

**Authority:** Secs. 702(a)(5), 1106, 1631(d)(1), and 1634 of the Social Security Act (42 U.S.C. 902(a)(5)), 1306, 1383(d)(1), and 1383(c).

**§ 416.2176 [Amended]**

2. Section 416.2176(b) is amended by removing "Department of Health and Human Services, unless the State appeals the decision within 30 days after receiving it to the Department's Grant Appeals Board under procedures in 45 CFR part 16." and adding "Social Security Administration."

**Subpart V—[Amended]**

1. The authority citation for subpart V of part 416 continues to read as follows:

**Authority:** Secs. 702(a)(5), 1615, 1631(d)(1) and (e), and 1633(a) of the Social Security Act (42 U.S.C. 902(a)(5), 1382d, 1383(d)(1) and (e), and 1683b(a)).

**§ 416.2202 [Amended]**

2. Section 416.2202 is amended by removing "Secretary" and adding "Commissioner" in the introductory text.

**§ 416.2203 [Amended]**

3. Section 416.2203 is amended by removing the definition of "Secretary" and by removing "or the Secretary, as appropriate" from the definition of *We, us* and *our*.

**§ 416.2217 [Amended]**

4. Section 416.2217 is amended by removing "Secretary" and adding "Commissioner" in the introductory text.

**§ 416.2220 [Amended]**

5. Section 416.2220 is amended by adding an apostrophe to the word "Services" and by removing the word "Grant" in paragraph (c).

**§ 416.2227 [Amended]**

6. Section 416.2227 is amended by adding an apostrophe to the word "Services" and by removing the word "Grant" in paragraph (a), by adding "Departmental" after the word "the" and removing the word "Grant" in paragraph (b) and by removing "Secretary" and adding "Commissioner" in the heading of paragraph (c) and in paragraph (c).

**PART 422—ORGANIZATION AND PROCEDURES**

**Subpart A—[Amended]**

1. The authority citation for subpart A of part 422 continues to read as follows:

**Authority:** Secs. 205, 218, 221, and 701–704 of the Social Security Act (42 U.S.C. 405, 418, 421, and 901–904).

**§ 422.1 [Amended]**

2. Section 422.1 is amended by removing the words "Department Staff Manual on Organization, Department of Health and Human Services, part 8," from the third sentence of paragraph (a) and adding "Social Security Administration Organizational Manual".

**Subpart B—[Amended]**

1. The authority citation for subpart B of part 422 continues to read as follows:

**Authority:** Secs. 205, 232, 702(a)(5), 1131, and 1143 of the Social Security Act (42 U.S.C. 405, 432, 902(a)(5), 1320b–1, and 1320b–13).

**§ 422.107 [Amended]**

2. Section 422.107 is amended by removing "Secretary of Health and Human Services" and adding "Commissioner of Social Security" in paragraph (a).

**Subpart C—[Amended]**

1. The authority citation for subpart C of part 422 continues to read as follows:

**Authority:** Secs. 205, 221, and 702(a)(5) of the Social Security Act (42 U.S.C. 405, 421, and 902(a)(5)); 30 U.S.C. 923(b).

**§ 422.210 [Amended]**

2. Section 422.210 is amended by removing "Secretary" wherever it appears and adding "Commissioner" in paragraphs (a) and (c) and by removing "Secretary of Health and Human Services" and adding "the Commissioner" and by removing "Secretary" and adding "the Commissioner" after "the Office of" and by removing "Secretary" and adding "Commissioner" throughout paragraph (d).

**Subpart G—[Amended]**

1. The authority citation for subpart G of part 422 continues to read as follows:

**Authority:** 26 U.S.C. 9701–9708.

**§ 422.602 [Amended]**

2. Section 422.602 is amended by removing "or the Secretary of Health and Human Services or the Secretary's delegate, as appropriate" from the definition of *We* or *us*.

[FR Doc. 97–18523 Filed 7–17–97; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION**

**Coast Guard**

**33 CFR Part 165**

[COTP Mobile, AL 97–16]

RIN 2115–AA97

**Safety Zone Regulations; St. Andrew Bay, Panama City Florida, Hathaway Landing Marina**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary rule.

**SUMMARY:** The Coast Guard is establishing a safety zone in St. Andrew Bay, Panama City Florida in the vicinity of Hathaway Landing Marina. The zone is needed to protect personnel and property associated with the Jet Ski Waverunner Exhibition. Entry into this zone is prohibited unless authorized by the Captain of the Port.

**DATES:** This regulation becomes effective at 11:30 a.m. July 20, 1997. It terminates at 4:30 p.m. on July 20, 1997.

**FOR FURTHER INFORMATION CONTACT:** LT R.A. Smith, (334) 441–5286, 150 North Royal Street, Mobile, AL 36602–2924.

**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 the public interest since immediate action is needed to prevent damage to the vessels involved.

**Background and Purpose**

The event requiring this regulation will begin at 11:30 a.m. July 20, 1997. The Jet Ski Waverunner Exhibition will occur in the vicinity of Hathaway Landing Marina between W 85–44' 9", N 30–11' 5" and W 85–44' 9", N 30–11', and W 85–45' 1", N 30–11' 7" and W 85–45' 1", N 30–11' 4". It terminates at 4:30 p.m. on July 20, 1997.

