

or by Coast Guard personnel on scene. Notifications will be via VHF radio channel 16. Requests by the contractor to temporarily block the river will be submitted to the Coast Guard for approval and coordination with the Captain of the Port Huntington. Sufficient lead time (15 days) will be provided to allow for adequate review and proper notification of marine interests. The maximum allowable time for a river closure will be 24 consecutive hours and there will be 24 hours between planned river closure events. Notification of reopening of the river will be via VHF radio channel 16.

The establishment of this safety zone regulation ensures that vessels will not transit the Big Sandy River in the vicinity of the demolition and replacement work when the main channel is obstructed by hazards associated with the project. The safety zone also ensures that communications is established between the contractor's vessel and vessels transiting the waters within the safety zone during the non-critical phases of the project. With proper communication between parties, the contractor is assured of having ample time to comply with any request to relocate work boats temporarily to allow a vessel to navigate through the safety zone.

Regulatory Evaluation

This regulation 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 been exempted from review by the Office of Management and Budget under that order. It is not under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040, February 26, 1979). The Coast Guard expects the impact of this regulation to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary, due to the limited duration of the river closure.

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.

Collection of Information

This rule contains no collection of information requirements under the

Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism Assessment

The Coast Guard has analyzed this regulation under the principles and criteria contained in Executive Order 12612 and has determined that it 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 regulation and concluded that, under section 2.B.2 of Commandant Instruction M16475.1B (as revised by 59 FR 38654, July 29, 1994) this regulation is categorically excluded from further environmental documentation as an action required to protect public safety.

List of Subjects in 33 CFR Part 165

Harbors, Marine Safety, Navigation (water), Records and recordkeeping requirements, Security measures, Waterways.

Temporary Regulation

In consideration of the foregoing, subpart F of part 165 of Title 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. 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

2. A temporary § 165.T08–030 is added, to read as follows:

§ 165.T08–030 Safety Zone: Big Sandy River.

(a) *Location.* The Big Sandy River between miles 2.1 and 3.1 is established as a safety zone.

(b) *Effective dates.* This section becomes effective on June 16, 1997, at 7 a.m. EDT. It terminates on October 31, 1997 at 11:59 p.m. EST.

(c) *Regulations.*

(1) Except with the permission of the Captain of the Port Huntington, all vessels must:

(i) Remain outside the safety zone during all periods of closure, as announced by Coast Guard Broadcast Notice to Mariners and as enforced on scene by personnel from the Coast Guard Marine Safety Office Huntington, WV.

(ii) Communicate with the on-scene contract vessel on channel 16 VHF–FM to arrange for safe passage through the safety zone at all other times, providing

at least (20) minutes advance notice prior to transiting through the regulated area. As the specific contract vessel to be on-scene may change over the period of the project, the vessel will answer a hail for "C. J. Mahan Construction."

(iii) Provide the on-scene contract vessel at least (20) minutes advance notice to move/suspend operations in any case where the transiting vessel operator believes the safe passage of any vessel or tow is jeopardized by the presence/operation of the crane barge, floating work plants, or construction tugs during operations not involving river closure.

(2) The Captain of the Port may direct the movement of any vessel within the safety zone as appropriate to ensure the safe navigation of vessels through the safety zone.

Dated: May 14, 3:30 pm EDT.

F. A. Nyhuis,

Commander, U.S. Coast Guard, Captain of the Port/Huntington, WV.

[FR Doc. 97–14741 Filed 6–4–97; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[MN40–02–6988; FRL–5834–8]

Approval and Promulgation of State Implementation Plan; Minnesota; Enhanced Monitoring

AGENCY: Environmental Protection Agency.

ACTION: Direct final rule; withdrawal.

SUMMARY: On April 9, 1997 (62 FR 17081), the United States Environmental Protection Agency (USEPA) approved the State of Minnesota's Enhanced Monitoring rule through a direct final rule procedure. The USEPA is withdrawing this direct final rule due to adverse comments received on this action. In a subsequent final rule USEPA will summarize and respond to the comments received and announce final rulemaking action on this requested program delegation.

DATES: The direct final rule published at 62 FR 17081 is withdrawn effective June 5, 1997.

ADDRESSES: Copies of the documents relevant to this action are available for public inspection during normal business hours at the following location: U.S. Environmental Protection Agency, Region 5, Regulation Development Branch, 77 West Jackson Boulevard, Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT:

Douglas Aburano, Regulation Development Section 2, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604. Telephone: (312) 353-6960.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: May 20, 1997.

