

DOT is unnecessary. This final rule merely redefines the regulated area of an existing regulation and does not impose any new restrictions on vessel traffic.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard considered whether this final rule, will have a significant economic impact on a substantial number of small entities. "Small Entities" include small businesses, 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 this final rule merely redefines the regulated area of an existing regulation and does not impose any new restrictions on vessel traffic, the Coast Guard expects the impact of this final rule to be minimal.

Therefore, the Coast Guard certifies under 5 U.S.C. 605(b), that this final rule will not have a significant economic impact on a substantial number of small entities.

#### Assistance for Small Entities

In accordance with section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-121), the Coast Guard offered to assist small entities in understanding the rule so that they can better evaluate its effects on them and participate in the rulemaking process. No requests for assistance were received.

#### Collection of Information

This final rule does not provide for a collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520).

#### Federalism

The Coast Guard has analyzed this final rule under the principles and criteria contained in Executive Order 12612 and has determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

#### Environment

The Coast Guard considered the environmental impact of this final rule and concluded that, under figure 2-1, paragraph (34)(h) of Commandant Instruction M16475.1C, this final rule is categorically excluded from further environmental documentation. This special local regulation will have no impact on the environment.

#### List of Subjects in 33 CFR Part 100

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

For the reasons set out in the preamble, the Coast Guard amends 33 CFR Part 100 as follows:

#### PART 100—[AMENDED]

1. The authority citation for Part 100 continues to read as follows:

**Authority:** 33 U.S.C. 1233 through 1236; 49 CFR 1.46 and 33 CFR 100.35.

2. Section 100.504 is amended by revising paragraph (a) to read as follows:

#### **§ 100.504 Night in Venice, Great Egg Harbor Bay, City of Ocean City, NJ.**

(a) *Regulated area.* The waters of Great Egg Harbor Bay and Beach Thorofare from Intracoastal Waterway Light 275 (LLNR 36045) northward along the entire width of the Intracoastal Waterway to the 9th Street Bridge, thence northeastward along the Ocean City Waterfront to the Long Port-Ocean City Bridge, thence northward along the Long Port-Ocean City Bridge to the northern shore, thence westward to Ships Channel Buoy 6 (LLNR 1350), thence southward to Intracoastal Waterway Light 252 (LLNR 35980), thence southwestward to the 9th Street Bridge.

\* \* \* \* \*

Dated: September, 9 1999.

**Thomas E. Bernard,**

*Captain, U.S. Coast Guard, Acting Commander, Fifth Coast Guard District.*

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#### DEPARTMENT OF TRANSPORTATION

#### Coast Guard

#### 33 CFR Part 100

[CGD08-99-060]

RIN 2115-AE46

#### **Special Local Regulations: Stone Mountain Productions; Tennessee River Mile 463.5-464.5; Chattanooga, TN**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary Final Rule

**SUMMARY:** Special local regulations are being adopted for the Stone Mountain Productions. This event will be held from 9:00 p.m. until 10:00 p.m. on October 16, 1999 at the riverfront in Chattanooga, Tennessee. These regulations are needed to provide for the safety of life on navigable waters during the event.

**DATES:** These regulations are effective from 9:00 p.m. until 10:00 p.m. on October 16, 1999.

**ADDRESSES:** Unless otherwise indicated, all documents referred to in this document are available for review at Marine Safety Detachment Nashville, 220 Great Circle Road, Suite 148, Nashville, TN 37228-1700.

**FOR FURTHER INFORMATION CONTACT:** MK3 Gregory Gunnels, Marine Safety Detachment Nashville, TN. Tel: (615) 736-5421.

#### **SUPPLEMENTARY INFORMATION:**

#### **Regulatory History**

In accordance with 5 U.S.C. 553, a notice of proposed rule making for these regulations has not been published, and good cause exists for making them effective in less than 30 days from the date of publication. Following normal rule making procedures would have been impracticable. The details of the event were not finalized with sufficient time remaining to publish proposed rules in advance of the event or to provide for a delayed effective date.

#### **Background and Purpose**

The marine event requiring this regulation is a fireworks show called "Stone Mountain Productions." Stone Mountain Productions, Inc. sponsors the event. Spectators will be able to view the event from areas designated by the sponsor. Non-participating vessels will be able to transit the area after the fireworks show is secured.

#### **Regulatory Evaluation**

This 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 not 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 rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary because of the event's short duration.

#### **Small Entities**

The Coast Guard finds that the impact on small entities, if any, is not substantial. Therefore, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this temporary rule will not have a significant economic impact on a substantial number of small entities because of the event's short duration.

