

Under sections 202, 203, and 205 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, EPA must undertake various actions in association with proposed or final rules that include a Federal mandate that may result in estimated costs of \$100 million or more to the private sector or to State, local, or tribal governments in the aggregate.

Through submission of this State implementation plan or plan revision, the State and any affected local or tribal governments have elected to adopt the program provided for under Part D of the Clean Air Act. This rule may bind State, local, and tribal governments to perform certain actions and also require the private sector to perform certain duties. The rule being proposed for approval by this action will impose no new requirements because affected sources are already subject to these regulations under State law. Therefore, no additional costs to State, local, or tribal governments or to the private sector result from this action. EPA has also determined that this action does not include a mandate that may result in estimated costs of \$100 million or more to State, local, or tribal governments in the aggregate or to the private sector.

D. Submission to Congress and the General Accounting Office

Under section 801(a)(1)(A) of the Administrative Procedure Act (APA) as amended by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the General Accounting Office prior to publication of the rule in today's **Federal Register**. This rule is not a "major rule" as defined by section 804(2) of the APA as amended.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Intergovernmental regulations, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Authority: 42 U.S.C. 7401-7671q.

Dated: October 1, 1997.

Harry Seraydarian,

Acting Regional Administrator.

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