

Protected Property Rights. This final rule will not effect a taking of private property or otherwise have taking implications under this Order.

E.O. 12875, Enhancing the Intergovernmental Partnership. This final rule meets applicable standards in sections 3(a) and 3(b)(2) of this Order to minimize litigation, eliminate ambiguity, and reduce burden.

E.O. 13405, Protection of Children from Environmental Health Risks and Safety Risks. This final rule is not an economically significant rule and does not concern an environmental risk to safety disproportionately affecting children.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reports and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—[AMENDED]

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

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1(g), 6.04–1, 6.04–6 and 160.5; 49 CFR 1.46. Section 165.100 is also issued under authority of Sec. 311, Pub. L. 105–383.

2. Add temporary § 165.T01–CGD1–184 to read as follows:

§ 165.T01–CGD1–184 New Years Eve '99 Fireworks Display, Southampton, NY.

(a) Location. The safety zone includes all waters of the Atlantic Ocean within a 1200 foot radius of the launch site located off Fairlee St., Southampton, NY. In approximate position 40°–51°36'N, 072°–23°00'W (NAD 1983).

(b) *Effective date.* This section is effective on December 31, 1999 from 11:30 p.m. until 12:30 a.m., January 1, 2000.

(c)(1) *Regulations.* The general regulations covering safety zones contained in section 165.23 of this part apply.

(2) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on scene patrol personnel. U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard. Upon being hailed by a U.S. Coast Guard Vessel via siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.

Dated: November 30, 1999.

David P. Pekoske,

Captain, U.S. Coast Guard, Captain of the Port, Long Island Sound.

[FR Doc. 99–32884 Filed 12–17–99; 8:45 am]

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DEPARTMENT OF THE INTERIOR

National Park Service

36 CFR Part 7

RIN 102–AC76

National Capital Region, Special Regulations

AGENCY: National Park Service, Interior.

ACTION: Temporary final rule.

SUMMARY: The National Park Service is temporarily amending the current regulation for the National Capital Region. This amendment will allow use of the area immediately surrounding the Washington Monument for fireworks for the official America's Millennium celebration marking the beginning of the year 2000. The temporary amendment will expire at the conclusion of the celebration and the fireworks' removal but no later than January 8, 2000.

DATES: This rule becomes effective on December 20, 1999 and terminates on January 8, 2000.

FOR FURTHER INFORMATION CONTACT: Superintendent Arnold Goldstein, National Capital Parks—Central, 900 Ohio Drive SW, Washington, DC 20240, telephone (202) 585–9880.

SUPPLEMENTARY INFORMATION: The Washington Monument is located on the National Mall and honors our Nation's first President. Begun on July 4, 1848 and dedicated on February 21, 1885, the Washington Monument has undergone three restorations. The current phase of the restoration has required the construction of scaffolding surrounding the memorial, which includes strips of architectural fabric attached to the exterior of the scaffolding. The work of architect Michael Graves, this scaffolding and architectural fabric has allowed the National Park Service to have an aesthetic way to camouflage the construction zone necessary for the Washington Monument's exterior stonework inspection and repair, while retaining a sense of architecture of this great obelisk.

Work on the exterior surfaces of the Washington Monument, including use of the scaffolding, in this phase of restoration has been completed. The conclusion of the restoration also coincides with the official America's

Millennium celebration that will be occurring on parts of the National Mall. Given the presence of the scaffolding and architectural fabric surrounding the Washington Monument, we believe that there is a unique opportunity to have fireworks at this great memorial marking the beginning of the year 2000, in coordination with the official America's Millennium celebration. The Lincoln Reflecting Pool will also be used as an integral part of the official America's Millennium celebration fireworks display at the Washington Monument. Finally, these fireworks, done by the nationally recognized fireworks company of Grucci, have been designed to avoid damaging the Washington Monument.

Under the existing regulation at 36 CFR 7.96, the Washington Monument is surrounded by a restricted zone which consists of the area enclosed within the inner circle that surrounds the obelisk. The restricted zone is similar to three other designated memorials' restricted zones where permits for demonstrations and special events are prohibited by NPS regulation. This restricted zone is intended to maintain the memorials in an atmosphere of calm, tranquility, and reverence as well as protect legitimate security and park value interests. 41 FR 12880 (1976) (Final Rule). The restricted zone currently includes the scaffolding and its architectural fabric, on which the fireworks would be placed.

There has always been a regulatory exception for the Washington Monument's restricted zone that allows the official annual commemorative Washington birthday celebration. With the Washington Monument's exterior surfaces complete and prior to dismantling the scaffolding, we believe it appropriate to temporarily revise the NPS regulations to allow for this special, one-time use. This rule makes that temporary revision. The temporary revision applies only for the period needed to set up, conduct, and remove the fireworks for the official America's Millennium celebration which will occur at midnight December 31, 1999, in coordination with the official America's Millennium celebration. Immediately after the celebration and the fireworks' removal, NPS's regulation will revert to its former wording.

