

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

#### Environment

We have analyzed this proposed rule under Commandant Instruction M16475.ID which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have made a preliminary determination that this action is not likely to have a significant effect on the human environment. A preliminary “Environmental Analysis Check List” supporting this preliminary determination is available in the docket where indicated under **ADDRESSES**. We seek any comments or information that may lead to the discovery of a significant environmental impact from the proposed rule.

#### List of Subjects in 33 CFR Part 165

Harbors, Marine Safety, Navigation (water), Reporting and record keeping requirements, Security measures, and Waterways.

■ For the reasons discussed in the preamble, the Coast Guard proposes to amend 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, 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. Section 165.T09–0451 is added to read as follows:

#### § 165.T09–0451 Safety Zone; Citron Energy Drink Offshore Challenge, Lake St. Clair, Harrison Township, MI.

(a) *Location.* The following area is a temporary safety zone: all U.S. waters of Lake St. Clair, Harrison Township, MI,

bound by a line extending from a point in Lake St. Clair located at position 082°48'45" W; 42°34'05" N, east to position 082°47'45" W; 42°34'04" N, southeast to position 082°47'03" W; 42°33'38" N, southwest to position 082°48'32" W; 42°32'35" N, south to position 082°49'53" W; 42°32'08" N, northwest to position 082°50'27" W; 42°32'30" N, and northeast to the point of origin at position 082°48'45" W; 42°34'05" N. (DATUM: NAD 83).

(b) *Effective Period.* This regulation is effective from 12 p.m. on July 18, 2008 through 5 p.m. on July 20, 2008.

(c) *Regulations.* (1) In accordance with the general regulations in section 165.23 of this part, entry into, transiting, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port Detroit, or his designated on-scene representative.

(2) This safety zone is closed to all vessel traffic, except as may be permitted by the Captain of the Port Detroit or his designated on-scene representative.

(3) The “on-scene representative” of the Captain of the Port is any Coast Guard commissioned, warrant, or petty officer who has been designated by the Captain of the Port to act on his behalf. The on-scene representative of the Captain of the Port will be aboard either a Coast Guard or Coast Guard Auxiliary vessel. The Captain of the Port or his designated on scene representative may be contacted via VHF Channel 16.

(4) Vessel operators desiring to enter or operate within the safety zone shall contact the Captain of the Port Detroit or his on-scene representative to obtain permission to do so. Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the Captain of the Port or his on-scene representative.

Dated: June 11, 2008.

**P.W. Brennan,**

*Captain, U.S. Coast Guard, Captain of the Port Detroit.*

[FR Doc. E8–14372 Filed 6–24–08; 8:45 am]

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#### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 63

[EPA–HQ–OAR–2006–0406, FRL–8684–7]

RIN 2060–AM74

#### National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to amend the National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities, which EPA promulgated on January 10, 2008, and amended on March 7, 2008. The January 10, 2008 rule established national emission standards for hazardous air pollutants for the facilities in the gasoline distribution (Stage I) area source category. This action only affects area source gasoline dispensing facilities with a monthly throughput of 100,000 gallons of gasoline or more. In this action, EPA is proposing to amend the pressure and vacuum vent valve cracking pressure and leak rate requirements for vapor balance systems used to control emissions from gasoline storage tanks at gasoline dispensing facilities. Newly constructed or reconstructed gasoline dispensing facilities must comply with the new vapor balance system requirements as explained in the parallel direct final rule published in today’s Regulations and Rules section of this **Federal Register**.

**DATES:** *Comments.* Written comments must be received on or before August 11, 2008.

*Public Hearing.* If anyone contacts EPA requesting to speak at a public hearing by July 7, 2008, a public hearing will be held on July 10, 2008.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA–HQ–OAR–2006–0406, by mail to Air and Radiation Docket (2822T), 1200 Pennsylvania Avenue, NW., Washington, DC 20460. Please include a total of two copies. Comments may also be submitted electronically or through hand delivery/courier by following the detailed instructions in the **ADDRESSES** section of the direct final rule located in the rules section of this **Federal Register**.

We request that you also send a separate copy of each comment to the

contact persons listed below (see **FOR FURTHER INFORMATION CONTACT**).

**FOR FURTHER INFORMATION CONTACT:**

*General and Technical Information:* Mr. Stephen Shedd, Office of Air Quality Planning and Standards, Sector Policies and Programs Division, Coatings and Chemicals Group (E143-01), EPA, Research Triangle Park, NC 27711, telephone: (919) 541-5397, facsimile number: (919) 685-3195, e-mail address: [shedd.steve@epa.gov](mailto:shedd.steve@epa.gov).