**Regulatory Evaluation**

This temporary rule is not a significant regulatory evaluation under 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.

**Collection of Information**

This rule contains no collection of information requirements under the Paperwork Reduction Act (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 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 section 2.B.2. of Commandant Instruction M16475.1 (series), this proposal is categorically excluded from further environmental documentation. A Categorical Exclusion Determination is available by contacting Commander (mps), Eighth Coast Guard District, 501 Magazine Street, New Orleans, LA 70130-3396.

**List of Subjects in 33 CFR Part 165**

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security 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.T08-041 is added to read as follows:

**§ 165.T08-041 Safety Zone: St. Andrew Bay, Panama City Florida, Hathaway Landing Marina**

(a) Location. The following area is a safety zone: In the vicinity of Hathaway Landing Marina between W 85-44' 9", N 30-11' 5" and W 85-44' 9", N 30-11' 3", and W 85-45' 1", N30-11' 7" and W 85-45' 1", N 30-11' 4". The zone is needed to protect personnel and property associated with the Jet Ski Waverunner Exhibition.

(b) Effective date. This section becomes effective at 11:30 A.M. July 20, 1997. It terminates at 4:30 P.M. on July 20, 1997 unless terminated sooner 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 12, 1997.

**J.J. Kichner,**

*Captain, U.S. Coast Guard, Captain of the Port Mobile, Alabama.*

[FR Doc. 97-18992 Filed 7-17-97; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52**

[IN53-3; FRL-5860-4]

**Approval and Promulgation of State Implementation Plan; Indiana**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** On June 26, 1995, and June 13, 1997, the State of Indiana submitted a Rate-Of-Progress (ROP) plan to reduce Volatile Organic Compounds (VOC) emissions in Lake and Porter Counties by 15 percent (%) from 1990 baseline levels by November 15, 1996, as a requested revision to the Indiana State Implementation Plan (SIP). On April 3, 1997, EPA issued a direct final approval of the Lake and Porter Counties 15% ROP plan, 3% contingency plan, and an Indiana Agreed Order requiring VOC emission controls on Keil Chemical Division, Ferro Corporation, located in Lake County (Keil). On the same day (April 3, 1997) EPA proposed approval and solicited public written comment on these requested SIP revisions. This proposed rule established a 30-day public comment period noting that if adverse comments were received regarding the direct final rule EPA would withdraw the direct final rule and publish an additional final rule to address the public comments. Adverse comments were received during the public comment period relating to the Keil SIP revision. EPA withdrew the direct final rule on May 23, 1997. In today's action, EPA is finalizing approval of the 15% ROP plan. Final action on the 3% contingency plan and the Keil agreed order will be addressed in a subsequent rulemaking action. The 15% ROP plan has reduced VOC emissions in Lake and Porter Counties by approximately 68,242 pounds (lbs) per day. VOC emissions combine with oxides of nitrogen in the atmosphere to form ground-level ozone, a pollutant which can cause inflammation of the lungs, decrease lung capacity, and aggravate asthma. The rationale for this rulemaking is discussed below.

**DATES:** This final rule is effective August 18, 1997.

**ADDRESSES:** Copies of the SIP revision request are available for inspection at the following address: (It is recommended that you telephone Mark J. Palermo at (312) 886-6082, before visiting the Region 5 office.)

U.S. Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois, 60604.

**FOR FURTHER INFORMATION CONTACT:**

Mark J. Palermo, Environmental Protection Specialist, Air Programs Branch (AR-18J) (312) 886-6082.

**SUPPLEMENTARY INFORMATION:****I. Background on 15% ROP Requirements**

On November 15, 1990, Congress enacted amendments to the 1977 Clean Air Act (Act); Public Law 101-549, 104 Stat. 2399, codified at 42 U.S.C. 7401-7671q. Section 182(b)(1) requires States with ozone nonattainment areas classified as moderate and above to submit a SIP revision known as a 15% ROP plan. This plan must reflect an actual reduction in typical ozone season weekday VOC emissions of at least 15% in the area during the first 6 years after enactment (i.e., by November 15, 1996). The emission reductions needed to achieve the 15% requirement must be calculated using a 1990 anthropogenic VOC emissions inventory as a baseline, minus emissions that have been reduced by: (1) The Federal Motor Vehicle Control Program (FMVCP) measures for the control of motor vehicle exhaust or evaporative emissions promulgated before January 1, 1990; and (2) gasoline Reid Vapor Pressure (RVP) regulations promulgated by November 15, 1990 (55 FR 23666, June 11, 1990). In addition, the plan must account for net growth in emissions within the nonattainment area between 1990 and 1996.

In Indiana, two ozone nonattainment areas are subject to the 15% ROP plan requirement: The Lake and Porter Counties portion of the Chicago severe ozone nonattainment area, and the Clark and Floyd Counties portion of the Louisville moderate ozone nonattainment area. This rulemaking action addresses only the plan for Lake and Porter Counties; the Clark and Floyd Counties 15% ROP plan was approved on May 7, 1997 (62 FR at 24815).

**II. Indiana's 15% ROP Submittal**

The Act requires States to observe certain procedural requirements in developing SIPs and SIP revisions for submission to EPA. Section 110(a)(2)