Procedural Matters

Administrative Procedure Act

Because this revision is necessary to enable the official America's Millennium celebration to have fireworks at the Washington Monument at midnight December 31, 1999, and because of the limited time remaining

before December 31, 1999, we are publishing this revision as a final rule. In accordance with the requirements of the Administrative Procedure Act (5 U.S.C. 553(B)), we have determined that publishing a proposed rule would be impractical because of the short time period available. We also believe that publishing this rule 30 days before the rule becoming effective would be impractical because of the limited time remaining before December 31, 1999. A 30-day delay in this instance would be unnecessary and contrary to the public interest. Therefore, under the Administrative Procedure Act (5 U.S.C. 553(d)(3)), we have determined that this final rulemaking is excepted from the 30-day delay in the effective date and will therefore become effective on the date published in the **Federal Register**.

Federalism (Executive Order (E.O. 12612))

In accordance with E.O. 12612, this rule does not have significant Federalism implications.

Takings Implications Assessment (E.O. 12630)

In accordance with E.O. 12630, the rule does not have takings implications.

Regulatory Planning and Review (E.O. 12866)

This document is not a significant rule and is not subject to review the Office of Management and Budget (OMB) under E.O. 12866.

(1) This rule will not have an effect of \$100 million or more on the economy. It will not adversely affect in a material way the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or Tribal governments or communities.

(2) This rule will not create a serious inconsistency or interfere with an action taken or planned by another agency.

(3) This rule does not alter the budgetary effects or entitlements, grants, user fees, or loan programs or the rights or obligations of their recipients.

(4) This rule does not raise novel legal or policy issues.

Civil Justice Reform (E.O. 12988)

In accordance with E.O. 12988, the Office of the Solicitor has determined that this rule does not unduly burden the judicial system and meets the requirements of §§ 3(a) and 3(b)(2) of the Order.

National Environmental Policy Act (NEPA)

This rule does not constitute a major Federal action significantly affecting the quality of the human environment.

Paperwork Reduction Act of 1995

This rule does not contain any collection of information requiring approval under the Paperwork Reduction Act.

Regulatory Flexibility Act

This rule will not have a significant economic effect on a substantial number of small entities.

Small Business Regulatory Enforcement Fairness Act

This rule is not a major rule under the Small Business Regulatory Enforcement Fairness Act (5 U.S.C. 804(2)).

Unfunded Mandates Reform Act of 1995

This rule does not impose an unfunded mandate on State, local, or tribal governments or the private sector of more than \$100 million per year. The rule does not have a significant or unique effect on State, local, or tribal governments or the private sector. A statement containing the information required by the Unfunded Mandates Reform Act (2 U.S.C. 1531 *et seq.*) is not required.

List of Subjects in 36 CFR Part 7

National parks, monuments and memorials, recreation.

For the reasons given in the preamble, part 7 of title 36 of the Code of Federal Regulations is amended to read as set forth below. This amendment is effective from December 20, 1999 to January 31, 2000.

1. The authority citation for part 7 continues to read as follows:

Authority: 16 U.S.C. 1, 3, 9a, 460(q), 462(k); sec. 7.96 also issued under D.C. Code 8-137 (1981) and 40-721 (1981).

2. In § 7.96, in paragraph (g)(3)(ii)(A), the following words are added after the word "ceremony": "and for fireworks for the official America's Millennium celebration".

Dated: December 15, 1999.

John Leshy,

Solicitor, Department of the Interior.

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ENVIRONMENTAL PROTECTION AGENCY

CFR Parts 51 and 52

[AD-FRL-6511-8]

New Source Review (NSR) Sector Based Approach

AGENCY: Environmental Protection Agency (EPA).

ACTION: Announcement of public meeting.

SUMMARY: This is an announcement of a public meeting on January 13, 2000 to discuss EPA's thinking on an alternative approach for compliance with new source review (NSR) requirements. Our thinking on such an approach has advanced to the point where we have developed components that could be workable specifically for the utility sector. At the meeting we plan to present this current thinking, and to receive comment from stakeholders on the approach as it would apply to utilities.

DATES: The meeting will convene at 10:00 a.m., and end at 3:30 p.m. on January 13, 2000.

ADDRESSES: The meeting will be held in the Polaris Room, Ronald Reagan Building and International Trade Center, 1300 Pennsylvania Avenue, NW, Washington, DC, 20004, telephone (202) 312-1300. All written documents submitted at this public meeting will be placed in the Docket # A-99-44 within approximately 2 weeks after the meeting. The Docket is available for public inspection and copying between 8:00 a.m. to 5:00 p.m., weekdays, at the EPA's Air Docket (6102), Room M-1500, 401 M Street, Southwest, Washington, DC 20460. A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION: For questions concerning the topics to be discussed, please contact Kathy Kaufman at (919) 541-0102, telefax (919) 541-5509, E-mail: kaufman.kathy@epa.gov or by mail at U.S. EPA, OAQPS, Information Transfer and Program Integration Division (MD-12), Research Triangle Park, North Carolina 27711.

As of the date of this announcement, the Agency intends to proceed with the meeting as announced; however, unforeseen circumstances may result in a postponement. Therefore, members of the public planning to attend this meeting are advised to contact Pam Smith, U.S. EPA, OAQPS, Information Transfer and Program Integration Division (MD-12), Research Triangle Park, North Carolina 27711; telephone (919) 541-0641 or E-mail: smith.pam@epa.gov, to confirm the January 13, 2000 meeting location and dates.

SUPPLEMENTARY INFORMATION: The EPA's preliminary thinking about seating arrangements is that seating around a discussion table will be reserved for 40-45 people divided equally among representatives from: (1) the industrial sector, (2) the public interest groups, (3) State and local governments or agencies,