

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

#### PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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, 160.5; 49 CFR 1.46.

2. From 7:30 a.m., June 17, 2002 until 12 (noon), July 16, 2002, add new § 165.T11–078 to read as follows:

##### § 165.T11–078 Safety Zone; Carquinez Strait, Vallejo and Crockett, CA.

(a) **Location.** The safety zone encompasses the navigable waters, from the surface to the bottom, within two lines; one line drawn from the westernmost pier at Crockett Marina [38°03'28" N, 122°13'42" W] extending due north to the opposite shore [38°03'56" N, 122°13'42" W], and the other line drawn from the western end of the C & H Sugar facility [38°03'28" N, 122°13'26" W] extending due north to the opposite shore [38°03'54" N, 122°13'26" W]. [Datum: NAD 83].

(b) **Effective period.** This section is effective from 7:30 a.m., June 17, 2002 to 12 (noon), July 16, 2002.

(c) **Enforcement periods.** The Coast Guard will notify the maritime public of the precise times for enforcement of the safety zone via broadcast notice to mariners, Vessel Traffic Service radio communications, and Captain of the Port representatives on scene. If the safety zone is no longer needed prior to the scheduled termination times, the Captain of the Port will cease enforcement of this safety zone and will announce that fact via broadcast notice to mariners. The safety zone enforcement dates and times are as follows:

Date	Safety zone in effect	Safety zone expires
June 17, 2002 .....	7:30 a.m.	12 (noon).
June 18, 2002 .....	9 a.m.	1:30 p.m.
June 19, 2002 .....	10 a.m.	2:30 p.m.
June 20, 2002 .....	11:30 a.m.	4 p.m.
June 21, 2002 .....	1 p.m.	5:30 p.m.
June 22, 2002 .....	8 a.m.	12:30 p.m.
June 23, 2002 .....	9 a.m.	1:30 p.m.
June 24, 2002 .....	9:30 a.m.	2 p.m.
June 25, 2002 .....	10 a.m.	2:30 p.m.
June 26, 2002 .....	4 a.m.	8:30 a.m.
June 27, 2002 .....	4:30 a.m.	9 a.m.
June 28, 2002 .....	5:30 a.m.	10 a.m.
June 29, 2002 .....	6:30 a.m.	11 a.m.
June 30, 2002 .....	6:30 a.m.	11 a.m.
July 1, 2002 .....	7:30 a.m.	12 (noon).
July 2, 2002 .....	8:30 a.m.	1 p.m.
July 3, 2002 .....	5 a.m.	9:30 a.m.

Date	Safety zone in effect	Safety zone expires
July 4, 2002 .....	No safety zone enforced	
July 5, 2002 .....	No safety zone enforced	
July 6, 2002 .....	No safety zone enforced	
July 7, 2002 .....	No safety zone enforced	
July 8, 2002 .....	8:30 a.m.	1 p.m.
July 9, 2002 .....	9:30 a.m.	2 p.m.
July 10, 2002 .....	10 a.m.	2:30 p.m.
July 11, 2002 .....	10:30 a.m.	3 p.m.
July 12, 2002 .....	4 a.m.	8:30 a.m.
July 13, 2002 .....	5 a.m.	9:30 a.m.
July 14, 2002 .....	5:30 a.m.	10 a.m.
July 15, 2002 .....	7 a.m.	11:30 a.m.
July 16, 2002 .....	7:30 a.m.	12 (noon).

(d) **Regulations.** In accordance with the general regulations in § 165.23 of this part, no person or vessel may enter, transit through, or anchor within this safety zone unless authorized by the Captain of the Port, or his designated representative.

Dated: May 23, 2002.

**L.L. Hereth,**

*Captain, U.S. Coast Guard, Captain of the Port, San Francisco Bay.*

[FR Doc. 02–14358 Filed 6–6–02; 8:45 am]

**BILLING CODE 4910–15–P**

#### DEPARTMENT OF TRANSPORTATION

##### Coast Guard

##### 33 CFR Part 165

**[COTP Corpus Christi–02–001]**

**RIN 2115-AA97**

##### Security Zone; Corpus Christi Inner Harbor, Corpus Christi, TX

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is extending the effective period of the Corpus Christi Inner Harbor security zone published March 18, 2002. This change will extend the effective period for the established security zone until October 15, 2002, allowing adequate time for a proposed permanent rule to be developed through informal rulemaking. This temporary rule prohibits entry of recreational vessels, passenger vessels, or commercial fishing vessels into this zone unless specifically authorized by the Captain of the Port Corpus Christi.

**DATES:** Section 165.T08–016, added at 67 FR 11922, March 18, 2002, effective February 20, 2002, until June 15, 2002 is extended and will remain in effect through 8 a.m. October 15, 2002.

