

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. A new temporary § 165.T02-071 is added, to read as follows:

§ 165.T02-071 Safety Zone: Ohio River, Cincinnati, OH.

(a) *Location.* The following area is a safety zone: The Ohio River between miles 468.5 and 473.0.

(b) *Effective Dates.* This regulation becomes effective on January 19, 1996, at 2 p.m. est. It will terminate at 8 a.m. est on February 1, 1996, unless sooner terminated by the Captain of the Port Louisville, Kentucky.

(c) *Regulations.* In accordance with the general regulations of § 165.23 of this part, entry into this zone by all downbound vessels towing cargoes regulated by Title 46, Code of Federal Regulations, Subchapters D and O with a tow length exceeding 600 feet, excluding the tow boat, is prohibited from one-half hour before sunset to one-half hour after sunrise. The Captain of the Port will notify the maritime community of river conditions affecting the area covered by this safety zone by Marine Safety Information Radio Broadcast on VHF Marine Band Radio, Channel 22 (157.1 MHz).

Dated: January 19, 1996.

B.D. Branham,

Commander, U.S. Coast Guard, Captain of the Port, Louisville, Kentucky.

[FR Doc. 96-1387 Filed 1-25-96; 8:45 am]

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33 CFR Part 165

[COTP Philadelphia, PA 96-004]

RIN 2115-AA97

Safety Zone Regulations: Delaware Bay, Delaware River, Marcus Hook, PA

AGENCY: Coast Guard, DOT.

ACTION: Temporary rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone on the Delaware River and Delaware Bay from Marcus Hook, Pennsylvania, to the Delaware Breakwater. This safety zone is needed to protect vessels, the port community and the environment from potential safety and environmental hazards associated with the transit of the T/V HAVPRINS.

EFFECTIVE DATES: This rule is effective from 11:59 p.m., on January 19, 1996 and terminates at 11:59 a.m., on January 29, 1996. The Captain of the Port, Philadelphia, may, at an earlier date, advise mariners by Broadcast Notice to

Mariners that the safety zone will not be enforced.

FOR FURTHER INFORMATION CONTACT: LTJG S.J. Kelly, Project Officer c/o U.S. Coast Guard Captain of the Port, 1 Washington Ave., Philadelphia, PA. 19147-4395, Phone: (215) 271-4909.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, a Notice of Proposed Rule Making (NPRM) was not published for this regulation and good cause exists for making it effective in less than 30 days after Federal Register publication. The Coast Guard was informed by the owner/operator of the T/V HAVPRINS on January 11, 1996 of the intended transit of the T/V HAVPRINS along the Delaware River. Publishing a NPRM and delaying its effective date would be contrary to the public interest, since immediate action is needed to protect the environment and mariners against potential hazards associated with the transit of the T/V HAVPRINS while carrying liquefied petroleum gas.

Drafting Information: The drafters of this regulation are LTJG S.J. Kelly, project officer for the Captain of the Port, Philadelphia, and CDR T.R. Cahill, Project Attorney, Fifth Coast Guard District Legal Staff.

Discussion of the Regulation

This safety zone is a specified area around the LPG vessel while underway, at anchor and during cargo operations. It will be in effect during the T/V HAVPRINS's inbound transit of the Delaware River and Delaware Bay and during cargo operations. The circumstances requiring this regulation are the potential hazards associated with the transportation of liquefied petroleum gas by a large tankship in heavily trafficked areas of the Delaware River and Delaware Bay as well as in the Ports of Philadelphia. This transit consists of T/V HAVPRINS's inbound transit to Marcus Hook, Pennsylvania, and cargo operations at the Sun Refining and Marketing Refinery terminal on the Delaware River, at Marcus Hook, Pennsylvania. Coast Guard Captain of the Port Philadelphia may impose transit restrictions on vessels operating within the safety zone while the T/V HAVPRINS is loaded with LPG that exceeds 2% of the vessel's cargo carrying capacity.

Regulatory Evaluation

This regulation 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 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 proposal to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary.

Environment

The Coast Guard considered the environmental impact of this proposal and concluded that under section 2.B.2.e. (34) of Commandant Instruction M16475.1B (as amended by 59 FR 38654; 29 July 1994), this rule is categorically excluded from further environmental documentation.

Collection of Information

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

Federalism Assessment

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that it does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Security measures, Vessels, waterways.

Temporary Regulation

In consideration of the foregoing, Subpart F of Part 165 of Title 33, Code of Federal Regulations, is amended as follows:

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. A new § 165.T05-004 is added to read as follows:

§ 165.T05-004 Safety Zone: Marcus Hook, PA and the Delaware Breakwater.

(a) *Location:* A safety zone is established for:

(1) All waters within an area which extends 500 yards on either side and 1,000 yards ahead and astern of the T/V HAVPRINS while the T/V HAVPRINS is underway on the Delaware River in a loaded condition in the area bounded by the Delaware Breakwater and the Sun Refining and Marketing Refinery terminal at Marcus Hook, Pennsylvania.

(2) All waters within a 200 yard radius of the T/V HAVPRINS while it is moored at the Sun Refining and

Marketing Refinery terminal in a loaded condition.

(b) *Effective Date:* This section is effective from 11:59 p.m., January 19, 1996 to 11:59 a.m., January 29, 1996. If the conditions requiring a safety zone terminate at an earlier date, the Captain of the Port, Philadelphia, may advise mariners by Broadcast Notice to Mariners that the safety zone will not be enforced.

