

Coast Guard expects the economic impact of this final rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This finding is based on the minimal time that vessels will be restricted from the zone, that marine traffic will still be able to transit through the East River, and advance notifications which will be made.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard considered whether this rule will have a significant economic impact on a substantial number of small entities. "Small entities" include 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.

For reasons discussed in the Regulatory Evaluation above, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this final rule will not have a significant economic impact on a substantial number of small entities.

#### Collection of Information

This final rule does not provide for a collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

#### Federalism

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

#### Environment

The Coast Guard has considered the environmental impact of this final rule and concluded that under Figure 2-1, paragraph 34(g), of Commandant Instruction M16475.1C, this final rule is categorically excluded from further environmental documentation. A "Categorical Exclusion Determination" is available in the docket 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.

#### Regulation

For the reasons discussed in the preamble, the Coast Guard amends 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; 33 CFR 1.05-1(g), 6.04-1, 6.04-6, and 160.5; 49 CFR 1.46.

2. Add temporary § 165.T01-070 to read as follows:

#### § 165.T01-070 Safety Zone: Independence Day Celebration Fireworks, Wards Island, East River, New York.

(a) *Location.* The following area is a safety zone: all waters of the East River within a 150 yard radius of the land shoot at Wards Island, New York in approximate position 40° 46' 55.5"N 073° 55' 33"W (NAD 1983), approximately 200 yards northeast of the Triboro Bridge.

(b) *Effective period.* This section is effective from 8:45 p.m. until 10:15 p.m. on Wednesday, July 1, 1998.

(c) *Regulations.* (1) The general regulations contained in 33 CFR 165.23 apply.

(2) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on scene patrol personnel. U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard. Upon being hailed by a U.S. Coast Guard vessel via siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.

Dated: June 16, 1998.

**L.M. Brooks,**

*Captain, U.S. Coast Guard, Captain of the Port, New York Acting.*

[FR Doc. 98-17369 Filed 6-29-98; 8:45 am]

BILLING CODE 4910-15-M

#### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 52

[OH103-2; FRL-6116-9]

#### Approval and Promulgation of Implementation Plans; Ohio

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

**ACTION:** Final rule; correction.

**SUMMARY:** This document contains corrections to a final rule published on March 30, 1998, which approved sulfur dioxide emission limits for the Sun Oil

Company located in Lucas County, Ohio.

**EFFECTIVE DATE:** June 30, 1998.

**FOR FURTHER INFORMATION CONTACT:** Randolph O. Cano, at (312) 886-6036.

**SUPPLEMENTARY INFORMATION:** On March 30, 1998 (63 FR 15091), EPA approved the Ohio Environmental Protection Agency's December 9, 1996 request to incorporate site specific sulfur dioxide emission limits for the Sun Oil facility located in Lucas County, Ohio into the Ohio State Implementation Plan. Two errors were made in codifying EPA's approval. Specifically, EPA intended to delete the existing references to this Sun Oil facility at 40 CFR 52.1881(a)(4) and (8). Unfortunately the references to this Sun Oil facility were not removed from §§ 52.1881 (a)(4) and (8) when these paragraphs were published beginning at the bottom of the third column on page 15093 and finishing in the second column on page 15094. An additional error identified in paragraph (a)(4) is that Bergstrom Paper is erroneously listed twice as an exception to EPA's approval of the sulfur dioxide emission limits for Montgomery County. This technical correction removes the Sun Oil references at 40 CFR 52.1881(a)(4) and (8) and the duplicate Bergstrom Paper entry at paragraph(a)(4).

#### Need for Correction

The failure to remove references to Sun Oil Company's Lucas County facility from §§ 52.1881(a)(4) and (8) incorrectly indicates that this facility is not subject to the requirements contained in these paragraphs. The deletion of the duplicate Bergstrom Paper entry will clarify the Montgomery County codification. EPA is publishing this action to correct these errors.

#### Administrative Procedure Act

This action will be effective immediately upon publication in the **Federal Register** pursuant to the Administrative Procedure Act, 5 U.S.C. 553(d)(1) and (3)(APA) for good cause. This action which merely corrects codification errors made in EPA's approval of a sulfur dioxide emission limit for Sun Oil's Lucas County facility and a similar typographical error is too minor to be of interest to the general public. Holding a public comment period on this action is unnecessary. The thirty day delay of the effective date of this action generally required by the APA is unwarranted in that it does not serve the public interest to unnecessarily delay the effective date of this action.

### A. Executive Order 12866

Under Executive Order 12866, this action is not a "significant regulatory action" and is therefore not subject to review by the Office of Management and Budget. In addition this action does not impose annual costs of \$100 million or more, will not significantly or uniquely affect small governments, and is not a significant Federal intergovernmental mandate. The EPA thus has no obligations under sections 202, 203, 204 and 205 of the Unfunded Mandates Reform Act. Moreover, since this action is not subject to notice-and-comment requirements under the APA or any other statute, it is not subject to sections 603 or 604 of the Regulatory Flexibility Act.

