

change the regulations for the bridge and submitted bridge opening log data for the Coast Guard to evaluate. The log data indicated the following openings for December, January, February, and March, from 1994 through 1998: December 4, 12, 9, 6 and 8; January 1, 1, 14, 2 and 6; February 1, 1, 0, 1 and 10; March 11, 13, 4, 6 and 13; respectively.

The bridge owner has asked for relief from crewing this bridge during the winter months and has requested that the bridge regulations be changed to require a twenty-four hour advance notice for openings from December through March.

Discussion of Proposal

The Coast Guard proposes to revise the operating rules, listed at 33 CFR 117.734, which govern drawbridges across the Navesink River. Operating regulations for the Oceanic Bridge, at mile 4.5, across the Navesink River, in Locust Point, New Jersey will be added to the above section. This change will require the Oceanic Bridge to open on signal; except that, from December 1 through March 31, the draw will open on signal if at least a twenty-four hour advance notice is given by calling the number posted at the bridge. The bridge will continue to open on signal at all other times.

This proposal will relieve the bridge owner of the requirement to have personnel available to crew the bridge during the winter months while meeting the reasonable needs of navigation.

The Coast Guard believes this proposal is reasonable based upon the low number of opening requests received during the winter months.

Regulatory Evaluation

This proposed 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 not been reviewed 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; Feb. 26, 1979). The Coast Guard expects the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation, under paragraph 10e of the regulatory policies and procedures of DOT, is unnecessary. This conclusion is based on the fact that the bridge has not had many requests to open during the winter months. Mariners will still be able to obtain bridge openings during the winter months provided they give twenty-four hour notice.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard considers whether this proposed rule, if adopted, will have a significant economic impact on a substantial number of small entities. "Small entities" include small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. Therefore, the Coast Guard certifies under section 5 U.S.C. 605(b), for the reasons discussed in the Regulatory Evaluation section above, that this proposed rule, if adopted, will not have a significant economic impact on a substantial number of small entities. If, however, you think that your business or organization qualifies as a small entity and that this proposed rule will have a significant economic impact on your business or organization, please submit a comment (see ADDRESSES) explaining why you think it qualifies and in what way and to what degree this proposed rule will economically affect it.

Collection of Information

This proposed rule does not provide for a collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Federalism

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

Environment

The Coast Guard considered the environmental impact of this proposed rule and concluded that, under Section 2.B.2., Figure 2-1, paragraph (32)(e), of Commandant Instruction M16475.1C, this proposed rule is categorically excluded from further environmental documentation because promulgation of drawbridge regulations has been found not to have a significant effect on the environment. A written "Categorical Exclusion Determination" is not required for the proposed rule.

List of Subjects in 33 CFR Part 117

Bridges.

Regulations

For the reasons set out in the preamble, the Coast Guard proposes to amend 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05-1(g); section 117.255 also issued under the authority of Pub. L. 102-587, 106 Stat. 5039.

2. Section 117.734 is revised to read as follows:

§ 117.734 Navesink River (Swimming River).

The Oceanic Bridge, mile 4.5, shall open on signal; except that, from December 1 through March 31, the draw shall open on signal, if at least a twenty-four hour notice is given by calling the number posted at the bridge. The owner of this bridge shall provide and keep in good legible condition clearance gages with figures not less than eight inches high, designed, installed and maintained according to the provisions of § 118.160 of this chapter.

Dated: August 17, 1999.

Robert F. Duncan,

Captain, U.S. Coast Guard, Acting Commander, First Coast Guard District.

[FR Doc. 99-22749 Filed 8-31-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[COTP Tampa 99-042]

RIN 2115 AA97

Safety Zone; Tampa Bay, Tampa, FL

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to amend the permanent regulations for floating safety zones around Anhydrous Ammonia (NH₃) vessels transiting the waters of Tampa Bay. These revisions will allow for nighttime vessel transits, and will replace the requirement for a safety zone at the berth with a requirement to provide 30 minute advanced notice to the NH₃ vessel or facility. Safety improvements in Tampa Bay have alleviated the need for such restrictions.

DATES: Comments must be received on or before November 1, 1999.

