

record policy, and is participating in the National Driver Register.

(15) Authorization for the use of a preliminary breath test where there is probable cause to suspect a driver is impaired. To demonstrate compliance, a State shall submit a copy of its law adopting this requirement.

(16) Limitations on plea-bargaining in alcohol-related offenses. To demonstrate compliance, a State shall submit a copy of its law or court guidelines requiring that no alcohol-related charge be reduced to a non-alcohol-related charge or probation without judgment be entered without a written declaration of why the action is in the interest of justice. If a charge is reduced, the defendant's driving record must reflect that the reduced charge is alcohol-related.

(17) Provide victim assistance and victim restitution programs and require the use of a victim impact statement prior to sentencing in all cases where death or serious injury results from an alcohol-related traffic offense. To demonstrate compliance, a State shall submit a description of its victim assistance and restitution programs, and its use of victim impact statements.

(18) Mandatory impoundment or confiscation of license plate/tags of any vehicle operated by an individual whose license has been suspended or revoked for an alcohol-related offense. Any such impoundment or confiscation shall be subject to the lien or ownership right of third parties without actual knowledge of the suspension or revocation. To demonstrate compliance a State shall submit a copy of its law adopting this requirement.

(19) Enactment of legislation or regulations authorizing the arresting officer to determine the type of chemical test to be used to measure intoxication and to authorize the arresting officer to require more than one chemical test. To demonstrate compliance, a State shall submit a copy of its law adopting this requirement.

(20) Establishment of liability against any person who serves alcoholic beverages to an individual who is visibly intoxicated. To demonstrate compliance, a State shall submit a copy of the law or court decision of a State's highest court establishing that liability.

(21) Use of innovative programs. To demonstrate compliance a State shall submit a description of its program and an explanation showing that the program will be as effective as any of the programs adopted to comply with the other supplemental criteria.

(c) To qualify for a supplemental grant of 10 percent of its 23 U.S.C. 402

apportionment for fiscal year 1983, a State must: (1) Have in place and implement or adopt and implement a license suspension system in which the average time from date of arrest to suspension of a license does not exceed 45 days; and (2) have in place and implement or adopt and implement four of the twenty-one requirements specified in section (b).

(d) To qualify for a supplemental grant for a second and a third year, a State must:

(1) Show that it has increased its performance for each of the requirements it adopted in the prior year, and

(2) Adopt two more requirements from section (b) for each subsequent year, except that a State does not have to implement more than a total of fifteen criteria.

§ 1209.7 Award procedures.

For each Federal fiscal year, grants under 23 U.S.C. 408 shall be made to eligible States upon submission of the alcohol safety plan and certification required by § 1209.4. Such grants shall be made until all eligible States have received a grant or until there are insufficient funds to award a grant to a State. Time of submission shall be determined by the postmark for certifications delivered through the mail and by stamped receipt for certifications delivered in person.

(Sec. 101, Pub. L. 97-364; 96 Stat. 1738 (23 U.S.C. 408); delegation of authority at 49 CFR 1.50)

Issued on January 31, 1983.

Raymond A. Peck, Jr.,
Administrator.

[FR Doc. 83-3146 Filed 2-2-83; 11:29 am]

BILLING CODE 4910-59-M

DEPARTMENT OF THE DEFENSE

Department of the Navy

32 CFR Part 770

Rules Limiting Public Access to Particular Installations; Base Entry Regulations for Naval Submarine Base, New London, Conn.

AGENCY: Department of the Navy, DOD.

ACTION: Final rule.

SUMMARY: The Department of the Navy is adding Subpart E to 32 CFR Part 770 in order to set forth regulations governing entry upon Naval Submarine Base New London, Groton, Connecticut. It is intended that these regulations will

apprise members of the general public of the rules governing access to Naval Submarine Base New London, Groton, Connecticut.

EFFECTIVE DATE: October 4, 1982.

FOR FURTHER INFORMATION CONTACT:

Lieutenant Commander Dale E. Bell, JAGC, U.S. Navy, Box 11, Naval Submarine Base New London, Groton, Connecticut 06340. Telephone: (203) 449-4739.

SUPPLEMENTARY INFORMATION:

Pursuant to the authority cited below, the Commanding Officer, Naval Submarine Base New London, Groton, Connecticut, on October 4, 1982, adopted entry regulations entitled "Entry Regulations for Naval Submarine Base New London" (SUBASENLONINST 5510.13A). It is vital to the national defense that the operation of the submarine base continue without undue interruption. Accordingly, these regulations limit entry upon Naval Submarine Base New London to authorized personnel and those persons who have obtained advance consent pursuant to these regulations. It has been determined, in accordance with the public rulemaking provisions of 32 CFR Parts 295 and 701, that publication of these regulations for public comment prior to adoption would be impracticable, unnecessary, and contrary to the public interest since the nature and national importance of Naval Submarine Base New London mandate the immediate and uninterrupted effectiveness of these regulations.

