

located in closest possible compliance with the applicable 72 COLREGS requirements.

Moreover, it has been determined, in accordance with 32 CFR parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on this vessel in a manner differently from that prescribed

herein will adversely affect the vessel's ability to perform its military functions.

List of Subjects in 32 CFR Part 706

Marine safety, Navigation (water), and Vessels.

Accordingly, 32 CFR part 706 is amended as follows:

PART 706—[AMENDED]

1. The authority citation for 32 CFR Part 706 continues to read as follows:

Authority: 33 U.S.C. 1605.

2. Table Five of § 706.2 is amended by revising the entry for the USS LABOON to read as follows:

§ 706.2 Certifications of the Secretary of the Navy under Executive Order 11964 and U.S.C. 1605.

* * * * *

TABLE FIVE

Vessel	No.	Masthead lights not over all other lights and obstructions. annex I, sec. 2(f)	Forward masthead light not in forward quarter of ship. annex I, sec. 3(a)	After mast-head light less than 1/2 ship's length aft of forward masthead light. annex I, sec. 3(a)	Percentage horizontal separation attained
USS Laboon	DDG 58	X	X	X	19.6

Dated: May 1, 1997.

Approved:

R. R. Pixa,

Captain, JAGC, U.S. Navy, Deputy Assistant Judge Advocate General (Admiralty).

[FR Doc. 97-12766 Filed 5-14-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD07-97-010]

RIN 2115-AE46

Special Local Regulations: Fort Myers Beach, FL

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is amending the permanent special local regulations for the Fort Myers Beach Offshore Grand Prix. This event, previously scheduled to be held annually on the first Saturday and Sunday of June, will now be held annually during the third Saturday and Sunday of May, between 12 p.m. and 3 p.m. each day (Eastern Daylight Time). These amended regulations are necessary to provide for the safety of life on navigable waters during the event.

DATES: Effective: May 15, 1997.

FOR FURTHER INFORMATION CONTACT: LTJG T. J. Stuhldreier, Coast Guard Group St. Petersburg, FL at (813) 824-7533.

SUPPLEMENTARY INFORMATION:

Regulatory History

The amended regulations were published in the **Federal Register** as a Notice of Proposed Rulemaking on April 7, 1997 (62 FR 16513). No comments were received during the 30 day comment period.

Background and Purpose

The amended regulations are required to provide for the safety of life during the Fort Myers Beach Offshore Grand Prix because of the permanent change in the date of the event from the first Saturday and Sunday in June to the third Saturday and Sunday in May. There will be approximately 170 participants and spectator craft. The resulting congestion of navigable channels on the third weekend in May, vice the first weekend in June, creates an extra or unusual hazard in the navigable waters.

In accordance with 5 U.S.C. 553, good cause exists for making these regulations effective in less than 30 days after **Federal Register** publication. Delaying its effective date would be contrary to public interest since immediate action is needed to minimize potential danger to the public as the event is scheduled to be held in less than two weeks.

Discussion of Regulations

The amended regulations will permanently change the date of the Special Local Regulations for the Fort Myers Beach Grand Prix from the first Saturday and Sunday in June to the third Saturday and Sunday in May.

Regulatory Evaluation

This rule is not a significant regulatory action under Section 3(f) of the Executive Order 12866 and does not require an assessment of the 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 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 rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. The proposed amended regulation would remain in effect for only 4 hours each day for two days.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), 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).

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities, as the regulations will be in effect for only

four hours on two separate days each year.

Collection of Information

These regulations contain no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

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

Environmental Assessment

The Coast Guard has considered the environmental impact of this action and has determined pursuant to section 2.B.2.e. (34)(h) of Commandant Instruction M16475.1B, that this action is categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 100

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

Final Regulations

In consideration of the foregoing, the Coast Guard amends part 100 of Title 33, Code of Federal Regulations, 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.

2. In § 100.717, paragraph (c) is revised to read as follows:

§ 100.717 Special Local Regulations; Fort Myers Beach, FL.

* * * * *

(c) *Effective dates:* This section is effective each day from 11 a.m. through 3 p.m. EDT annually during the third Saturday and Sunday of May.

Dated: May 7, 1997.

J.W. Lockwood,

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

[FR Doc. 97-12791 Filed 5-14-97; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[VA 056-5023; FRL-5826-2]

Approval and Promulgation of Air Quality Implementation Plans; Commonwealth of Virginia; Enhanced Motor Vehicle Inspection and Maintenance Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Interim final rule.

SUMMARY: EPA is granting conditional interim approval of a State Implementation Plan (SIP) revision submitted by Virginia. This revision establishes and requires the implementation of an enhanced inspection and maintenance (I/M) program in the following Virginia Counties: Arlington, Fairfax, Fauquier, Loudoun, Prince William, and Stafford, and the Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park. The intended effect of this action is to conditionally approve the Commonwealth's proposed enhanced I/M program for an interim period to last 18 months, based upon the Commonwealth's good faith estimate of the program's performance. This action is being taken under section 110 of the Clean Air Act and section 348 of the National Highway Systems Designation Act.

EFFECTIVE DATE: This final rule is effective on June 16, 1997.

ADDRESSES: Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air, Radiation, and Toxics Division, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107. They are also available for inspection at the Virginia Department of Environmental Quality, 629 East Main Street, Richmond, Virginia 23219.

FOR FURTHER INFORMATION CONTACT: Catherine L. Magliocchetti, by telephone at: (215) 566-2174, or via e-mail at: magliocchetticatherine@epamail.epa.gov. The mailing address is U.S. EPA Region III, 841 Chestnut Street, Philadelphia, PA, 19107.

SUPPLEMENTARY INFORMATION:

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II. Background

On November 6, 1996 (61 FR 57343), EPA published a notice of proposed rulemaking (NPR) for the Commonwealth of Virginia. The NPR proposed conditional interim approval of Virginia's enhanced inspection and maintenance program, submitted to satisfy the applicable requirements of both the Clean Air Act (CAA) and the National Highway Systems Designation Act (NHSDA). The formal SIP revision was submitted by the Virginia Department of Environmental Quality on March 27, 1996.

As described in that notice, the NHSDA directs EPA to grant interim approval for a period of 18 months to approvable I/M submittals under this Act. The NHSDA also directs EPA and the states to review the interim program results at the end of that 18-month period, and to make a determination as to the effectiveness of the interim program. Following this demonstration, EPA will adjust any credit claims made by the state in its good faith effort, to reflect the emissions reductions actually measured by the state during the program evaluation period. The NHSDA is clear that the interim approval shall last for only 18 months, and that the program evaluation is due to EPA at the end of that period. Therefore, EPA believes Congress intended for these programs to start up as soon as possible, which EPA believes should be on or before November 15, 1997, so that at least six months of operational program data can be collected to evaluate the interim programs. EPA believes that in setting such a strict timetable for program evaluations under the NHSDA, Congress recognized and attempted to mitigate any further delay with the start-up of this program. If the Commonwealth fails to start its program according to this schedule, this conditional interim approval granted under the provisions of the NHSDA will convert to a disapproval after a finding letter is sent to the Commonwealth. Unlike the other specified conditions of this rulemaking, which are explicit conditions under section 110(k)(4) of the CAA and which will trigger an automatic disapproval should the Commonwealth fail to meet its commitments, the startdate provision will trigger a disapproval upon EPA's