ADDRESSES: You may mail comments and related material to Commanding Officer, Marine Safety Office Tampa, 155 Columbia Drive, Tampa, Florida 33606. Marine Safety Office (MSO) Tampa maintains the public docket for

this rulemaking. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at MSO Tampa between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT:
Lieutenant Warren Weedon, Chief, Waterways Management Branch at (813) 228-2189.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views, or arguments. Persons submitting comments should include their names and addresses, identify this rulemaking [COTP Tampa 99-042] and the specific section of this proposal to which each comment applies and give the reason for each comment.

The Coast Guard will consider all comments received during the comment period. It may change this rule in view of the comments. The Coast Guard plans no public hearing. Persons may request a public hearing by writing to LT Weedon at the address under **ADDRESSES**. The request should include why a hearing would be beneficial. If it determines 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 notice in the **Federal Register**.

Background and Purpose

After extensive discussions from the Tampa Bay Harbor Safety Committee and the formation of a Safety Zone Subcommittee consisting of Coast Guard representatives, vessel agents, pilots, tug operators and port authority representatives, recommendations were forwarded to the Coast Guard Captain of the Port to amend the regulations for NH3 vessels transiting the Port of Tampa.

In 1991, Coast Guard Marine Safety Office Tampa temporarily amended the transit requirements for Anhydrous Ammonia (NH3) vessels, through Port Community Information Bulletin (PCIB) 6-91 which allowed NH3 vessels to enter and transit the Port of Tampa during the nighttime with a minimum of three mile visibility. It also replaced the safety zone extending 150 feet waterside while the vessel is moored, with a requirement calling for vessels over 5000 gross tons to provide a 30 minute notification allowing the NH3 vessel time to take appropriate safety

precautions. PCIB 6-91 has been replaced with a case by waiver from the current regulations, utilizing the operational restriction initially identified in the PCIB. The Captain of the Port is not seeking to incorporate these proven operational guidelines to regulation.

In the late 1980's and early 1990's, many safety changes were made to the port, including the widening and deepening of the shipping channels, installation of centerline range marks, inbound and outbound, an increased brightness in range lights and a new Vessel Traffic Advisory System (VTAS). These changes have enhanced the level of safety on the navigable waters of Tampa Bay.

In addition to implementing the amendments to the operational requirements for NH3 vessels, the Coast Guard is also seeking comment on the NH3 safety zone as a whole. During the subcommittee meetings, discussion ranged from the total removal of the NH3 safety zone regulations to no changes at all. The Coast Guard welcomes any comments on the Safety Zone regulations as they stand in 33 CFR 165.703.

Regulatory Evaluation

This proposed 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 the 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. This regulation already exists. The rulemaking will have minimal affect on vessel traffic as it will only extend the hours of operation to include the nighttime.

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" include small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their field and governmental jurisdictions with populations of less than 50,000.

Therefore, the Coast Guard certifies under section 605(b) that this rule will

not have a significant effect upon a substantial number of small entities, as this regulation will only be in effect approximately twice a week for two hours in a limited area of the Port of Tampa.

If, however, you think that your business or organization qualifies as a small entity and that this proposed rule will have a significant economic impact on your business or organization, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and in what way and to what degree this proposed rule will economically affect it.

Collection of Information

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

Federalism

This proposed action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that the rulemaking 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 determined under Figure 2-1, paragraph (34)(g) of Commandant Instruction M16475.1C, that this proposed rule is categorically excluded from further environmental documentation. A Categorical Exclusion Determination has been prepared and is available in the docket for inspection and copying.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reports and recordkeeping requirements, Security measures, Waterways.

Proposed Regulations

In consideration of the foregoing, the Coast Guard proposes to amend part 165 of Title 33, Code of Federal Regulations as follows:

PART 165—[AMENDED]

1. The authority citation for part 165 continues to read as follows:

Authority: 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.

2. Revise § 165.703 (b) and (g) to read as follows:

§ 165.703 Tampa Bay, Florida—Safety Zone.

* * * * *

(b) All vessels over 5000 gross tons intending to pass anhydrous ammonia vessels moored in Port Sutton, and all vessels intending to moor in the R. E. Knight facilities at Hookers Point while an anhydrous ammonia vessel is moored in this facility, must give 30 minutes notice to the anhydrous ammonia vessel so it may take appropriate safety precautions.