**ADDRESSES:** Documents as indicated in this preamble are available for inspection or copying at U.S. Coast

Guard Marine Safety Office Corpus Christi, 555 N. Carancahua Street, Suite 500, Corpus Christi, Texas, 78478 between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

#### FOR FURTHER INFORMATION CONTACT:

Lieutenant Junior Grade (LTJG) T. J. Hopkins, Chief, Waterways Section, Coast Guard Captain of the Port Corpus Christi, at (361) 888–3162.

#### SUPPLEMENTARY INFORMATION:

##### Regulatory Information

On March 18, 2002, we published a temporary final rule entitled “Security Zone; Corpus Christi Inner Harbor, Corpus Christi, TX” in the **Federal Register** (67 FR 11920). The effective period for this rule was from February 20, 2002 until June 15, 2002.

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under 5 U.S.C. 553 (b) (B), the Coast Guard finds that good cause exists for not publishing an NPRM. The original temporary final rule was urgently required to respond to potential security risks associated with recreational, passenger, or commercial fishing vessels entering the Corpus Christi Inner Harbor. It was anticipated that we would assess the security environment at the end of the effective period to determine whether continuing security measures were required. We have determined that the need for a continued security zone regulation exists and we published an NPRM on May 10, 2002 (67 FR 31750), which included a proposal to make the existing Corpus Christi Inner Harbor Security Zone permanent. The Coast Guard will utilize the extended effective period of this temporary final rule to continue to engage in notice and comment rulemaking for the proposed permanent rule.

Under 5 U.S.C. 553 (d) (3), good cause exists for making this temporary rule effective less than 30 days after publication in the **Federal Register**. This extension preserves the status quo within the Port of Corpus Christi while permanent rules are developed. There is no indication that the present temporary final rule has been burdensome on the public. Delaying the effective date of the rule would be contrary to public interest since action is needed to continue to respond to existing security risks.

#### Background and Purpose

On September 11, 2001, both towers of the World Trade Center and the Pentagon were attacked by terrorists. National security and intelligence officials have warned that future terrorist attacks against civilian targets

may be anticipated. In response to these terrorist acts, heightened awareness and security of our ports and harbors is necessary therefore, the Captain of the Port, Corpus Christi is extending the temporary security zone within the Corpus Christi Inner Harbor. The Port of Corpus Christi is the fourth largest petro-chemical port within the United States. A large number of these petro-chemical waterfront facilities are located within the Inner Harbor that serves as a major industrial channel. These petro-chemical waterfront facilities conduct business with both United States and foreign deep draft vessels. The Port of Corpus Christi is also designated as an alternate military strategic load-out port with docks and facilities located within the Inner Harbor. These docks and facilities are vital to the national security interest of the United States.

The Inner Harbor channel is approximately 8 miles long and 300–800 feet wide, and has a controlling depth of 45 feet. Restricting the access of recreational, passenger and commercial fishing vessels reduces potential methods of attack on a vessel or waterfront facility within the zone. This security zone is designed to limit the access of vessels that do not have business to conduct with facilities or structures within the Corpus Christi Inner Harbor. Entry of recreational vessels, passenger vessels, or commercial fishing vessels into this zone is prohibited unless specifically authorized by the Captain of the Port Corpus Christi.

The temporary security zone was to expire on June 15, 2002. In order to provide continuous protection while a permanent zone is being promulgated through notice and comment rulemaking, the Coast Guard is extending the effective date of this zone until October 15, 2002.

#### 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. The Office of Management and Budget has not reviewed it 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 10(e) of the regulatory policies and procedures of DOT is unnecessary. Recreational vessels, passenger vessels, and

commercial fishing vessels do not frequent the Corpus Christi Inner Harbor. The Inner Harbor is an industrial area primarily used for bulk material transfers. Should a recreational vessel, passenger vessel, or commercial fishing vessel need to enter the Inner Harbor to conduct business with a small entity, there is no cost and little burden associated with obtaining permission from the Captain of the Port prior to entry.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we considered whether this rule would have a significant economic impact on a substantial number of small entities. The term “small entities” comprises 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.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities for the reasons enumerated under the Regulatory Evaluation above. If you are a small business entity and are significantly affected by this regulation please contact LTJG T.J. Hopkins, Chief Waterways Section, Coast Guard Captain of the Port Corpus Christi at (361) 888–3162.

#### Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we offered to assist small entities in understanding the rule so that they could better evaluate its effects on them and participate in the rulemaking process.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247).

#### Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

#### Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

#### Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

#### Taking of Private Property

This rule will not affect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

#### Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

#### Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

#### Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

#### Energy Effect

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That

Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a “significant energy action” under that order because it is not a “significant regulatory action” under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. It has not been designated by the Administrator of the Office of Information and Regulatory Affairs as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

## Environment

We have considered the environmental impact of this rule and concluded that under figure 2–1, paragraph 34(g), of Commandant Instruction M16475.1D, this rule is categorically excluded from further environmental documentation. A “Categorical Exclusion Determination” is available for inspection or copying where indicated under **ADDRESSES**.

