

(d) *Special local regulations*—(1) Entry into the regulated areas by other than event participants is prohibited unless otherwise authorized by the Patrol Commander. At the completion of scheduled races and departure of participants from the regulated area, traffic may resume normal operations. At the discretion of the Patrol Commander, between scheduled racing events, traffic may be permitted to resume normal operations.

(2) A succession of not fewer than 5 short whistle or horn blasts from a patrol vessel will be the signal for any and all vessels to take immediate steps to avoid collision. The display of an orange distress smoke signal from a patrol vessel will be the signal for any and all vessels to stop immediately.

Dated: July 11, 1996.

John W. Lockwood,
Rear Admiral, U.S. Coast Guard, Commander,
Seventh Coast Guard District.

[FR Doc. 96-19749 Filed 8-2-96; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 117

[CGD09-96-003]

RIN 2115-AE47

Drawbridge Operation Regulations; Saginaw River, MI

AGENCY: Coast Guard, DOT.

ACTION: Notice; Direct final rule confirmation of effective date.

SUMMARY: On May 14, 1996, the Coast Guard published, in the Federal Register, a direct final rule, 61 FR 24235, CGD09-96-003. This direct final rule notified the public of the Coast Guard's intent to place the CSX Railroad bridge, mile 18.0 over the Saginaw River in Saginaw, MI, in a fixed status. The bridge will be locked in the closed position. The Coast Guard has not received any adverse comments or any notice of an intent to submit adverse comments objecting to this rule as written. Therefore, this rule will go into effect as scheduled.

EFFECTIVE DATE: The effective date of the direct final rule is confirmed as August 12, 1996.

FOR FURTHER INFORMATION CONTACT: Mr. Scot M. Striffler, Project Manager, Ninth Coast Guard District Bridge Branch, at (216) 522-3993.

Dated: July 17, 1996.

G.F. Woolever,
Rear Admiral, U.S. Coast Guard Commander,
Ninth Coast Guard District.

[FR Doc. 96-19748 Filed 8-2-96; 8:45 am]

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33 CFR Part 165

[CGD1-96-068]

RIN 2115-AE84

Regulated Navigation Area: Boston Harbor, Spectacle Island, Boston, MA

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary Regulated Navigation Area (RNA) in the waters surrounding the west side of Spectacle Island, Boston Harbor, Boston, MA. Dredging operations are being conducted to ensure adequate depth is maintained for vessels operating in the area. This RNA will protect the sediment curtain from damage by passing vessels and increase safety of the workers by requiring all vessels in the regulated area to operate at a no-wake speed.

EFFECTIVE DATES: This temporary final rule is effective July 16, 1996, until August 16, 1996, Monday through Saturday, 24 hours per day.

FOR FURTHER INFORMATION CONTACT:

LTJG John Buckley, Vessel and Waterway Management Division, Coast Guard Captain of the Port Boston, 455 Commercial Street, Boston, MA 02109-1045, (617) 223-3000.

SUPPLEMENTARY INFORMATION:

Regulatory History

Pursuant to 5 U.S.C. 553, a notice of proposed rulemaking (NPRM) was not published for this regulation. Good cause exists for not publishing a NPRM and for making this regulation effective in less than 30 days after Federal Register publication. The date the Massachusetts Highway Department provided notice of delays in the project left insufficient time to publish a NPRM or extend the previous RNA which expired on July 1, 1996. It is in the public interest to have the west side of Spectacle Island dredged and to have a no-wake zone established during operations. The actual water depth to the west of Spectacle Island is considerably less than the charted depth, making vessel movements in the area dangerous. Immediate action is needed to regulate vessel traffic in the vicinity of Spectacle Island to avoid groundings and enable dredging operations to continue. Comments were requested in the previous RNA and none were received.

Background and Purpose

Massachusetts Highway Department is conducting dredging operations in the

waters off the west side of Spectacle Island. Spectacle Island is the deposit site for excavated material from the Central Artery/Tunnel project. As a result of this deposition and subsequent erosion and runoff, sediment has built up in the waters west of Spectacle Island. Due to sedimentation, the actual water depth is considerably less than the charted depth, making vessel movements in the area dangerous. Spectacle Island receives regular tugboat and barge traffic in conjunction with the Central Artery Tunnel project. The dredging operation will remove the sediment in order to increase water depth for vessels operating in the area. A sediment curtain is required to be in place during the dredging operation to minimize damage to the environment. In order to minimize damage to the environment and provide for the safety of personnel and vessels involved in the dredging operation, the Coast Guard deemed an RNA necessary.

The Coast Guard published a Regulated Navigation Area (CGD1-96-042) (which regulated vessel traffic from June 10, 1996, until July 1, 1996. The Massachusetts Highway Department informed the Coast Guard on or about June 29, 1996, that they had encountered two large concrete containers in the vicinity of the dredging operations and, consequently, would fail to meet their estimated project completion deadline. The Department requested an extension of the RNA. With such short notice it was not possible to extend the original RNA. A second Regulated Navigation Area is needed to protect the sediment curtain and ensure the safety of the workers.