List of Subjects in 32 CFR Part 770

Federal buildings and facilities, National defense, Restricted access areas, Security measures.

Accordingly, 32 CFR Part 770 is amended by adding a new Subpart E as follows:

PART 770—[AMENDED]

Subpart E—Base Entry Regulations for Naval Submarine Base New London, Groton, Connecticut

Sec.	Purpose.
770.41	Purpose.
770.42	Background.
770.43	Responsibility.
770.44	Entry restrictions.
770.45	Entry procedures.
770.46	Violations.

Authority: 50 U.S.C. 797; DoD Directive 5200.8 of July 29, 1980; SECNAVINST 5511.38 of December 20, 1980; OPNAVINST 5510.45 of April 19, 1971; 5 U.S.C. 301; 10 U.S.C. 6011; 32 CFR 700.702; 32 CFR 700.714.

Subpart E—Base Entry Regulations for Naval Submarine Base New London, Groton, Connecticut

§ 770.41 Purpose.

The purpose of this subpart is to promulgate regulations and procedures governing entry upon Naval Submarine Base New London, and to prevent the interruption of the stated functions and operations of Naval Submarine Base New London, by the presence of any unauthorized person within the boundaries of Naval Submarine Base New London.

§ 770.42 Background.

Naval Submarine Base New London maintains and operates facilities to support training and experimental operations of the submarine force including providing support to submarines, submarine rescue vessels, and assigned service and small craft; within capabilities, to provide support to other activities of the Navy and other governmental activities in the area; and to perform such other functions as may be directed by competent authority.

§ 770.43 Responsibility.

The responsibility for proper identification and control of personnel and vehicle movement on the Naval Submarine Base New London is vested with the Security Officer.

§ 770.44 Entry restrictions.

Except for military personnel, their authorized dependents, or guests, and employees of the United States in the performance of their official duties, entry upon Naval Submarine Base New London, or remaining thereon by any person for any purpose without the advance consent of the Commanding Officer, Naval Submarine Base New London, or his authorized representative is prohibited. See 18 U.S.C. 1382, the Internal Security Act of 1950 (50 U.S.C. 797); Chief of Naval Operations Instruction 5510.45B of April 19, 1971; and Secretary of the Navy Instruction 5511.36 of December 20, 1980.

§ 770.45 Entry procedures.

(a) Any individual person or group of persons desiring the advance consent of the Commanding Officer, Naval Submarine Base New London, or his authorized representative shall, in writing, submit a request to the Commanding Officer, Naval Submarine Base New London, at the following address: Commanding Officer (Attn: Security Officer), Box 38, Naval Submarine Base New London, Groton, Connecticut 06349.

(b) Each request for entry will be considered on an individual basis weighing the operational, security, and safety requirements of Naval Submarine Base New London with the purpose, size of party, duration of visit, destination, and military resources which would be required by the granting of the request.

§ 770.46 Violations.

(a) Any person entering or remaining on Naval Submarine Base New London, without the consent of the Commanding Officer, Naval Submarine Base New London or his authorized representative, shall be subject to the penalties prescribed in 18 U.S.C. 1382, which provides in pertinent part: "Whoever, within the jurisdiction of the United States, goes upon any military, naval . . . reservation, post, fort, arsenal, yard, station, or installation, for any purpose prohibited by law or lawful regulation . . . shall be fined not more than \$500 or imprisoned not more than six months or both."

(b) Moreover, any person who willfully violates this subpart is subject to a fine not to exceed \$5000 or imprisonment for not more than one (1) year or both as provided in 50 U.S.C. 797.

Dated: February 1, 1983.

F. N. Ottie,

Lieutenant Commander, JAGC, U.S. Navy,
Alternate Federal Register Liaison Officer.

[FR Doc. 83-3136 Filed 2-4-83; 8:45 am]

BILLING CODE 3810-AE-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 123

[W-4-FRL 2293-4]

Florida Department of Environmental Regulation; Underground Injection Control Program Approval

AGENCY: Environmental Protection Agency.

ACTION: Approval of State Program.

SUMMARY: The State of Florida has submitted an application under Section 1422 of the Safe Drinking Water Act for the approval of an Underground Injection Control (UIC) program governing Classes I, III, IV, and V injection wells. After careful review of the application, the Agency has determined that the State's injection well program for Classes I, III, IV, and V injection wells meet the requirements of Section 1422 of the Act and, therefore, approves it.

