

**ADDRESSES:** Materials referred to in this document are available for inspection or copying at Commander (obr), Fifth Coast Guard District, Federal Building, 1st Floor, 431 Crawford Street, Portsmouth, VA 23704-5004 between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The telephone number is (757) 398-6422. Commander (obr), Fifth Coast Guard District maintains the public docket for this temporary deviation.

**FOR FURTHER INFORMATION CONTACT:** Bill H. Brazier, Bridge Management Specialist, Fifth Coast Guard District, at (757) 398-6422.

**SUPPLEMENTARY INFORMATION:** The Route 33/Knapps Narrows Bridge, a bascule-type drawbridge, has a vertical clearance in the closed position to vessels of 7 feet, at mean high water.

Covington Machine and Welding, Inc. (CMW), is the contractor engaged to perform these repairs for the Maryland State Highway Administration (SHA), the bridge owner. CMW, on behalf of SHA, requested a temporary deviation from the operating regulations for the Route 33/Knapps Narrows Bridge, set out in 33 CFR 117.5, that requires to bridge to open promptly and fully for the passage of vessels when a request to open is given.

CMW requested the temporary deviation to close the Route 33/Knapps Narrow Bridge to navigation to facilitate replacing leaking oil seals in the main drive gear reducer and the hydraulic braking system of the draw span. The lift span will be locked in the closed-to-navigation position each day from 9 p.m. to 5 a.m. beginning on Monday, October 24, 2005 until and including Friday, October 28, 2005. At all other times, the bridge will operate in accordance with 33 CFR 117.5.

The Coast Guard has informed the known users of the waterway of the closure periods for the bridge so that these vessels can arrange their transits to minimize any impact caused by the temporary deviation.

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: October 18, 2005.

**Waverly W. Gregory, Jr.,**

*Chief, Bridge Administration Branch, Fifth Coast Guard District.*

[FR Doc. 05-21322 Filed 10-25-05; 8:45 am]

**BILLING CODE 4910-15-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[COTP St. Petersburg 05-120]

RIN 1625-AA00

#### Safety Zone Regulation; Tampa Bay, FL

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone on the waters of Tampa Bay, Florida, in the vicinity of the Clearwater Memorial bascule bridge. This safety zone is being established to protect mariners from the hazards associated with the blasting demolition of the concrete portions of the Clearwater Memorial bascule bridge. This rule is necessary to provide for the safety of life on the navigable waters of the United States.

**DATES:** This rule is effective from 9:30 a.m. on October 4, 2005 through 2 p.m. on November 8, 2005.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket are part of docket [COTP St. Petersburg 05-120] and are available for inspection or copying at Coast Guard Sector St. Petersburg, Prevention Department, 155 Columbia Drive, Tampa, Florida 33606-3598 between 7:30 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant Junior Grade Jennifer Andrew at Coast Guard Sector St. Petersburg, Prevention Department, (813) 228-2191 Ext 8203.

#### SUPPLEMENTARY INFORMATION:

##### Regulatory Information

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 necessary details for the blasting demolition of the Clearwater Memorial bascule bridge were not provided with sufficient time remaining to publish an NPRM. Publishing a NPRM and delaying its effective date would be contrary to the public interest since immediate action is needed to minimize potential danger to the public during the blasting demolition of the Clearwater Memorial bascule bridge. The Coast Guard will issue a broadcast notice to mariners to advise mariners of the restriction along with Coast Guard

assets on scene who will also provide notice of the safety zone to mariners.

For the same reasons, under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**.

#### Background and Purpose

PCL construction was contracted to build a fixed bridge to replace the Clearwater Memorial Causeway Bridge and remove the existing bridge. The fixed bridge was completed early September and the removal of the bascule bridge was commenced on September 12, 2005. On September 13, 2005 PCL contacted Coast Guard Sector St. Petersburg Prevention Department to discuss blasting the large concrete portions of the bascule bridge directly adjacent to the navigation channel along with the concrete counterweights for the metal bridge leafs. PCL will conduct two separate blasts on two different days to break up the concrete into smaller sections for removal. The first blast will be conducted tentatively on October 5, 2005, at approximately 7:30 a.m. This first blast will fracture the main concrete vertical portions adjacent to the channel from the top to three feet above the waterline. The second blast will be conducted tentatively on October 26, 2005, at approximately 7:30 a.m. This second and final blast will fracture the remaining three feet and the 16 feet of bridge below the waterline. The use of explosives and the proximity of the concrete bridge structure to the navigable channel present a hazard to mariners transiting the area. This safety zone is being established to ensure the safety of life on the navigable waters of the United States.

#### Discussion of Rule

The safety zone will extend out from the Clearwater Memorial Causeway bascule Bridge in a 1,000 foot radius. Vessels and persons not under contract or employees of PCL are prohibited from entering, anchoring or transiting within this zone unless authorized by the Captain of the Port St. Petersburg or his designated representative. This safety zone is effective from 7:30 a.m. on October 4, 2005, through 2 p.m. on November 8, 2005. The Coast Guard does not know the exact dates that this safety zone will be enforced at this time. Coast Guard Sector St. Petersburg will give notice of the enforcement of the safety zone by issuing a Broadcast Notice to Mariners beginning 24 to 48 hours before the blasting is scheduled to begin. On-scene notice will be provided by local Coast Guard and Pinellas

County Sheriff marine units enforcing the safety zone.

### Regulatory Evaluation

This rule is not a “significant regulatory action” under section 3(f) of Executive Order 12866, Regulatory Planning and Review, 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. The Coast Guard expects the economic impact of this proposal to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary because the safety zone will be in effect for a limited period of time and vessels may enter with the express permission of the Captain of the Port of St. Petersburg or his designated representative.

### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have 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. This rule may affect the following entities, some of which may be small entities: The owners or operators of vessels intending to transit within a 1,000 foot radius from the Clearwater Memorial Causeway bascule Bridge. This safety zone will not have a significant economic impact on a substantial number of small entities for the following reasons. This rule will only be enforced in a location where traffic is minimal and for a limited time when vessel traffic is expected to be extremely low. Additionally, traffic will be allowed to enter the zone with the permission of the Captain of the Port St. Petersburg or his designated representative.

### 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 entities may contact the

person listed under **FOR FURTHER INFORMATION CONTACT** for assistance in understanding and participating in this rulemaking. We also have a point of contact for commenting on actions by employees of the Coast Guard. 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 effect 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 Effects

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. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

### Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (*e.g.*, specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

### Environment

We have analyzed this rule under Commandant Instruction M16475.ID,

which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, this rule is categorically excluded, under figure 2–1, paragraph (34)(g), of the Instruction, from further environmental documentation.

This rule is a safety zone and therefore fits the category described in paragraph (34)(g). An “Environmental Analysis Check List” and a “Categorical Exclusion Determination” are not required for this rule.

#### 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. 1226, 1231; 46 U.S.C. Chapter 701; 50 U.S.C. 191, 195; 33 CFR 1.05–1(g), 6.04–1, 6.04–6, and 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. A new section 165.T07–120 is added to read as follows:

#### § 165.T07–120 Safety zone; Tampa Bay, Florida.

(a) *Regulated Area.* The Coast Guard is establishing a safety zone on the waters of the Intracoastal Waterway in the vicinity of the Clearwater Memorial Bascule bridge. The safety zone encompasses all waters within a 1,000 foot radius of the Clearwater Memorial Bascule bridge located at 27°58′00″ N, 82°48′17″ W.

(b) *Regulations.* In accordance with the general regulations in § 165.23 of this part, entry into this Regulated Area is prohibited to all vessels and persons without the prior permission of the Coast Guard Captain of the Port St Petersburg or his designated representative.

(c) *Effective Period.* This Safety Zone is effective from 7:30 a.m. on October 4, 2005 through 2 p.m. on November 8, 2005 and will be enforced when a Coast Guard and/or Pinellas County Sheriff marine unit is on scene.

Dated: October 4, 2005.

**J.A. Servidio,**

*Captain, U.S. Coast Guard, Captain of the Port, St Petersburg, Florida.*

[FR Doc. 05–21396 Filed 10–25–05; 8:45 am]

**BILLING CODE 4910–15–P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[Docket # R08–OAR–2005–UT–0002; FRL–7987–9]

### Approval and Promulgation of Air Quality Implementation Plans; State of Utah; State Implementation Plan Corrections

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

**ACTION:** Final rule; technical correction.

**SUMMARY:** When EPA approved Utah State Implementation Plan (SIP) revisions for the Salt Lake City Carbon Monoxide (CO) Maintenance Plan and related Vehicle Inspection and Maintenance (I/M) Program for Salt Lake County, we inadvertently used an invalid acronym for the Utah Annotated Code. EPA is correcting this error with this document.

**DATES:** This rule is effective on November 25, 2005.

**FOR FURTHER INFORMATION CONTACT:** Domenico Mastrangelo, Air and Radiation Program, Environmental Protection Agency (EPA), Region 8, Mailcode 8P–AR, 999 18th Street, Suite 200, Denver, Colorado 80202–2466, phone (303) 312–6436, and e-mail at: [mastrangelo.domenico@epa.gov](mailto:mastrangelo.domenico@epa.gov).

#### SUPPLEMENTARY INFORMATION:

(i) Throughout this document, wherever *we*, *us* or *our* is used it means the Environmental Protection Agency.

(ii) The initials *SIP* mean or refer to State Implementation Plan.

(iii) The word *State* means the State of Utah, unless the context indicates otherwise.

Section 553 of the Administrative Procedure Act, 5 U.S.C. 553(b)(B), provides that when an agency for good cause finds that notice and public procedures are impracticable, unnecessary, or contrary to the public interest, the agency may issue a rule without providing notice and an opportunity for public comment. We have determined that there is good cause for making today’s rule final without prior proposal and opportunity for comment because we are merely correcting an incorrect acronym in a previous rulemaking. Thus, notice and

public comment procedures are unnecessary. We find that this constitutes good cause under 5 U.S.C. 553(b)(B).

#### I. Correction

*Correction for the Federal Register Document Published on August 1, 2005 (70 FR 44055)*

On August 1, 2005 we published a final rule approving the revised Salt Lake City Carbon Monoxide Maintenance Plan and related revisions submitted by the Governor of Utah on October 19, 2004. When we published this rule, within the regulatory text we incorrectly referred to the Utah Annotated Code using the acronym UACR instead of UAC. Therefore, we are correcting the regulatory text in 40 CFR 52.2320(c)(60) to replace all references to UACR with UAC.

#### II. Statutory and Executive Order Reviews

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a “significant regulatory action” and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, “Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use” (66 FR 28355, May 22, 2001). Because the agency has made a “good cause” finding that this action is not subject to notice-and-comment requirements under the Administrative Procedure Act or any other statute as indicated in the Supplementary Information section above, it is not subject to the regulatory flexibility provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), or to sections 202 and 205 of the Unfunded Mandates Reform Act of 1995 (UMRA) (Pub. L. 104–4, 209 Stat. 48 (1995)). In addition, this action does not significantly or uniquely affect small governments or impose a significant intergovernmental mandate, as described in sections 203 and 204 of UMRA.

This rule also does not have tribal implications because it will 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, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action also does not have Federalism implications because it does not have substantial direct effects on the States, on the relationship between the national government and the States, or on the