(c) *Regulations:* (1) No person or vessel may enter the safety zone unless its operator obtains permission of the Captain of the Port or his designated representative.

(d) As a condition of entry, the COTP or his designated representative may order that each vessel:

(1) Maintain a continuous radio guard on channel 16 and channel 13 VHF-FM while underway;

(2) Proceed as directed by the designated representative of the Captain of the Port, Philadelphia;

(3) Not overtake the T/V HAVPRINS unless the overtaking is to be completed before any bends in the channel, and the pilots, masters and operators of both vessels clearly agree on all actions including vessel speeds, time and location of overtaking; and

(4) When above the C&D Canal, not meet the T/V HAVPRINS at a relative speed greater than twenty (20) knots, or greater than prevailing weather conditions make prudent. The COTP will not permit meeting situations on river bends absent exigent circumstances related to safe navigation of either vessel.

(e) *Definitions:* The following definitions shall apply within the safety zone.

(1) The designated representative of the Captain of the Port is any Coast Guard commissioned, warrant, or petty officer who has been authorized by the Captain of the Port, Philadelphia, Pennsylvania to act on his behalf. The designated representative enforcing the safety zone may be contacted on VHF channels 13 and 16. The Captain of the Port of Philadelphia and the Command Duty Officer at the Marine Safety Office, Philadelphia, may be contacted at telephone number (215) 271-4940.

(2) Loaded condition is LPG on board exceeding 2% of cargo tank capacity of the vessel.

Dated: January 19, 1996.

John E. Veentjer,

Captain, U.S. Coast Guard, Captain of the Port, Philadelphia, PA.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[DE26-1-6940a; FRL-5320-1]

Approval and Promulgation of Air Quality Implementation Plans; Delaware: Regulation 24—"Control of Volatile Organic Compound Emissions"

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is approving a State Implementation Plan (SIP) revision submitted by the State of Delaware on December 19, 1994 pertaining to Delaware Regulation 24—"Control of Volatile Organic Compound Emissions", sections 10, 11, 12, 44, 45, 47, 48, and 49, and Appendices I, K, L, and M, effective November 29, 1994. These sections of Regulation 24 establish additional emission standards that represent the application of reasonably available control technology (RACT) to categories of stationary sources of volatile organic compounds (VOCs), and establish associated testing, monitoring, recordkeeping, compliance certification, and permit requirements. This revision was submitted to comply with the RACT "Catch-up" provisions of the Clean Air Act Amendments of 1990 (CAAA). This action is being taken under section 110 of the Clean Air Act (CAA).

EFFECTIVE DATE: This action will become effective March 26, 1996 unless notice is received on or before February 26, 1996 that adverse or critical comments will be submitted. If the effective date is delayed, timely notice will be published in the Federal Register.

ADDRESSES: Comments may be mailed to Marcia L. Spink, Associate Director, Air Programs, Mailcode 3AT00, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air, Radiation, and Toxics Division, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107; the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460; and the Delaware Department of Natural Resources & Environmental Control, 89 Kings Highway, P.O. Box 1401, Dover, Delaware 19903.

FOR FURTHER INFORMATION CONTACT: Rose Quinto, (215) 597-3164, at the EPA Region III address above.

SUPPLEMENTARY INFORMATION: On December 19, 1994, the Delaware Department of Natural Resources & Environmental Control (DNREC) submitted a revision to its SIP. This revision was submitted to comply with the RACT "Catch-up" provisions of the CAA. The revision pertains to Regulation 24, "Control of Volatile Organic Compound Emissions", by establishing statewide emissions standards for eight (8) additional VOC source categories, effective November 29, 1994. The 8 additional VOC source categories are as follows: (1) Section 10—Aerospace Coatings, (2) Section 11—Motor Vehicle Refinishing, (3) Section 12—Surface Coating of Plastic Parts, (4) Section 44—Batch Processing Operations, (5) Section 45—Industrial Cleaning Solvents, (6) Section 47—Offset Lithographic Printing, (7) Section 48—Reactor Processes and Distillation Operations in the Synthetic Organic Chemical Manufacturing Industry (SOCMI), and (8) Section 49—Control of Volatile Organic Compound Emissions from Volatile Organic Liquid Storage Vessels. In addition, new appendices were added as follows: Appendix I—Method to Determine Length of Rolling Period for Liquid/Liquid Material Balance, Appendix K—Emission Estimation Methodologies, Appendix L—Method to Determine Total Organic Carbon for Offset Lithographic Solutions, and Appendix M—Test Methods for Determining the Performance of Alternative Cleaning Fluids. A revision to Regulation 24, section 2—Definitions—additions, and an Errata sheet to correct typographical errors, reference notations, etc. were also submitted on December 19, 1994 and effective November 29, 1994.

I. EPA Evaluation and Action

VOCs contribute to the production of ground level ozone and smog. These rules were adopted as part of an effort to achieve the National Ambient Air Quality Standard (NAAQS) for ozone. [The other source categories was published in the Federal Register on May 3, 1995 (60 FR 21708).] The following is EPA's evaluation of and action on sections 10, 11, 12, 44, 45, 47, 48, and 49, and appendices I, K, L, and M of Regulation 24, for the State of Delaware. Detailed descriptions of the amendments addressed in this document, and EPA's evaluation of the amendments, are contained in the technical support document (TSD) prepared for these rulemaking actions