EFFECTIVE DATE: This approval is effective February 7, 1983.

FOR FURTHER INFORMATION CONTACT: Curt Fehn, Ground Water Section, Water Supply Branch, Environmental Protection Agency, Region IV, 345 Courtland Street, Atlanta, Georgia 30365, (404) 881-3886.

SUPPLEMENTARY INFORMATION: Part C of the Safe Drinking Water Act (SDWA) provides for an Underground Injection Control (UIC) program. Section 1421 of the SDWA requires the Administrator to promulgate minimum requirements for effective State programs to prevent underground injection which endangers drinking water sources. The Administrator is also to list in the *Federal Register* each State for which in his judgment a State UIC program may be necessary. Each State listed shall submit to the Administrator an application which contains a showing satisfactory to the Administrator that the State: (i) Has adopted after reasonable notice and public hearings, a UIC program which meets the requirements of regulations in effect under Section 1421 of the SDWA; and (ii) will keep such records and make such reports with respect to its activities under its UIC program as the Administrator may require by regulations. After reasonable opportunity for public comment, the Administrator shall by rule approve, disapprove, or approve in part and disapprove in part the State's UIC program.

The State of Florida was listed as needing a UIC program on September 25, 1978 (43 FR 43420). The State of Florida submitted a complete application under Section 1422 on January 15, 1982, for the approval of a UIC program governing Classes I, III, IV, and V injection wells. The program would be administered by the Florida Department of Environmental Regulation (DER). On February 8, 1982, EPA published notice of its receipt of the application, announced the availability of the application for review, requested public comments, and scheduled a public hearing. Neither requests for public hearing nor requests to offer testimony at such hearing were received by EPA. Therefore, pursuant to the provisions of 40 CFR 123.54(c), the public hearing was cancelled on March 17, 1982 because of expressed lack of sufficient public interest. After careful review of the application, I have determined that the Florida UIC program submitted by the DER meets the requirements established by Federal

regulations pursuant to Section 1422 of the SDWA, and hereby approve it.

EPA is publishing this approval effective immediately so that Florida can begin issuing UIC permits for Classes I, III, IV, and V wells under the UIC program.

The terms listed below comprise a complete listing of the thesaurus terms associated with 40 CFR Part 123, which sets forth the requirements for a State requesting the authority to operate its own permit program of which the Underground Injection Control program is a part. These terms may not all apply to this particular notice.

List of Subjects in 40 CFR Part 123

Hazardous materials, Indians—lands, Reporting and recordkeeping requirements, Waste treatment and disposal, Water pollution control, Water supply, Intergovernmental relations, Penalties, Confidential business information.

OMB Review

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291.

Certification Under the Regulatory Flexibility Act

Pursuant to the provisions of 5 U.S.C. 605(b), I certify that approval by EPA under Section 1422 of the Safe Drinking Water Act of the application by the Florida Department of Environmental Engineering will not have a significant economic impact on a substantial number of small entities, since this rule only approves State actions. It imposes no new requirements on small entities.

Dated: January 28, 1983.

Anne M. Gorsuch,
Administrator.

[FR Doc. 83-3197 Filed 2-4-83; 8:45 am]
BILLING CODE 6560-50-M

40 CFR Part 228

[WH-FRC 2297-7]

Ocean Dumping; Extension of Interim Site Designations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Interim final rule.

SUMMARY: EPA today amends § 228.12 of the Ocean Dumping Regulations and Criteria to extend the interim designation of some dredged material ocean dumping sites pending completion of Environmental Impact Statements (EIS's) and formal rulemaking procedures. This action is necessary to

assure that maintenance dredging of harbors and essential disposal of dredged material into the oceans is continued until the necessary site designation studies are done.

DATE: This action will become effective on February 1, 1983. Comments must be received on or before March 9, 1983.

ADDRESSES: Send comments to: Mr. T. A. Wastler, Chief, Marine Protection Branch (WH-585), EPA, Washington, DC 20460.

The record supporting this rulemaking is available for public inspection at the following location: EPA Public Information Reference Unit (PIRU), Room 2404 (rear), 401 M Street Southwest, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Mr. T. A. Wastler, 202/755-0356.

SUPPLEMENTARY INFORMATION: EPA published revised Ocean Dumping Regulations and Criteria in the Federal Register on January 11, 1977 (42 FR 2462 et seq.). Section 228.12 contains a list of approved interim ocean dumping sites and states, in part:

The following sites are approved for dumping the indicated materials on an interim basis pending completion of baseline or trend assessment surveys and designation for continuing use or termination of use.