*Compliance Information:* Ms. Maria Malave, Office of Compliance, Air Compliance Branch (2223A), EPA, Ariel Rios Building, 1200 Pennsylvania Avenue, NW., Washington, DC 20460, telephone: (202) 564-7027, facsimile number: (202) 564-0050, e-mail address: [malave.maria@epa.gov](mailto:malave.maria@epa.gov).

**SUPPLEMENTARY INFORMATION:**

*Why is EPA issuing this proposed rule?* This document proposes to take action on the National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities. Based on our discussions with industry stakeholders, we have concluded that pressure and vacuum (PV) vent valves capable of meeting the requirements in entry 1.(g)

of Table 1 to subpart CCCCCC in the January 10, 2008 final rule (73 FR 1916) are not currently manufactured and thus are not available to affected sources. Therefore, we are proposing to amend the PV vent valve cracking pressure and leak rate requirements for vapor balance systems used to control emissions from gasoline storage tanks at gasoline dispensing facilities. We have published a parallel direct final rule in the Regulations and Rules section of this **Federal Register** because we view this as a noncontroversial action and anticipate no adverse comment. We have explained our reasons for this action in the preamble to the direct final rule. Newly constructed or reconstructed gasoline dispensing facilities are proposed to comply with the new vapor balance system requirements as explained in the parallel direct final rule. Existing sources must comply with the new vapor balance system requirements by the compliance date contained in the January 10, 2008 final rule, which is January 10, 2011. The compliance dates for all other requirements in the January 10, 2008 final rule remain unchanged for both new and existing sources.

If we receive no adverse comment and no request for a public hearing on the parallel direct final rule, we will not take further action on this proposed rule. If we receive adverse comment on a distinct portion of the direct final rule, we will withdraw that portion of the rule and it will not take effect. In this instance, we would address all public comments in any subsequent final rule based on this proposed rule.

If we receive adverse comment on a distinct provision of the direct final rule, we will publish a timely withdrawal in the **Federal Register** indicating which provisions we are withdrawing. The provisions that are not withdrawn will become effective on the date set out in the direct final rule, notwithstanding adverse comment on any other provision.

We do not intend to institute a second comment period on this action. Any parties interested in commenting, must do so at this time. For further information, please see the information provided in the **ADDRESSES** section of this document.

*Regulated Entities.* Categories and entities potentially regulated by this action include:

Category	NAICS *	Examples of regulated entities
Industry .....	447110 447190	Operations at area source gasoline dispensing facilities.
Federal/State/local/tribal governments.		

\* North American Industry Classification System.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be regulated by this action. To determine whether your facility is regulated by this action, you should examine the applicability criteria in 40 CFR part 63, subpart CCCCCC. If you have any questions regarding the applicability of this action to a particular entity, consult either the air permit authority for the entity or your EPA regional representative as listed in 40 CFR 63.13.

*Public Hearing.* Persons interested in presenting oral testimony or inquiring as to whether a hearing is to be held should contact Ms. Janet Eck, U.S. EPA, Office of Air Quality Planning and Standards, Sector Policies and Programs Division, Coatings and Chemicals Group (E143-01), Research Triangle Park, NC 27711; telephone number: (919) 541-7946, e-mail address: [eck.janet@epa.gov](mailto:eck.janet@epa.gov), at least 2 days in advance of the potential date of the public hearing. If a public hearing is held, it will be held at 10 a.m. at EPA's Campus located at 109 T.W. Alexander Drive in Research

Triangle Park, NC, or an alternate site nearby. If no one contacts EPA requesting to speak at a public hearing concerning this rule by July 7, 2008 this hearing will be cancelled without further notice.

*Worldwide Web (WWW).* In addition to being available in the docket, an electronic copy of today's proposal will also be available through the WWW. Following the Administrator's signature, a copy of this action will be posted on EPA's Technology Transfer Network (TTN) policy and guidance page for newly proposed or promulgated rules <http://www.epa.gov/ttn/oarpg/>. The TTN at EPA's Web site provides information and technology exchange in various areas of air pollution control.

**Statutory and Executive Order Reviews**

For a complete discussion of all of the administrative requirements applicable to this action, see the direct final rule in the Rules and Regulations section of this **Federal Register**.

**List of Subjects in 40 CFR Part 63**

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: June 19, 2008.

**Stephen L. Johnson,**  
Administrator.

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 1051**

[EPA-HQ-OAR-2008-0124; FRL-8684-5]

**Exhaust Emission Standards for 2012 and Later Model Year Snowmobiles**

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

**ACTION:** Proposed rule.

**SUMMARY:** In a November 2002 final rule, we established the first U.S.