## List of Subjects in 33 CFR Part 165

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

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

## PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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, 160.5; 49 CFR 1.46.

2. In temporary § 165.T08–016, revise paragraph (b) to read as follows:

### § 165.T08–016 Security Zone; Corpus Christi Inner Harbor, Corpus Christi, Texas.

\* \* \* \* \*

(b) *Effective dates.* This section is effective from 8 a.m. on February 20, 2002 through 8 a.m. on October 15, 2002.

\* \* \* \* \*

Dated: May 29, 2002.

**M.E. Maes,**

*Commander, Coast Guard, Acting, Captain of the Port Corpus Christi.*

[FR Doc. 02–14357 Filed 6–6–02; 8:45 am]

**BILLING CODE 4910–15–P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 63

[FRL-7222-3]

RIN 2060-AG91

### National Emission Standards for Hazardous Air Pollutants for Source Categories: Generic Maximum Achievable Control Technology Standards

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

**ACTION:** Direct final rule; amendments.

**SUMMARY:** On June 29, 1999, we published the National Emission Standards for Hazardous Air Pollutants for Source Categories: Generic Maximum Achievable Control Technology (Generic MACT) Standards, which promulgated standards for four major hazardous air pollutants (HAP) source categories (*i.e.*, acetal resins (AR) production, acrylic and modacrylic fiber (AMF) production, hydrogen fluoride (HF) production, and polycarbonate (PC) production). In September 1999, a petition for review of the June 1999 Generic MACT rule was filed by the General Electric Company in the U.S. Court of Appeals for the District of Columbia Circuit. The petitioner raised a concern regarding a recordkeeping provision in the promulgated rule. Subsequently, the petitioner raised an additional issue concerning the promulgated definition for “process vent,” and identified some editorial, cross-reference, and wording errors. Pursuant to a settlement agreement, EPA has agreed to revisions addressing each of these issues. EPA is effectuating this agreement through a direct final rule because we consider these revisions to be noncontroversial, and we anticipate no adverse comment.

**DATES:** This direct final rule will be effective on July 29, 2002 without further notice, unless significant adverse comments are received by July 8, 2002, or by July 22, 2002, if a public hearing is requested. See the proposed rule in this **Federal Register** for information on the hearing. If significant adverse comments are received, we will publish a timely withdrawal of this direct final rule in the **Federal Register** informing the public that this direct final rule will not take effect.

**ADDRESSES:** *Comments.* By U.S. Postal Service, submit written comments (in duplicate if possible) to: Air and Radiation Docket and Information Center (6102), Attention: Docket No. A-97-17, U.S. EPA, 1200 Pennsylvania

Avenue, NW., Washington, DC 20460. In person or by courier, submit comments (in duplicate, if possible) to: Air and Radiation Docket and Information Center (6102), Attention: Docket No. A-97-17, Room M-1500, U.S. EPA, 401 M Street, SW., Washington, DC 20460. We request that a separate copy of each public comment also be sent to the contact person listed below (see **FOR FURTHER INFORMATION CONTACT**).

**FOR FURTHER INFORMATION CONTACT:** Mr. David W. Markwordt, Policy, Planning, and Standards Group (MC439-04), Emission Standards Division, Research Triangle Park, NC 27711, telephone number: (919) 541-0837, electronic mail (e-mail): [markwordt.david@epa.gov](mailto:markwordt.david@epa.gov).

### SUPPLEMENTARY INFORMATION:

*Comments.* We are publishing this action as a direct final rule because we view the amendments as noncontroversial and do not anticipate adverse comments. However, in the Proposed Rules section of this **Federal Register**, we are publishing a separate document that will serve as the proposal in the event that adverse comments are filed.

If we receive any significant adverse comments, we will publish a timely withdrawal in the **Federal Register** informing the public that this direct final rule will not take effect. We will address all public comments in a subsequent final rule based on the proposed rule. We will not institute a second comment period on this direct final rule. Any parties interested in commenting must do so at this time.

*Docket.* The docket is an organized and complete file of the administrative record compiled by the EPA in the development of this rulemaking. The docket is a dynamic file because material is added throughout the rulemaking process. The docketing system is intended to allow members of the public and industries involved to readily identify and locate documents so that they can effectively participate in the rulemaking process. Along with the proposed and promulgated standards and their preambles, the contents of the docket will serve as the record in the case of judicial review. (See section 307(d)(7)(A) of the Clean Air Act (CAA).) The regulatory text and other materials related to this rulemaking are available for review in the docket or copies may be mailed on request from the Air Docket by calling (202) 260-7548. A reasonable fee may be charged for copying docket materials. You may also obtain docket indexes by facsimile, as described on the Office of Air and Radiation, Docket and