

discover the impact of a more relaxed opening schedule, and it is anticipated that this impact will be beneficial to the fishing and charter boats in the area. The Coast Guard will accept comments on the economic impact on small entities, and will consider them when developing new drawbridge regulations, should that prove necessary.

Environmental Impact

This rulemaking has been thoroughly reviewed by the Coast Guard and it has been determined to be categorically excluded from further environmental documentation in accordance with section 2.B.2.g.(5) of Commandant Instruction M16475.1B. A Categorical Exclusion Determination statement has been prepared and placed in the rulemaking docket.

List of Subjects in 33 CFR Part 117

Bridges.

Regulations

In consideration of the foregoing, part 117 of title 33, Code of Federal Regulations, is temporarily amended 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); 33 CFR 117.43.

2. Section 117.561 is temporarily revised to read as follows:

§ 117.561 Kent Island Narrows

The draw of the State Route 18 bridge, mile 1.0, Kent Island Narrows, operates as follows:

(a) From November 1 through April 30 the drawbridge shall open on signal from 6 a.m. to 6 p.m., but need not open at any other time.

(b) From May 1 through October 31 the drawbridge shall open on the hour and the half-hour for the passage of any waiting vessels from 6 a.m. to 9 p.m., and shall remain open for a period sufficient to allow passage of all waiting vessels. From 9 p.m. to 6 a.m., the drawbridge need not open.

(c) Shall open at any time with a one-hour advance notice for the passage of public vessels of the United States, State or local vessels on public safety missions, or vessels in distress. Notice shall be given to the State Highway Administration Division Communications Center at (301) 333-1215 which operates 24 hours a day.

(d) In the event that the new bridge is closed due to an incident, the draw-span shall be closed until the roadway has

been cleared and traffic resumes on the bridge. In the event that the duration of the incident exceeds two hours, the drawbridge shall open every two hours to permit the passage of waiting vessels.

(e) This temporary deviation is effective from July 1, 1991, through August 31, 1991.

Dated: June 25, 1991.

W.T. Leland,

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

[FR Doc. 91-15737 Filed 7-1-91; 8:45 am]

BILLING CODE 4910-14-M

33 CFR 165

[CGD 191-071]

Safety Zone Regulations: Burlington, Lake Champlain, VT

AGENCY: Coast Guard, DOT.

ACTION: Emergency rule.

SUMMARY: The Coast Guard is establishing a safety zone at Burlington, Lake Champlain, Vermont. This zone is needed to protect the maritime community from the possible dangers and hazards to navigation associated with a fireworks display. Entry into this zone, or movement within this zone, is prohibited unless authorized by the Captain of the Port, New York.

EFFECTIVE DATES: This regulation becomes effective at 4 p.m. local time 03 July 1991. It terminates at 11:30 p.m. local time 03 July 1991.

FOR FURTHER INFORMATION CONTACT: BM2 G. Gaffney of Captain of the Port, New York (212) 668-7934.

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

Drafting Information

The drafters of this regulation are LTJG C.W. Jennings, project officer, Captain of the Port New York, and LT R.E. Korroch, project attorney, First Coast Guard District Legal Office.

Discussion of Regulation

The circumstances requiring this regulation result from the possible dangers and hazards to navigation associated with a fireworks display. This regulation is effective from 4 p.m.,

03 July 1991 to 11:30 p.m. 03 July 1991. 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.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Security measures, Vessels, Waterways.

Regulation

In consideration of the foregoing, part 165 of title 33, Code of Federal Regulations, is amended as follows:

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

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

2. A new 165.T1071 is added to read as follows:

§ 165.T1071 Safety Zone: Burlington, Lake Champlain, Vermont.

(a) *Location.* The following area has been declared A Safety Zone: All waters of Burlington Harbor within a 300 yard radius of the fireworks barge located in approximate position 44°-28'-31"N and 073°-13'-30"W

(b) *Effective date.* This regulation becomes effective at 4 p.m. local time 03 July 1991. It terminates at 11:30 p.m. local time 03 July 1991.

(c) *Regulations.* In accordance with the general regulations in § 165.23 of this part entry into or movement within this zone is prohibited unless authorized by the Captain of the Port.

Dated: May 29, 1991.

R.M. Larrabee,

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

[FR Doc. 91-15738 Filed 7-1-91; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 165

[COTP Buffalo Regulation 91-001]

Safety Zone Regulations: Sodus Bay, NY

AGENCY: Coast Guard, DOT.

ACTION: Emergency rule.