### B. Children's Health Protection

This rule is not subject to E.O. 13045, entitled "Protection of Children from Environmental Health Risks and Safety Risks" (62 FR 19885, April 23, 1997), because it does not involve decisions on environmental health risks or safety risks that may disproportionately affect children.

### C. Submission to Congress and the General Accounting Office

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. However, section 808 provides that any rule for which the issuing agency for good cause finds (and incorporates the finding and a brief statement of reasons therefor in the rule) that notice and public procedure thereon are impracticable, unnecessary or contrary to the public interest, shall take effect at such time as the agency promulgating the rule determines. 5 U.S.C. 808(2). As stated previously, EPA has made such a good cause finding, including the reasons therefor, and established an effective date of June 30, 1998. The EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of this rule in the **Federal Register**. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Intergovernmental relations, Sulfur dioxide.

Dated: June 18, 1998.

**Gail C. Ginsberg,**

*Acting Regional Administrator.*

For the reasons stated in the preamble, § 52.1881 of part 52, chapter I, title 40 of the Code of Federal Regulations published at 63 FR15091 March 30, 1998, is corrected as follows:

### PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

**Authority:** 42 U.S.C. 7401 *et seq.*

### Subpart KK—Ohio

2. Section 52.1881 is amended by correcting paragraphs (a)(4) and (a)(8) to read as follows:

#### § 52.1881 Control strategy: Sulfur dioxide.

(a) \* \* \*

(4) Approval—EPA approves the sulfur dioxide emission limits for the following counties: Adams County (except Dayton Power & Light—Stuart), Allen County (except Cairo Chemical), Ashland County, Ashtabula County, Athens County, Auglaize County, Belmont County, Brown County, Carroll County, Champaign County, Clark County, Clermont County, (except Cincinnati Gas & Electric—Beckjord), Clinton County, Columbiana County, Coshocton County (except Columbus & Southern Ohio Electric—Conesville), Crawford County, Darke County, Defiance County, Delaware County, Erie County, Fairfield County, Fayette County, Fulton County, Gallia County, (except Ohio Valley Electric Company—Kyger Creek and Ohio Power—Gavin), Geauga County, Greene County, Guernsey County, Hamilton County, Hancock County, Hardin County, Harrison County, Henry County, Highland County, Hocking County, Holmes County, Huron County, Jackson County, Jefferson County, Knox County, Lake County (except Ohio Rubber, Cleveland Electric Illuminating Company—Eastlake, and Painesville Municipal Boiler #5), Lawrence County (except Allied Chemical—South Point), Licking County, Logan County, Lorain County (except Ohio Edison—Edgewater, Cleveland Electric Illuminating Company—Avon Lake, U.S. Steel—Lorain, and B.F. Goodrich), Lucas County (except Gulf Oil Company, Coulton Chemical Company, and Phillips Chemical Company), Madison County, Marion County, Medina County, Meigs County, Mercer County, Miami County, Monroe County, Morgan County, Montgomery County (except Bergstrom Paper and Miami Paper), Morrow County, Muskingum

County, Noble County, Ottawa County, Paulding County, Perry County, Pickaway County, Pike County (except Portsmouth Gaseous Diffusion Plant), Portage County, Preble County, Putnam County, Richland County, Ross County (except Mead Corporation), Sandusky County (except Martin Marietta Chemicals), Scioto County, Seneca County, Shelby County, Trumbull County, Tuscarawas County, Union County, Van Wert County, Vinton County, Warren County, Washington County (except Shell Chemical Company), Wayne County, Williams County, Wood County (except Libbey—Owens—Ford Plants Nos. 4 and 8 and No. 6), and Wyandot County.

\* \* \* \* \*

(8) No Action—EPA is neither approving nor disapproving the emission limitations for the following counties or sources pending further review: Adams County (Dayton Power & Light—Stuart), Allen County (Cairo Chemical), Butler County, Clermont County (Cincinnati Gas & Electric—Beckjord), Coshocton County (Columbus & Southern Ohio Electric—Conesville), Cuyahoga County, Franklin County, Gallia County (Ohio Valley Electric Company—Kyger Creek and Ohio Power—Gavin), Lake County (Ohio Rubber, Cleveland Electric Illuminating Company—Eastlake, and Painesville Municipal—Boiler #5), Lawrence County (Allied Chemical—South Point), Lorain County (Ohio Edison—Edgewater Plant, Cleveland Electric Illuminating Company—Avon Lake, U.S. Steel—Lorain, and B.F. Goodrich), Lucas County (Gulf Oil Company, Coulton Chemical Company, and Phillips Chemical Company), Mahoning County, Montgomery County (Bergstrom Paper and Miami Paper), Pike County (Portsmouth Gaseous Diffusion Plant), Stark County, Washington County (Shell Chemical Company), and Wood County (Libbey—Owens—Ford Plants Nos. 4 and 8 and No. 6).

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[FR Doc. 98–17115 Filed 6–29–98; 8:45 am]

BILLING CODE 6560–50–P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[LA45–1–7383, FRL–6116–8]

### Approval and Promulgation of Air Quality State Implementation Plans, Louisiana; Correction

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