

dates and times, unless cleared for such entry by or through an official patrol vessel.

(2) When hailed and/or signaled by an official patrol vessel, a spectator shall come to an immediate stop. Vessels shall comply with all directions given; failure to do so may result in a citation.

(3) The Patrol Commander is empowered to forbid and control the movement of all vessels in the regulated area. The Patrol Commander may terminate the event at any time it is deemed necessary for the protection of life and/or property and can be reached on VHF-FM Channel 16 by using the call sign "PATCOM".

(c) *Effective date.* This section is effective from 9 a.m. until 7 p.m., August 28–29, 1999.

Dated: July 26, 1999.

Paul J. Pluta,

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

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD08–99–047]

RIN 2115–AE47

Drawbridge Operation Regulation; Tennessee River, TN

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Commander, Eighth Coast Guard District is temporarily changing the regulation governing the Chief John Ross Drawbridge, Mile 464.1, Tennessee River. The drawbridge need no open for vessel traffic and may remain in the closed-to-navigation position from July 26, 1999 to October 1, 1999. This temporary rule is issued for bridge repairs and painting necessary to maintain the lift span in safe, working order.

DATES: This temporary rule is effective from 12:01 a.m., July 26, 1999 to noon, October 1, 1999.

ADDRESSES: The public docket and all documents referred to in this rule will be available for inspection and copying at room 2.107f in the Robert A. Young Federal Building at Commander (obr), Eighth Coast Guard District, 1222 Spruce Street, St., Louis, Missouri 63103–2832, between 7 a.m and 4 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT:

Roger K. Wiebusch, Bridge Administrator; Eighth Coast Guard District, Bridge Branch, telephone 314–539–3900 extension 378.

SUPPLEMENTARY INFORMATION:

Background

On June 29, 1999, the Tennessee Department of Transportation (TNDOT) requested a temporary change to the operation of the Chief John Ross Drawbridge across the Tennessee River, Mile 464.1 at Chattanooga, Tennessee. The TNDOT requested that the drawbridge be permitted to remain closed to navigation beginning in July to the end of September to facilitate necessary repair work and painting required to keep the lift span in safe, working order. Repairs to the deck will require the placement of heavy concrete lane barriers on the lift span which will preclude openings.

This rule is being published as a temporary rule and is being made effective on the date of publication. This rule is being promulgated without a notice of proposed rulemaking and should be made effective in less than 30 days due to the short time frame provided between the submission of the request by the TNDOT and the date of the scheduled start to work. For this reason, the Coast Guard determined good cause exists, according to 5 U.S.C. 553, to eliminate public comment period before the effective date of this rule and to make the rule effective in less than 30 days after publication.

Discussion of Temporary Rule

The Chief John Ross Drawbridge navigation span provides vertical clearance of 58.7 feet above normal pool in the closed-to-navigation position. Navigation on the waterway consists primarily of commercial tows and recreational watercraft. Presently, the draw is required to open on signal when the vertical clearance beneath the draw is 50 feet or less. When the vertical clearance is more than 50 feet at least eight hours notice is required. Due to the clearance provided by the bridge in the closed-to-navigation position commercial vessel operators do not usually require the bridge to open for passage of marine traffic. There was only a single reported bridge opening in the past 15 years. This temporary drawbridge operation amendment has been coordinated with the commercial waterway operators. No objections to the temporary rule were raised.

Regulatory Evaluation

This temporary 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 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 temporary rule to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary. Since the bridge has not had to open for river traffic in the past several years, it is not expected that navigation will change in the next four months to require openings.

Small Entities

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

Because it expects the impact of this action to be minimal, the Coast Guard certifies under 5 U.S.C. 605(b), that this action will not have a significant economic impact on a substantial number of small entities.

Collection of Information

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

Federalism

The Coast Guard has analyzed this temporary rule under the principles and criteria contained in Executive Order 12612, and has determined that this temporary rule does not raise sufficient implications of federalism to warrant the preparation of a Federalism Assessment. The authority to regulate the permits of bridges over the navigable waters of the U.S. belong to the Coast Guard by Federal statutes.

Environmental

The Coast Guard considered the environmental impact of this temporary rule and concluded that under Figure 2–1, paragraph 32(e) of Commandant Instruction M16475.1C, this temporary 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 117

Bridges.

For the reasons set out in the preamble, the Coast Guard temporarily amends Part 117 of Title 33, Code of Federal Regulations, as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for Part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05–1(g); section 117.255 also issued under the authority of Pub. L. 102–587, 106 Stat. 5039.