Discussion of the Rule

The RNA includes all waters of Boston Harbor bounded by the western shore of Spectacle Island and the following coordinates: 42°19'35"N, 070°59'28"W; 42°19'30"N, 070°59'37"W; 42°19'09"N, 070°59'22"W; 42°19'11"N, 070°59'16"W. (NAD 1983) The boundaries are identical to those in the previous RNA for Boston Harbor, Spectacle Island.

Several work boats and barges involved in the dredging will be operating within the RNA. Vessels transiting the RNA will be required to operate at a no-wake speed to minimize damage to the sediment curtain and protect workers aboard the work boats and barges. The dredging operation is scheduled to continue until August 16, 1996. Operations will be conducted 24 hours per day, Monday through Saturday.

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. It has not been reviewed 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 section to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary.

The waters surrounding the west side of Spectacle Island are used by commuter vessels, commercial fishing vessels, commercial lobster vessels and recreational vessels. Due to the minimal time delay caused by the requirement to proceed at a no-wake speed, this regulation is not expected to have a significant impact on these vessels.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider the economic impact on small entities of a rule for which a general notice of proposed rulemaking is required. "Small entities" may include (1) small businesses and not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and (2) governmental jurisdictions with populations of less than 50,000.

For reasons set forth in the above Regulatory Evaluation, this rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

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

Federalism

The Coast Guard has analyzed this rule under the principles and criteria contained in Executive Order 12612 and has determined that this proposal does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

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

environmental documentation. A Categorical Exclusion Determination and an Environmental Analysis Checklist are included in the docket.

List of Subjects in 33 CFR Part 165

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

Regulation

For the reasons set out in the preamble, the Coast Guard is amending 33 CFR Part 165 as follows:

PART 165—[AMENDED]

1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; and 33 CFR 1.05–1(g), 6.04–1, 6.04–6, and 160.5; and 49 CFR 1.46

2. A temporary § 165.T01–068 is added to read as follows:

§ 165.T01–068 Regulated Navigation Area; Spectacle Island, Boston Harbor, Boston, MA.

(a) *Location.* The following area is a Regulated Navigation Area: All waters of Boston Harbor bounded by the western shore of Spectacle Island and the following coordinates: 42°19'35"N, 070°59'28"W; 42°19'30"N, 070°59'37"W; 42°19'09"N, 070°59'22"W; 42°19'11"N, 070°59'16"W. (NAD 1983)

(b) *Effective date.* This section is effective Monday through Saturday, 24 hours per day, July 16, 1996 to August 16, 1996.

(c) *Regulations.* All vessels shall operate at no-wake speed.

Dated: July 16, 1996.

J. L. Linnon,

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

[FR Doc. 96–19747 Filed 8–2–96; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[M145–01–7240a; FRL–5545–2]

Designation of Areas for Air Quality Planning Purposes; Michigan

AGENCY: Environmental Protection Agency.

ACTION: Direct final rule.

SUMMARY: In this action the Environmental Protection Agency (EPA) is approving the State Implementation Plan (SIP) submitted by the State of

Michigan through the Michigan Department of Environmental Quality (MDEQ) on July 24, 1995 for the purpose of redesignating the portion of Wayne County currently designated as nonattainment to attainment status for the particulate matter National Ambient Air Quality Standard (NAAQS).

DATES: This "direct final" is effective on October 4, 1996, unless EPA receives adverse or critical comments by September 4, 1996. If the effective date is delayed, timely notice will be published in the Federal Register.

ADDRESSES: Written comments should be sent to Carlton T. Nash, Chief, Regulation Development Section, Air Programs Branch (AR–18J), U.S. EPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois, 60604. Copies of this SIP revision and EPA's analysis are available for inspection during normal business hours at the above address. (Please telephone Christos Panos at (312) 353–8328, before visiting the Region 5 office.)

FOR FURTHER INFORMATION CONTACT: Christos Panos, Environmental Engineer, Regulation Development Section, Air Programs Branch (AR–18J), U.S. EPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604–3590, (312) 353–8328.

SUPPLEMENTARY INFORMATION:

I. Background

On July 1, 1987 (52 FR 24634), EPA revised the NAAQS for particulate matter with a new indicator that includes only those particles with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM). (See 40 CFR § 50.6). The 24-hour primary PM standard is 150 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$), with no more than one expected exceedance per year. The annual primary PM standard is 50 $\mu\text{g}/\text{m}^3$ expected annual arithmetic mean. The secondary PM standards are identical to the primary standards.

On August 7, 1987 (52 FR 29383), EPA identified the entire Wayne County, Michigan area as a PM "Group I" area of concern, i.e., an area with a strong likelihood of violating the PM NAAQS and requiring a substantial SIP revision. This Group I area was reduced in size on October 31, 1990 (55 FR 45799). The reduced area was subsequently designated as a moderate PM nonattainment area upon enactment of the Clean Air Act Amendments of 1990. 56 FR 56694 at 56705–706, 56714 (November 6, 1991).

II. Evaluation Criteria

Section 107(d)(3)(D) of the amended Clean Air Act (Act) allows the Governor