The 1977 designations were effective for a maximum of three years. On January 16, 1980, and December 9, 1980, EPA extended the interim designations of these sites according to schedules published in those documents. 45 FR 3053 et seq. and 45 FR 81042 et seq. As EPA explained in January 1980, an extensive program of dumpsite surveys and Environmental Impact Statement preparation has been underway since 1977 pursuant to Contract No. 68-01-4610 ("the Contract"). This program covers most of the significant interim-designated dumpsites, including all of the sites needed after January 1980 for ocean disposal of sewage sludge or industrial wastes and those dredged material disposal sites which service existing navigation projects and which either routinely receive large quantities of dredged material or receive dredged material which may be contaminated.

In the program of site designation as originally planned, those sites were selected for priority study which received large volumes of material or which received municipal wastes, industrial wastes, or dredged material from areas known to receive polluted materials. The sites selected for priority study included all sites at which municipal and industrial wastes were being dumped and dredged material ocean disposal sites which receive over

90 percent of all dredged material ocean dumped from the United States.

In its December 9, 1980, Federal Register notice, EPA published a schedule by which it intended to publish EIS's and designate ocean disposal sites. Of the sites listed in the schedule, EPA has completed rulemakings designating the acid waste site and five sites off Hawaii for continuing use. Final EIS's have been completed for seven additional sites and draft EIS's for six other sites. However, because of contractual problems, the need for additional information on certain of the disposal sites, and unanticipated analytical and scientific review requirements, we have not completed many of the permanent site designations on the schedule we adopted, a schedule that would have made interim designations unnecessary beyond February 1, 1983. Therefore, to assure that maintenance dredging of harbors and essential disposal of dredged material at ocean disposal sites can be continued until the site designation studies are completed and final designation actions are taken, it is necessary to extend some of the interim dredged material ocean disposal site designations. Each of the sites whose interim designation is extended is important to the continued maintenance of a major federal navigation project, and continuation of each of these projects is of regional and frequently national economic importance. These interim extensions will ensure that no delay in dredging activities will result from the unavailability of an EPA-designated site, with consequent impediments to interstate and foreign commerce.

The action taken today extends the interim designations of some ocean disposal sites on a schedule commensurate with the time needed to complete the required actions. The sites for which such extension of interim designation is given fall into three broad categories.

1. *Those sites for which all studies have been completed and EIS's have been published, but for which rulemaking has not been completed.* Each site designation is published first as proposed rulemaking for public comment, and then as final rulemaking. Ample time is allowed for public comment and, if necessary, one or more public hearings may be held. The minimum time for the rulemaking process is six months, and 12 months is a realistic length of time for this type of rulemaking. The sites in this category are:

(i) San Francisco Channel Bar, CA.

- (ii) New York Mud Dump, NY.
- (iii) Jacksonville, FL.
- (iv) Galveston, TX.

These sites were all included within the scope of the Contract and are now in various stages of the rulemaking procedure. An extension of one year to complete this process is required to allow for adequate public participation.

2. *Those sites for which all studies have been completed and the EIS's are in the process of being written.* These are sites for which field studies were required under the Contract and which have been delayed because of the need for additional information on the sites, more extensive data evaluation than was originally anticipated, or more extensive review of draft documents than anticipated. Some of these were backlogged by similar problems with other EIS's which preceded them in the Contract schedule. At the present time the data analyses on all of the EIS's are complete and they are in various stages of drafting. The sites in this category are:

- (i) Portland, ME.
- (ii) San Juan, PR.
- (iii) Charleston/Savannah/Wilmington (3 sites). Wilmington Harbor, NC; Charleston Harbor, SC; and Savannah River, GA.
- (iv) Sabine-Neches, TX.
- (v) Mouth of Columbia River, OR (5 sites).

Considering the length of time necessary for rulemaking after the draft EIS on each site is complete, an extension of the interim designation of each for 18 months is required.

3. *Those sites for which field studies have been planned and initiated, but either the studies or the data analysis is not yet complete, and drafting of the EIS has not yet begun.* These are sites which were included in the scope of work of the Contract but for which additional studies beyond those originally planned have been found to be necessary. In each case detailed study plans have been developed, and studies will be completed in early 1983. After the studies are completed, the data will have to be analyzed, the EIS's prepared and published, and the procedures for rulemaking followed. It is therefore necessary to extend the interim designations on these sites for 24 months. The sites in this category are:

- (i) Morehead City, NC.
- (ii) Georgetown, SC.
- (iii) Pascagoula, MS.
- (iv) Humboldt Bay, CA.
- (v) Long Beach, CA.
- (vi) San Diego, CA (2 sites).
- (vii) New Jersey/Long Island Sites (8 sites). Absecon Inlet, NJ; Cold Spring Inlet, NJ; Manasquan Inlet, NJ; East

Rockaway, NY; Jones Inlet, NY; Fire Island, NY; Shark River, NJ; and Rockaway Inlet, NY.