* * * * *

(g) Vessels carrying anhydrous ammonia are permitted to enter and transit Tampa and Hillsborough Bay and approaches only with a minimum of three miles visibility.

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Dated: August 5, 1999.

A.L. Thompson, Jr.,

Captain, U.S. Coast Guard, Captain of the Port, Tampa.

[FR Doc. 99-22654 Filed 8-31-99; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[VA092/098-5044b; FRL-6428-9]

Approval and Promulgation of Air Quality Implementation Plans; Commonwealth of Virginia; Enhanced Inspection and Maintenance Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: We are proposing to convert our conditional approval of the Virginia enhanced inspection and maintenance (I/M) program as a revision to the Virginia State Implementation Plan (SIP) to a full approval. In the "Rules and Regulations" section of this **Federal Register**, we are converting our conditional approval as a direct final rule without prior proposal because we view this as a noncontroversial action and we anticipate no adverse comments. If we receive no adverse comments, we will not take further action on this proposed rule. If we receive adverse comments, we will withdraw the direct final rule and it will not take effect. We will address all public comments in a subsequent final rule based on this proposed rule. We will not institute a second comment period on this action. Anyone interested in commenting on this action should do so at this time.

DATES: Comments must be received in writing by October 1, 1999.

ADDRESSES: Written comments should be addressed to David L. Arnold, Chief, Ozone & Mobile Sources Branch, Mailcode 3AP21, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. You may inspect copies of the documents relevant to this action during normal business hours at the following locations: Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania, 19103, and the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, DC 20460; and the Virginia Department of Environmental Quality, 629 East Main Street, Richmond, Virginia, 23219.

FOR FURTHER INFORMATION CONTACT:

Catherine L. Magliocchetti, (215) 814-2174, at the EPA Region III address above, or by e-mail at magliocchetti.catherine@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: For further information, please see the information provided in the direct final action, Approval and Promulgation of Air Quality Implementation Plans; Commonwealth of Virginia; Enhanced Inspection & Maintenance Program, that is located in the "Rules and Regulations" section of this **Federal Register** publication.

Dated: August 16, 1999.

W. Michael McCabe,

Regional Administrator, Region III.

[FR Doc. 99-22453 Filed 8-31-99; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[AK-21-1709-b; FRL-6412-8]

Approval and Promulgation of State Implementation Plans: Alaska

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA proposes to approve the State Implementation Plan (SIP) revisions submitted by the State of Alaska which include revisions to Alaska's Air Quality Control Regulations (18 AAC 50), Emissions Inspection and Maintenance (I/M) requirements for Motor Vehicles (18 AAC 52), and Fuel Requirements for Motor Vehicles (18 AAC 53).

In addition, the revisions include changing the I/M program schedule for cars subject to I/M from annual to

biennial, replacing the CO contingency measures for Anchorage, updating Alaska's General and Transportation conformity programs, and streamlining several portions of the Alaska Air Quality Control Plan for more efficient reading and organization. In the Final Rules section of this **Federal Register**, the EPA is approving the State's SIP submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal amendment and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this action, no further activity is contemplated. If the EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time.

DATES: Written comments must be received in writing by October 1, 1999.

ADDRESSES: Written comments should be addressed to Montel Livingston, Environmental Protection Specialist (OAQ-107), Office of Air Quality, at the EPA Regional Office listed below. Copies of the state submittal are available at the following addresses for inspection during normal business hours. The interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the visiting day.

Environmental Protection Agency, Region 10, Office of Air Quality, 1200 6th Avenue, Seattle, WA 98101. The Alaska Department of Environmental Conservation, 410 Willoughby Avenue, Suite 105, Juneau, AK 99801-1795.

FOR FURTHER INFORMATION CONTACT: Ms. Montel Livingston, Office of Air Quality, (OAQ-107), EPA, 1200 6th Avenue, Seattle, WA 98101, (206) 553-0180.

SUPPLEMENTARY INFORMATION: For additional information, see the Direct Final rule which is located in the Rules section of this **Federal Register**.

Dated: July 22, 1999.

Chuck Clarke,

Regional Administrator, Region 10.

[FR Doc. 99-22451 Filed 8-31-99; 8:45 am]

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