

Boat Races and vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area without the permission of the Patrol Commander. The Patrol Commander will allow vessel traffic to transit the event area between races. These regulations are necessary to control other vessels transiting the event area and provide for the safety of life and property on navigable waters during the event.

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 been exempted from review by the Office of Management and Budget under the 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 procedures of DOT is unnecessary. Entry into the regulated area will only be prohibited while the Dragon Boats are actually competing. Since vessels will be allowed to transit the event area between heats, the impacts on routine navigation are expected to be minimal.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), the Coast Guard must consider whether this rule will have a significant economic impact on a substantial number of small entities. "Small entities" include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as "small business concerns" under section 3 of the Small Business Act (15 U.S.C. 632). Because it expects the impact of this rule to be minimal, the Coast Guard certifies under Section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601-612) that this temporary final rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

These regulations contain no collection of information requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520).

Federalism

The Coast Guard has analyzed this rule under the principles and criteria contained in Executive Order 12612 and

has determined that this rule 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 figure 2-1, paragraph (34)(h) of COMDTINST M16475.1C, this rule is categorically excluded from further environmental documentation. Special local regulations issued in conjunction with a regatta or marine parade are excluded under that authority.

List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

Temporary Regulations

In consideration of the foregoing, Part 100 of Title 33, Code of Federal Regulations is amended as follows:

PART 100—[AMENDED]

1. The authority citation for Part 100 continues to read as follows:

Authority: 33 U.S.C. 1233; 49 CFR 1.46 and 33 CFR 100.35.

2. A temporary Section 100.35-T05-047 is added to read as follows:

§ 100.35-T05-047 Inner Harbor, Baltimore, Maryland.

(a) Definitions:

(1) *Regulated area:* The waters of the Inner Harbor from shoreline to shoreline, bounded on the east by a line drawn along longitude 76°36'30" West. All coordinates reference Datum: NAD 1983.

(2) *Coast Guard Patrol Commander.* The Coast Guard Patrol Commander is a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Activities Baltimore.

(b) Special Local Regulations:

(1) Except for participants in the Dragon Boat Races and vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area without the permission of the Patrol Commander.

(2) The operator of any vessel in the regulated area shall:

(i) Stop the vessel immediately when directed to do so by any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard ensign.

(ii) Proceed as directed by any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard ensign.

(3) The Patrol Commander will allow vessel traffic to transit the event area between races.

(c) *Effective dates:* This section is effective from 7 a.m. to 6 p.m. on September 19, 1998.

Dated: June 23, 1998.

P.M. Stillman,

Captain, U.S. Coast Guard Acting Commander, Fifth Coast Guard District.

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[COTP New Orleans, LA 98-009]

RIN 2115-AA97

Safety Zone Regulations; Baptiste Collette Bayou Channel, Mile 11.5, Left Descending Bank, Lower Mississippi River, Above Head of Passes

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone within the Baptiste Collette Bayou Channel, Mile 11.5, Left Descending Bank, Lower Mississippi River, Above Head of Passes, extending the entire width of the channel. The safety zone has been established to protect vessels transiting the area from hazardous conditions associated with severe shoaling and the concurrent U.S. Army Corps of Engineers dredging operations. **EFFECTIVE DATES:** This regulation becomes effective on May 9, 1998, commencing at 5:00 p.m. local time. It will be terminated when the U.S. Corps of Engineers dredging operations are complete on August 2, 1998.

FOR FURTHER INFORMATION CONTACT: LT Zachary Pickett (504) 589-4222. U.S. Coast Guard Marine Safety Office, 1615 Poydras St., New Orleans, LA 70112-1254.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, a notice of proposed rulemaking will not be published for this regulation and good cause exists for making it effective in less than 30 days after **Federal Register** publication. Publishing a NPRM and delaying its effective date would be contrary to the public interest since immediate action is needed to respond to the potential hazards to local marine traffic involved.

Drafting Information: The drafter of this regulation is LT Zachary Pickett, Project Manager for the Captain of the

Port, and LT(jg) M.A. Woodruff, Project Counsel, Eighth Coast Guard District Legal Office.