- (viii) Gulfport/Mobile/Pensacola (4 sites). Mobile, AL; Gulfport, MS (2 sites); and Pensacola, FL.

- (ix) Coos Bay, OR.

The interim designation of the Farallon Islands site is not being extended. This site was found to be unsuitable for dredge material disposal because of its close association with a marine sanctuary designated by the National Oceanic and Atmospheric Administration under Title III of the Marine Protection, Research, and Sanctuaries Act.

Under the Regulatory Flexibility Act, EPA is required to perform a Regulatory Flexibility Analysis for all rules which may have a significant impact on a substantial number of small entities. EPA has determined that this action will not have a significant impact on small entities since the extension will only have the effect of retaining a disposal option for dredged material. Consequently, this action does not necessitate preparation of a Regulatory Flexibility Analysis.

Under Executive Order 12291, EPA must judge whether a regulation is "major" and therefore subject to the requirement of a Regulatory Impact Analysis. This action will not result in an annual effect on the economy of \$100 million or more or cause any of the other effects which would result in its being classified by the Executive Order as a "major" rule. Consequently, this action does not necessitate preparation of a Regulatory Impact Analysis.

Continued designation of the interim dredged material disposal sites is necessary to assure the uninterrupted availability of harbors to interstate and foreign commerce. In the absence of an extension, the site designations at issue would expire February 1, 1983. Accordingly, pursuant to the Administrative Procedure Act, 5 U.S.C. 553(b)(3)(B), the Agency has determined that notice and public procedure on the interim designations, prior to their extension, is impracticable and contrary to the public interest. However, the Agency solicits public comment on the interim designations and will address any comments received in a final rulemaking. For the same reasons, EPA has determined, pursuant to the Administrative Procedure Act, 5 U.S.C. 8553(d)(3), that there is good cause to make this regulation effective on February 1, 1983.

This interim final rule was submitted to the Office of Management and Budget for review as required by Executive Order 12291.

List of Subjects in 40 CFR Part 228

Water pollution control.

(33 U.S.C. 1412 and 1418)

Dated: January 28, 1983.

Frederic A. Eidsness, Jr.,

Assistant Administrator for Water.

PART 228—[AMENDED]

§ 228.12 [Amended]

In consideration of the foregoing, Part 228 of Subchapter H of Chapter I of Title 40 is amended by removing that part of the last sentence of the introductory text through the colon § 228.12(a) and removing paragraphs (1) through (3) of § 228.12(a). Paragraphs (4)–(6) of § 228.12(a) are redesignated as (1)–(3). Newly redesignated paragraph (a)(1) of § 228.12 is revised to read as follows:

* * * * *

(a) * * *

(1) The following sites for disposal of dredged material under Corps of Engineers permits under Section 103 of the Act will remain in force according to the following schedule:

(i) Until such time as formal rulemaking is completed or until January 31, 1984, whichever is sooner:

- (A) San Francisco Channel Bar, CA.
- (B) New York Mud Dump, NY.
- (C) Jacksonville, FL.
- (D) Galveston, TX.

(ii) Until such time as formal rulemaking is completed or until July 31, 1984, whichever is sooner:

- (A) Portland, ME.
- (B) San Juan, PR.
- (C) Charleston/Savannah/Wilmington (3 sites): Wilmington Harbor, NC; Charleston Harbor, SC; and Savannah River, GA.
- (D) Sabine-Neches, TX.
- (E) Mouth of Columbia River, OR (5 sites).

(iii) Until such time as formal rulemaking is completed or until January 31, 1985, whichever is sooner:

- (A) Morehead City, NC.
- (B) Georgetown, SC.
- (C) Pascagoula, MS.
- (D) Humboldt Bay, CA.
- (E) Long Beach, CA.
- (F) San Diego, CA (2 sites).

(G) New Jersey/Long Island Sites (8 sites): Absecon Inlet, NJ; Cold Spring Inlet, NJ; Manasquan Inlet, NJ; East Rockaway, NY; Jones Inlet, NY; Fire Island, NY; Shark River, NJ; and Rockaway Inlet, NY.

(H) Gulfport/Mobile/Pensacola (4 sites): Mobile, AL; Gulfport, MS (2 sites); and Pensacola, FL.

- (I) Coos Bay, OR.

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BILLING CODE 6560-50-M