2. Effective from 12:01 a.m., July 26, 1999, to 12 noon, October 1, 1999, § 117.949 is suspended and a new § 117.950 is added to read as follows:

§ 117.950 Tennessee River.

(a) *Southern Railway Bridge.* The draw of the Southern Railway Bridge over the Tennessee River, mile 470.7, at Hixon, Tennessee, shall open on signal when the vertical clearance beneath the draw is 50 feet or less. When the vertical clearance beneath the draw is more than 50 feet, at least eight hours notice is required. When the operator of a vessel returning through the draw within four hours informs the drawtender of the probable time to return, the drawtender shall return one half hour before the time specified and promptly open the draw on signal for the vessel without further notice. If the vessel giving notice fails to arrive within one hour after the arrival time specified, whether upbound or downbound, a second eight hours notice is required. Clearance gages of a type acceptable to the Coast Guard shall be installed on both sides of the bridge.

(b) *Chief John Ross Drawbridge.* The drawspan of the Chief John Ross Drawbridge, mile 464.1, at Chattanooga, Tennessee, need not open for vessel traffic and may be maintained in the closed-to-navigation position.

Dated: July 26, 1999.

Paul J. Pluta,

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

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[DC25–2018a; FRL–6412–5]

Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; 15 Percent Plan for the Metropolitan Washington, D.C. Ozone Nonattainment Area

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: We are converting our conditional approval of the District of Columbia's State Implementation Plan (SIP) revision to achieve a 15 percent reduction in volatile organic compound (VOC) emissions (15% plan) in the Metropolitan Washington, D.C. ozone nonattainment area to a full approval. In a rule published on July 7, 1998, we conditionally approved the District's 15% plan as a revision to the District's SIP. The sole condition we imposed for full approval was that the District begin mandatory testing of motor vehicles under its enhanced inspection and maintenance program (I/M program) on or before April 30, 1999. The District began the required testing on April 26, 1999, and thus fulfilled the condition for full approval. The District's 15% plan SIP revision meets all the requirements of the Clean Air Act relating to the plan to achieve a 15% reduction in VOC emissions.

DATES: This rule is effective on October 4, 1999 without further notice, unless EPA receives adverse written comment by September 7, 1999. If EPA receives such comments, it 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: Written comments should be mailed to David L. Arnold, Chief, Ozone and Mobile Sources Branch, Mailcode 3AP21, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air Protection Division, US Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103; and the District of Columbia Department of Public Health, Air Quality Division, 2100 Martin Luther King Avenue, S.E., Washington, DC 20020.

FOR FURTHER INFORMATION CONTACT: Christopher Cripps, (215) 814–2179, at the EPA Region III address above, or by e-mail at cripps.christopher@epa.gov.

SUPPLEMENTARY INFORMATION: In this action, we are converting our conditional approval of the District's 15% plan as a revision to the District's SIP to a full approval.

In a rule published on July 7, 1998 (63 FR 36578), we granted a conditional approval to the District's 15% plan because the District's enhanced inspection maintenance (I/M) program, which is one of the many control measures adopted by the District to achieve the 15% reduction in VOC emissions, had only been conditionally approved at that time. The sole condition we imposed for full approval of the District's enhanced I/M program and thus the 15% plan was that the District begin mandatory testing of motor vehicles under its enhanced I/M program on or before April 30, 1999. The District began the required testing on April 26, 1999, and thus fulfilled the condition for full approval.

In a rule published June 11, 1999 (64 FR 31498), we converted our conditional approval of the District's enhanced I/M program as a revision to the District's SIP to a full approval. Therefore, we are now converting our conditional approval of the District's 15% plan as a revision to the District's SIP to full approval.

EPA Action

EPA is converting its conditional approval of the District's 15% plan to a full approval. An extensive discussion of the District's 15% plan and our rationale for our approval action was provided in the previous final rule that conditionally approved the 15% plan (see 63 FR 36578 and 63 FR 36652) and in our Technical Support Document, dated June 22, 1998. This action to convert our conditional approval to a full approval is being published without prior proposal because we view this as a noncontroversial amendment and because we anticipate no adverse comments. In a separate document in the "Proposed Rules" section of this **Federal Register** publication, we are proposing to convert our conditional approval of the District's 15% plan SIP revision to a full approval if adverse comments are filed. This action will be effective without further notice unless we receive relevant adverse comment by September 7, 1999. If we receive such comment, we will publish a timely withdrawal in the **Federal Register** informing the public that the rule will not take effect. We will address all public comments in a subsequent final rule based on the proposed rule. Any parties interested in commenting must do so at this time. If no such comments are received by September 7, 1999, you