SUMMARY: The Coast Guard is establishing a safety zone inside Sodus Bay approximately 1400 feet south of Sand Point. The zone is needed to protect the barge anchored in the center of the safety zone and functioning as a platform for launching fireworks from a safety hazard associated with vessels transiting the area. It is also needed to protect spectator craft and other vessels from falling, burning debris. Entry into

this zone is prohibited unless authorized by the Captain of the Port.

EFFECTIVE DATES: This regulation becomes effective at 8:30 p.m. on 06 July 1991. It terminates on 06 July 1991 at 11:30 p.m. unless otherwise terminated by Captain of the Port.

FOR FURTHER INFORMATION CONTACT: Lt. Cumming at (716) 846-4168.

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

Drafting Information

The drafters of this regulation are LT Cumming, project officer for the Captain of the Port, and LCDR Reeves, project attorney, Ninth Coast Guard District Legal Office.

Discussion of Regulation

The event requiring this regulation will begin at 8:30 p.m., 06 July 1991 and will conclude at 11:30 p.m., 06 July 1991. The event is a fireworks display from an anchored barge. A safety zone is needed to protect spectator craft and other vessels from falling, burning debris. It is also needed to ensure that the safety of the fireworks launching operation is not compromised by wakes and other hazards associated with transiting vessels.

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.

Federalism

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that this emergency rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

List of Subjects in 33 CFR Part 165

Harbors, Marine Safety, Navigation (water), Security measures, Vessels, Waterways.

Regulation

In consideration of the foregoing, subpart C of part 165 of title 33, Code of Federal Regulations, is amended as follows:

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; 49 CFR 1.46 and 33 CFR 1.05-1(g), 6.04-1, 6.04-6, and 160.5.

2. A new temporary § 165T0929 is added to read as follows: 165T0929 Safety Zone: Sodus Bay, NY

(a) *Location.* The following area is a safety zone: A 500 foot radius around a barge anchored in position 43 deg 15.73 min N, 076 deg 58.23 min W.

(b) *Effective date.* This regulation becomes effective at 8:30 p.m., 06 July 1991. It terminates at 11:30 p.m., 06 July 1991 unless otherwise terminated by the Captain of the Port.

(c) *Regulations:* In accordance with the general regulations in § 165.23 of this part, entry into this zone is prohibited unless authorized by the Captain of the Port.

Dated: June 14, 1991.

G.S. Cope,

Captain of the Port.

[FR Doc. 91-15739 Filed 7-1-91; 8:45 am]

BILLING CODE 4910-14-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[FRL-3968-7]

Approval and Promulgation of Implementation Plans; State of Nebraska

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Nebraska Department of Natural Resources (NDEC) has submitted revised regulations to incorporate by reference the EPA revisions to 40 CFR 52.21 at 53 FR 40656, October 17, 1988, pertaining to PSD NO_x increments. EPA is taking final action to approve this revision to the Nebraska State Implementation Plan (SIP).

DATES: This action will be effective September 3, 1991, unless notice is received within 30 days of publication that adverse or critical comments will be submitted. If the effective date is delayed, timely notice will be published in the Federal Register.

ADDRESSES: Copies of the state submittal for this action are available for public inspection during normal business hours at: The Environmental Protection Agency, region VII, Air Branch, 726 Minnesota Avenue, Kansas City, Kansas 66101; Public Information Reference Unit, Environmental Protection Agency, 401 M Street SW., Washington, DC 20460; Environmental Protection Division, Nebraska

Department of Environmental Control, 301 Centennial Mall South, Lincoln, Nebraska 68509.

FOR FURTHER INFORMATION CONTACT: Joshua A. Tapp at (913) 551-7606 (FTS 276-7606).

SUPPLEMENTARY INFORMATION: On October 17, 1988, EPA revised the prevention of significant deterioration (PSD) regulations at 40 CFR 52.21 (see 53 FR 40656) for nitrogen oxides. These regulations establish the maximum increase in ambient nitrogen dioxide concentrations allowed in an area above the baseline concentration; these maximum allowable increases are called increments. The intended effect of these regulations is to require all applicants for major new stationary sources and major modifications emitting nitrogen oxides to account for and, if necessary, restrict emissions so as not to cause or contribute to exceedances of the increment.

On March 8, 1991, NDEC submitted an amendment to the Nebraska state air rules in chapter 7 entitled "Prevention of Significant Deterioration of Air Quality." This amendment, which became effective February 20, 1991, incorporates by reference the revisions to 40 CFR part 52.21, effective November 19, 1988. The state also provided a demonstration that it meets the conditions for approval of adoption of the NO_x increment program as detailed in the EPA guidance memorandum on the subject dated August 17, 1990.

