

extent that information in this system is subject to exemption pursuant to 5 U.S.C. 552a(j)(2) and (k)(2).

(h) Exemptions from the particular subsections are justified for the following reasons:

(1) From subsection (c)(3); because an exemption is being claimed for subsection (d), this subsection will not be applicable.

(2) From subsection (c)(4); because an exemption is being claimed for subsection (d), this subsection will not be applicable.

(3) From subsection (d); because access to the records contained in these systems is not necessary or may impede an ongoing investigation. Most information in the records is derivative from the subject's employing agency files, and individual access will be through the employing agency's files. Additionally, other information in the records may be related to allegations against an agent or witness that are currently being investigated. Providing access to this information would impede the ongoing investigation.

(4) From subsection (e)(1); because in the interest of effective law enforcement and criminal prosecution, *Giglio* records will be retained because they could later be relevant in a different case; however, this relevance cannot be determined in advance.

(5) From subsection (e)(2); because the nature of the records in this system, which are used to impeach or demonstrate bias of a witness, requires that the information be collected from others.

(6) From subsections (e)(4)(G) and (H); because this system of records is exempt from individual access pursuant to subsections (j) and (k) of the Privacy Act of 1974.

(7) From subsection (e)(5); because the information in these records is not being used to make a determination about the subject of the records. According to constitutional principles of fairness articulated by the Supreme Court in *United States v. Giglio*, the records are required to be disclosed to criminal defendants to ensure fairness of criminal proceedings.

(8) From subsection (f); because records in this system have been exempted from the access provisions of subsection (d).

(9) From subsection (g); because records in this system are compiled for law enforcement purposes and have been exempted from the access provisions of subsections (d) and (f).

\* \* \* \* \*

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 117

[CGD01-01-036]

#### Drawbridge Operation Regulations: Chelsea River, MA

AGENCY: Coast Guard, DOT.

ACTION: Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, First Coast Guard District, has issued a temporary deviation from the drawbridge operation regulations governing the operation of the Chelsea Street Bridge, at mile 1.2, across the Chelsea River between East Boston and Chelsea, Massachusetts. This deviation allows the bridge owner to keep the bridge in the closed position for four days to perform necessary maintenance at the bridge. This action is necessary to facilitate emergency maintenance at the bridge.

**DATES:** This deviation is effective from April 4, 2001 through May 19, 2001.

**FOR FURTHER INFORMATION CONTACT:** John W. McDonald, Project Officer, First Coast Guard District, at (617) 223-8364.

**SUPPLEMENTARY INFORMATION:** The Chelsea Street Bridge, at mile 1.2, across the Chelsea River, has a vertical clearance of 9 feet at mean high water, and 19 feet at mean low water in the closed position. The existing drawbridge operating regulations are listed at 33 CFR 117.593.

The bridge owner, the City of Boston, requested a temporary deviation from the drawbridge operating regulations to facilitate emergency structural maintenance and repairs at the bridge.

This deviation from the operating regulations allows the bridge owner to keep the bridge in the closed position as follows:

6 a.m. on April 4, 2001 through 6 a.m. on April 5, 2001;  
6 a.m. on April 20, 2001 through 6 a.m. on April 21, 2001;  
6 a.m. on May 4, 2001 through 6 a.m. on May 5, 2001; and  
6 a.m. on May 18, 2001 through 6 a.m. on May 19, 2001.

The above bridge closures were discussed at a meeting with the waterway users and the Coast Guard on March 1, 2001. No objection to these closure dates were received.

Vessels that can pass under the bridge without an opening may do so at all times during the closed period.

In accordance with 33 CFR 117.35(c), this work will be performed with all due speed in order to return the bridge to

normal operation as soon as possible. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: March 23, 2001.

G.N. Naccara,

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

[FR Doc. 01-8183 Filed 4-3-01; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 117

[CGD01-01-040]

#### Drawbridge Operation Regulations: Hutchinson River, (Eastchester Creek), NY

AGENCY: Coast Guard, DOT.

ACTION: Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, First Coast Guard District, has issued a temporary deviation from the drawbridge operation regulations governing the operation of the South Fulton Avenue Bridge, at mile 2.9, across the Eastchester Creek in Mount Vernon, New York. This deviation allows the bridge owner to need not open the bridge for vessel traffic for five successive weeks, 8 a.m., on Monday through 4:30 p.m., on Thursday, beginning Monday, April 16, 2001 through Thursday, May 17, 2001. This action is necessary to facilitate necessary maintenance at the bridge.

**DATES:** This deviation is effective from April 16, 2001 through May 17, 2001.

**FOR FURTHER INFORMATION CONTACT:** Mr. Joseph Schmied, Project Officer, First Coast Guard District, at (212) 668-7195.

**SUPPLEMENTARY INFORMATION:** The South Fulton Avenue Bridge, at mile 2.9, across the Eastchester Creek has a vertical clearance of 6 feet at mean high water and 13 feet at mean low water in the closed position. The existing drawbridge operation regulations are listed at 33 CFR 117.793(c).

The bridge owner, Westchester County Department of Public Works, requested a temporary deviation from the operating regulations to facilitate scheduled maintenance at the bridge.

Vessels that can pass under the bridge without an opening may do so at all times during the closed period.

In accordance with 33 CFR 117.35(c), this work will be performed with all due speed in order to return the bridge to normal operation as soon as possible. This deviation from the operating

regulations is authorized under 33 CFR 117.35.