Background and Purpose

The hazardous condition requiring this regulation is a result of severe shoaling within the Baptiste Collette Bayou Channel. The U.S. Army Corps of Engineers is currently dredging this channel thereby restricting navigation. A safety zone is needed to protect vessels transiting the area. This regulation is issued pursuant to 33 U.S.C. 1225 and 1231 as set out in the authority citation for all of Part 165.

Regulatory Evaluation

This temporary rule is not a significant regulatory evaluation under Section 3(f) of Executive Order 12866 and is not significant under the "Department of Transportation Regulatory Policies and Procedures" (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this rule to be so minimal that a full regulatory evaluation is unnecessary. This regulation will only be in effect for a short period of time, and the impacts on routine navigation are expected to be minimal.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.), the Coast Guard must consider whether this regulation will have a significant economic impact on a substantial number of small entities. "Small entities" include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as "small business concerns" under section 3 of the Small Business Act (15 U.S.C. 632). Since the impact of this regulation on non-participating small entities is expected to be minimal, the Coast Guard certifies under 5 U.S.C. 605(b) that this regulation will not have a significant economic impact on a substantial number of small entities. This regulation will only be in effect for several hours and the impacts on small entities are expected to be minimal.

Collection of Information

This rule contains no collection of information 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 it does not have sufficient federalism implications to

warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard considered the environmental impact of this proposal and concluded that under figure 2-1, paragraph (34)(g) of Commandant Instruction M16475.1C, this proposal is categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 165

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

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

PART 165—[AMENDED]

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

Authority: 33 U.S.C. 1225 and 1231; 50 U.S.C. 191; and 33 CFR 1.05-1(g), 6.04-1, 6.04-6, and 160.5; 49 CFR 1.46.

2. A new § 165.T08-024 is added to read as follows:

§ 165.T08-024 Safety Zone:

(a) *Location.* The following area is a safety zone: Baptiste Collette Bayou Channel, Lower Mississippi River, Mile 11.5, Left Descending Bank, Above Head of Passes in the vicinity of Venice, Louisiana extending the entire width of the channel.

(b) *Effective date.* This section becomes effective on May 9, 1998, commencing at 5:00 p.m. local time. It will be terminated when the U.S. Army Corps of Engineers completes dredging operations on August 2, 1998.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.23 of this part, no vessel may operate within the safety zone contrary to this regulation.

(2) The Baptiste Collette Channel is restricted to vessels with drafts of five feet or less. All vessels shall comply with this draft restriction unless otherwise directed in Marine Information Broadcasts.

(3) A one way traffic pattern is in effect and being regulated by the U.S. Army Corps of Engineers M/V BRETON or as directed in Marine Information Broadcasts.

(4) All vessels shall observe a no meeting or passing zone while transiting Baptiste Collette or as directed in Marine Information Broadcasts.

(5) The west side (red) of the channel is closed from marker #6 to the sea buoy/entrance buoy. Passing will only

be allowed on the east side (green) of the channel and only at the top of each hour or as directed by the U.S. Army Corps of Engineers M/V BRETON.

Dated: May 8, 1998.

G.D. Marsh,

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

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[MO 049-1049a; FRL-6118-3]

Approval and Promulgation of Implementation Plans; State of Missouri

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: This final action approves revised Missouri rule 10 CSR 10-6.030 as a revision to the Missouri State Implementation Plan (SIP). This rule revision was submitted by the state of Missouri to incorporate the most current EPA guidance on capture efficiency methods for volatile organic compound emission control systems.

DATES: This direct final rule is effective on September 8, 1998 without further notice, unless the EPA receives adverse comment by August 7, 1998. If adverse comment is received, the EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** and inform the public that the rule will not take effect.

ADDRESSES: Comments may be mailed to Kim Johnson, Environmental Protection Agency, Air Planning and Development Branch, 726 Minnesota Avenue, Kansas City, Kansas 66101. Copies of the documents relevant to this action are available for public inspection during normal business hours at the: Environmental Protection Agency, Air Planning and Development Branch, 726 Minnesota Avenue, Kansas City, Kansas 66101; and the EPA Air & Radiation Docket and Information Center, 401 M Street, SW, Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Kim Johnson at (913) 551-7975.

SUPPLEMENTARY INFORMATION: This revision to Missouri rule 10 CSR 10-6.030 incorporates capture efficiency methods as identified in the EPA's February 7, 1995, memorandum entitled, "Revised Capture Efficiency Guidance for Control of Volatile Organic