The above memorandum describes specific conditions for EPA approval of a state's adoption of the NO_x increment rule. Those conditions pertain to regulatory language, increment consumption analysis, increment consumption for the transition period, and legal authority. EPA has evaluated the state's submittal in accordance with the August 17, 1990, guidance and finds that the state submittal is acceptable.

EPA is publishing this action without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. This action will be effective September 3, 1991, unless, within 30 days of its publication, notice is received that adverse or critical comments will be submitted.

If such notice is received, this action will be withdrawn before the effective date by publishing two subsequent notices. One notice will withdraw the final action and another will begin a new rulemaking by announcing a proposal of the action and establishing a comment period. If no such comments are received, the public is advised that

this action will be effective September 3, 1991.

EPA Action

EPA is taking final action to approve a revision to chapter 7 of title 129, "Nebraska Air Pollution Control Rules and Regulations," which adopts by reference the PSD NO_x requirements of 40 CFR part 52.21 at 53 FR 40658 (October 17, 1988).

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any SIP. Each request for revision to the SIP shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

Under 5 U.S.C. 605(b), I certify that this SIP revision will not have a significant economic impact on a substantial number of small entities (see 46 FR 8709).

This action has been classified as a table 3 action by the Regional Administrator under the procedures published in the Federal Register on January 19, 1989 (54 FR 2214-2225). On January 6, 1989, the Office of Management and Budget waived tables 2 and 3 SIP revisions (54 FR 2222) from the requirements of section 3 of Executive Order 12291 for a period of two years.

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by September 3, 1991. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review, nor does it extend the time within which a petition for judicial review may be filed, nor postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to

enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Particulate matter, Sulfur oxides.

Dated: June 10, 1991.
 Martha R. Steincamp,
 Acting Regional Administrator.

PART 52—[AMENDED]

Accordingly, 40 CFR part 52, subpart CC, is amended as follows:

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

Authority: 42 U.S.C. 7401-7642

Subpart CC—Nebraska

2. Section 52.1420 is amended by adding paragraph (c)(38) to read as follows:

§ 52.1420 Identification of plan.

* * * * *

(c) * * *

(38) Plan revisions were submitted by the Nebraska Department of Environmental Control on March 8, 1991, which implement EPA's October 17, 1988, PSD NO_x requirements.

(i) Incorporation by reference.

(A) Revisions to title 129, chapter 7, entitled "Prevention of Significant Deterioration of Air Quality," were adopted by the Nebraska Environmental Control Council on December 7, 1990, and became effective February 20, 1991.

(ii) Additional material.

(A) Letter from the state submitted March 8, 1991, pertaining to NO_x rules and analysis which certifies the material became effective on February 20, 1991.

[FR Doc. 91-15551 Filed 7-1-91; 8:45 am]

BILLING CODE 6560-50-M

40 CFR 271

[FRL-3964-7]

North Carolina; Final Authorization of Revisions to State Hazardous Waste Management Program

AGENCY: Environmental Protection Agency.

ACTION: Immediate final rule; Correction.

SUMMARY: This notice amends the list of authorities previously published in the April 10, 1991, Federal Register, 56 FR 14474, for final authorization of revisions to North Carolina's Hazardous Waste Management Program. The following analogues were inadvertently included in the Federal Register announcement:

- Hazardous Waste Miscellaneous Units; Standards Applicable to Owners and Operators, 54 FR 615, January 9, 1988.
- Standards Applicable to Owners and Operators of Hazardous Waste Treatment Storage and Disposal Facilities; Closure/Post Closure and Financial Responsibility Requirements, 53 FR 7740, March 10, 1988.

DATES: Final authorization for North Carolina's program revision shall be effective June 9, 1991, unless EPA publishes a prior Federal Register action withdrawing the April 10, 1991, immediate final rule.

FOR FURTHER INFORMATION CONTACT:

Narindar Kumar, Chief, State Programs Section, Waste Programs Branch, Waste Management Division, U.S. Environmental Protection Agency, 345 Courtland Street NE., Atlanta, Georgia 30365, (404) 347-2234.