### Collection of Information

This rule contains no information collection requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

### Federalism Assessment

The Coast Guard has analyzed this action in accordance with the principles and criteria of Executive Order 12612 and has determined that this rule does not raise sufficient federalism implications to warrant the preparation of a Federalism Assessment.

### Environmental Assessment

The Coast Guard considered the environmental impact of this rule and concluded that under section 2-1, paragraph (34) (h) of Commandant Instruction M16475.1C this rule is excluded from further environmental documentation.

### List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water), Reporting and recordkeeping requirements.

### Temporary Regulations

In consideration of the foregoing, Part 100 of Title 33, Code of Federal Regulations, is amended 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 and 33 CFR 100.35.

2. A temporary § 100.35–T08–060 is added as follows:

#### § 100.35–T08–060 Tennessee River at Chattanooga, Tennessee

(a) *Regulated area.* All the waters of the Tennessee River Mile 463.5. to 464.5.

(b) *Special Local Regulation.* (1) All persons and vessels not registered with the sponsors as participants or official patrol vessels are considered spectators. The “official patrol” consists of any Coast Guard, public, state or local law enforcement and/or sponsor provided vessels assigned to patrol the event.

(2) No spectators shall anchor, block, loiter in, or impede the through transit of participants or official patrol vessels in the regulated area during effective dates and times, unless cleared for such entry by or through an official patrol vessel.

(3) When hailed 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.

(4) 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 property and can be reached on VHF-FM Channel 16 by using the call sign “PATCOM”.

(c) *Effective date.* These regulations will be effective from 9:00 p.m. to 10:00 p.m. on October 16, 1999.

Dated: October 7, 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

[CGD01–99–174]

#### Drawbridge Operation Regulations; Acushnet River, MA

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, First Coast Guard Division, has issued a temporary deviation from the drawbridge operation regulations governing the operation of the New Bedford Fairhaven (RT–6) swing bridge, mile 0.0, across the Acushnet River between New Bedford and Fairhaven, Massachusetts. This deviation from the regulations allows the bridge owner to require a two hour advance notice for openings, 8 p.m. to 4 a.m., October 19, 1999, through October 20, 1999. This action is necessary to facilitate electrical modifications at the bridge.

**DATES:** This deviation is effective October 19, 1999, through October 20, 1999.

**FOR FURTHER INFORMATION CONTACT:** John McDonald, Project Officer, First Coast Guard District, at (617) 223–8364.

**SUPPLEMENTARY INFORMATION:** The New Bedford Fairhaven (RT–6) swing bridge, mile 0.0, across the Acushnet River between New Bedford and Fairhaven, Massachusetts, has a vertical clearance of 8 feet at mean high water, and 12 feet at mean low water in the closed position. The bridge owner, Massachusetts Highway Department (MHD), requested a temporary deviation from the operating regulations to facilitate electrical modifications at the bridge. The existing operating regulations listed at 33 CFR 117.585 require the bridge to open on signal

during the time period MHD has requested that a two-hour advance notice be given for bridge openings.

This deviation to the operating regulations allows the owner of the New Bedford Fairhaven (RT–6) swing bridge to require a two-hour advance notice for bridge openings from 8 p.m. to 4 a.m., October 19, 1999, through October 20, 1999. Requests for bridge openings can be made by calling (508) 992–2384 or on marine radio channel 13 VHF/FM. Vessels that can pass under the bridge without an opening may do so at all times.

In accordance with 33 CFR 117.35(c), this work will be performed with all due speed in order to return the bridge to normal operation as soon as possible. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: October 5, 1999.

**R.M. Larrabee,**

*Rear Admiral, U.S. Coast Guard, Commander, First Coast Guard District.*

[FR Doc. 99–26944 Filed 10–14–99; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[NC–083–1–9938a; FRL–6453–8]

#### Approval and Promulgation of Implementation Plans: Approval of Revisions to the North Carolina State Implementation Plan

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

**ACTION:** Direct final rule.

**SUMMARY:** On March 19, 1997, the State of North Carolina, through the North Carolina Department of Environment and Natural Resources (NCDENR) submitted revisions to the North Carolina State Implementation Plan (SIP). Rules 15A NCAC 2D .0530 and 2Q .0104 and .0107 are revised to amend cross-references and incorporate the latest edition of the Code of Federal Regulations for Prevention of Significant Deterioration (PSD). Rules 15A NCAC 2D .0518, .0902, .0909, and .0954 are revised to change the mechanism and procedures for activating the Reasonably Available Control Technology (RACT) rules for volatile organic compounds (VOCs) and nitrogen oxides (NOx) in the Raleigh/Durham and Greensboro/Winston-Salem/High Point ozone maintenance areas. Rules 15A NCAC 2D .0907, .0910, and .0911 are being