Dated: March 26, 2001.

**G.N. Naccara,**

*Rear Admiral, U.S. Coast Guard, Commander,  
First Coast Guard District.*

[FR Doc. 01-8184 Filed 4-3-01; 8:45 am]

**BILLING CODE 4910-15-U**

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 117

[CGD05-01-009]

RIN 2115-AE47

#### **Drawbridge Operation Regulations; Potomac River, Between Alexandria, VA and Oxon Hill, MD**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, Fifth Coast Guard District, has approved a temporary deviation from the regulations governing the operation of the Woodrow Wilson Memorial Drawbridge, across the Potomac River, mile 103.8, between the City of Alexandria, Virginia and Oxon Hill, Maryland, to allow the bridge owners to conduct needed structural work. The work will be done on four consecutive weekends, April 20-21, 2001, April 27-29, 2001, May 4-6, 2001, and May 11-13, 2001. The bridge may remain closed to vessel traffic during the first weekend from 6 p.m. Friday to 6 p.m. Saturday. On the last three weekends, the bridge may remain closed to vessel traffic from 6 p.m. Friday to 6 p.m. Sunday.

**DATES:** This deviation is effective from April 20, 2001 to May 13, 2001.

**FOR FURTHER INFORMATION CONTACT:** Ann B. Deaton, Bridge Administrator, Fifth Coast Guard District, at (757) 398-6222.

**SUPPLEMENTARY INFORMATION:** On March 1, 2001 McLean Contracting Company, contractors for the Virginia Department of Transportation, requested a temporary deviation from the current operating schedule of the Woodrow Wilson Memorial Drawbridge. Presently, the draw is required to operate under the operating regulations in 33 CFR 117.255. To facilitate the replacement of the bridge decks, McLean Contracting Company will need to leave the drawspan in the closed position. The counterweights will be removed prior to the repair work at the beginning of each weekend and reinstalled at the end of the weekend.

The removal of the counterweights is necessary for the contractor to facilitate the replacement of the decks. As a result of the removal of the counterweights, the drawspan will not be able to open for any vessel traffic during the weekend work; however, at the end of the weekend when the counterweights have been reinstalled, the bridge will be back to its normal operating schedule until the next scheduled weekend of work.

In accordance with 33 CFR 117.35, the District Commander granted a temporary deviation from the governing regulations in a letter dated March 23, 2001. The Coast Guard has informed the known commercial users of the waterway of the bridge closure so that these vessels can arrange their transits to minimize any impact caused by the temporary deviation.

The temporary deviation allows the Woodrow Wilson Memorial Drawbridge across the Potomac River, mile 103.8, between the City of Alexandria, Virginia and Oxon Hill, Maryland to remain closed for four consecutive weekends beginning April 20-21, 2001, April 27-29, 2001, May 4-6, 2001 and May 11-13, 2001. The bridge will remain closed during the first weekend from 6 p.m. Friday to 6 p.m. Saturday. During the last three weekends, the bridge will remain closed from 6 p.m. Friday to 6 p.m. Sunday.

Dated: March 26, 2001.

**J.E. Shkor,**

*Vice Admiral, U.S. Coast Guard, Commander,  
Fifth Coast Guard District.*

[FR Doc. 01-8187 Filed 4-3-01; 8:45 am]

**BILLING CODE 4910-15-U**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[MO 115-1115a; FRL-6961-9]

#### **Approval and Promulgation of Implementation Plans; State of Missouri**

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

**ACTION:** Direct final rule.

**SUMMARY:** EPA is announcing it is approving a revision to the Missouri State Implementation Plan (SIP) pertaining to the approval of a statewide particulate matter emissions rule. This rule consolidates the requirements of the four existing area-specific rules. The effect of this action will be to ensure applicable requirements are consistent

statewide, ensure consistent enforcement, and simplify permitting.

**DATES:** This direct final rule will be effective on June 4, 2001 unless EPA receives adverse comments by May 4, 2001. If adverse comments are received, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

**ADDRESSES:** Comments may be mailed to Wayne Kaiser, Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101.

Copies of documents relative to this action are available for public inspection during normal business hours at the above listed Region 7 location. The interested persons wanting to examine these documents should make an appointment with the office at least 24 hours in advance.

**FOR FURTHER INFORMATION CONTACT:** Wayne Kaiser, at (913) 551-7603.

**SUPPLEMENTARY INFORMATION:** Throughout this document whenever "we, us, or our" is used, we mean EPA. This section provides additional information by addressing the following questions:

What is a SIP?

What is the Federal approval process for a SIP?

What does Federal approval of a state regulation mean to me?

What is being addressed in this action?

Have the requirements for approval of a SIP revision been met?

What action is EPA taking?

#### **What Is a SIP?**

Section 110 of the Clean Air Act (CAA) requires states to develop air pollution regulations and control strategies to ensure that state air quality meets the national ambient air quality standards established by EPA. These ambient standards are established under section 109 of the CAA, and they currently address six criteria pollutants. These pollutants are: Carbon monoxide, nitrogen dioxide, ozone, lead, particulate matter, and sulfur dioxide.

Each state must submit these regulations and control strategies to EPA for approval and incorporation into the Federally enforceable SIP.

Each Federally approved SIP protects air quality primarily by addressing air pollution at its point of origin. These SIPs can be extensive, containing state regulations or other enforceable documents and supporting information such as emission inventories, monitoring networks, and modeling demonstrations.