SUPPLEMENTARY INFORMATION:

In the April 10, 1991 issue of the Federal Register on page 14475 the chart of Federal requirements is revised to read as follows:

Federal requirements	FR notice	Promulgation	State authority
Identification and listing of hazardous waste.....	52 FR 26012	7/10/87	NCGS 13A-294(c)(1)(1a) & (15) 15A NCAC 13A.0006(d)
Listing of spent pickle liquor clarification.....	52 FR 28697	8/3/87	
Development of corrective action programs after permitting hazardous waste land disposal facilities; corrections.	52 FR 33936	9/9/87	
Liability requirements for hazardous waste facilities corporate guarantee.....	52 FR 44314	11/18/87	NCGS 13A-294(c)(10)(15) & (16) NCGS 130A-294(j) 15A NCAC 13A.0009(i) 15A NCAC 13A.0010(h)

Federal requirements	FR notice	Promulgation	State authority
Hazardous waste miscellaneous units.....	52 FR 46946	12/10/87	NCGS 130A-294(c) NCGS 130A-294(c)(7) & (15) NCES 130A-294(c)(8) & (15) NCGS 130A-294(c)(2) & (15) NCGS 130A-294(c)(10) & (15) NCGS 130A-294(c)(14) & (15) 15A NCAC 13A.0002(b) 15A NCAC 13A.0009(c) NCGS 130A-294(c)(11) & (15) 15A NCAC 13A.0009(f) 15A NCAC 13A.0009(g) 15A NCAC 13A.0009(h) 15A NCAC 13A.0009(i) 15A NCAC 13A.0013(b) 15A NCAC 13A.0009(s)
Technical correction identification and listing of hazardous waste.....	53 FR 13382	4/22/87	NCGS 130A-294(c)(1)(1a) & (15) NCGS 130A-294(c)(2)(1a) & (15) 15A NCAC 13A.0006(e) 15A NCAC 13A.0006(d)

Patrick M. Tobin,
Acting Regional Administrator.
 [FR Doc. 91-14101 Filed 7-1-91; 8:45 am]
 BILLING CODE 6560-50-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 90-616; RM-7554]

Radio Broadcasting Services; Cold Spring and Litchfield, MN

AGENCY: Federal Communications Commission.
ACTION: Final rule.

SUMMARY: This document reallots Channel 235C2 from Litchfield to Cold Spring, Minnesota, and modifies the license for Station KMXK-FM to specify Cold Spring as the community of license for Channel 235C2, in response to a petition filed by Litchfield Broadcasting Corp. See 55 FR 52851, December 24, 1990. The coordinates for Channel 235C2 at Cold Spring are 45-23-53 and 94-25-15. With this action, this proceeding is terminated.

EFFECTIVE DATE: August 12, 1991.

FOR FURTHER INFORMATION CONTACT: Kathleen Scheuerle, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order, MM Docket No. 90-616, adopted June 17, 1991, and released June 26, 1991. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (room 230), 1919 M Street NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors,

Downtown Copy Center, 1714 21st Street NW., Washington, DC 20036, (202) 452-1422.

List of Subjects in 47 CFR Part 73

Radio Broadcasting.

PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Minnesota, is amended by removing Channel 235C2, Litchfield and adding Channel 235C2, Cold Spring.

Federal Communications Commission.

Andrew J. Rhodes,
Chief, Allocations Branch Policy and Rules Division, Mass Media Bureau.

[FR Doc. 91-15670 Filed 7-1-91; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[MM Docket No. 90-529; RM-7440]

Radio Broadcasting Services; Waupun and Omro, WI

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document reallots Channel 258C2 from Waupun to Omro, Wisconsin, and modifies the construction permit for Station WPKR(FM) to specify Omro as the community of license for Channel 258C2, in response to a petition filed by Midwest Dimensions, Inc. See 55 FR 47495, November 14, 1990. The coordinates for Channel 258C2 at Omro

are 43-50-51 and 88-51-31. With this action this proceeding is terminated.

EFFECTIVE DATE: August 12, 1991.

FOR FURTHER INFORMATION CONTACT:

Kathleen Scheuerle, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order, MM Docket No. 90-529, adopted June 14, 1991, and released June 26, 1991. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (room 230), 1919 M Street NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, Downtown Copy Center, 1714 21st Street NW., Washington, DC 20036, (202) 452-1422.

List of Subjects in 47 CFR Part 73

Radio Broadcasting.

PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Wisconsin, is amended by removing Channel 258C2, Waupun and adding Channel 258C2, Omro.

Federal Communications Commission.

Andrew J. Rhodes,
Chief, Allocations Branch Policy and Rules Division, Mass Media Bureau.

[FR Doc. 91-15671 Filed 7-1-91; 8:45 am]

BILLING CODE 6712-01-M