Gail C. Ginsberg,

Acting Regional Administrator.

[FR Doc. 97-14718 Filed 6-4-97; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 136

[FRL-5835-9]

Guidelines Establishing Test Procedures for the Analysis of Pollutants; Application for Approval of Alternate Test Procedures

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; change in address.

SUMMARY: By this action, the Environmental Protection Agency (EPA) announces an internal transfer of administrative responsibilities for the evaluation of alternate test procedures under Clean Water Act section 304(h). EPA has transferred responsibilities from the Environmental Monitoring Systems Laboratory in Cincinnati (EMSL-Ci), now called the National Exposure Research Laboratory (NERL), in the Office of Research and Development (ORD) to the Office of Science and Technology in the Office of Water (OW). This action officially announces the change in internal delegation of responsibility for administering the alternate test procedure (ATP) program (from the EMSL-Ci laboratory to the Headquarters office in Washington, D.C.) and revises the address in those sections of title 40 of the Code of Federal Regulations (CFR) which describe the process for submission of ATP applications to the Agency.

DATES: Effective on June 5, 1997.

ADDRESSES: Applications for alternate test procedures should be sent to the

Director, Analytical Methods Staff, Office of Science and Technology (4303), Office of Water, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Ben J. Honaker, Analytical Methods Staff, Office of Science and Technology (4303), USEPA, 401 M Street, SW., Washington, DC 20460; phone: (202) 260-2272.

SUPPLEMENTARY INFORMATION:

Regulated Entities

Entities potentially regulated by this action are those who seek EPA approval of analytical technologies for monitoring under the provisions of the Clean Water Act (CWA) and the Safe Drinking Water Act (SDWA). Entities potentially regulated by this action are listed in the table below. These entities potentially include consensus methods organizations that publish compendia of analytical methods for water, and equipment manufacturers, instrument manufacturers and laboratories that modify compliance methods or seek approval of new methods for compliance monitoring.

Category	Examples of regulated entities
Public ...	Government laboratories that develop analytical methods for compliance with the CWA and the SDWA.
Private ..	Commercial laboratories, consensus methods organizations, instrument manufacturers, vendors, and other entities that develop or publish analytical methods for compliance with the CWA and the SDWA.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be regulated by this action. This table lists the types of entities that EPA is now aware could potentially be regulated by this action. Other types of entities not listed in the table could also be regulated. To determine whether your organization is regulated by this action, you should carefully examine the applicability criteria in section 136.1 of title 40 of the Code of Federal Regulations. If you have questions regarding the applicability of this action to a particular entity, consult the person listed in the preceding **FOR FURTHER INFORMATION CONTACT** section.

I. Authority

The Clean Water Act requires the EPA Administrator to promulgate effluent limitations guidelines for specified categories and classes of point sources. Section 301 of the CWA prohibits the

discharge of any pollutant into navigable waters unless the discharge complies with the National Pollutant Discharge Elimination System (NPDES) permit issued under section 402 of the CWA. Section 307 requires the EPA Administrator to publish regulations establishing pretreatment standards for introduction of pollutants into publicly owned treatment works (POTWs). Section 401 requires certification for the construction or operation of facilities which may result in any discharge into navigable waters.

Section 304(h) of the Clean Water Act requires the EPA Administrator to promulgate guidelines establishing test procedures for the analysis of pollutants. EPA's approval of analytical methods is authorized under section 304(h) of the CWA, as well as the general rulemaking authority in section 501(a) of the Act. EPA uses these test procedures to support the development of effluent limitations guidelines, to establish compliance with NPDES permits, for implementation of pretreatment standards, and for section 401 certifications.

The section 304(h) test procedures (analytical methods) are specified in part 136 of title 40 of the Code of Federal Regulations (CFR). The test procedures prescribed in part 136 are used for the applications indicated above unless an alternate test procedure (ATP) has been specifically approved by the EPA Administrator or the Regional Administrator. The ATP application and approval process for new methods and method modifications is specified at 40 CFR 136.4 and 136.5.

II. Purpose

The purpose of today's notice is to announce the change in the internal EPA delegation of responsibility for the wastewater ATP program within EPA and to revise the address published in the CFR for submitting ATP applications to the Agency. Prior to today's action, the Administrator had delegated responsibility for processing ATP applications to the Environmental Monitoring Systems Laboratory in Cincinnati (EMSL-Ci), for both wastewater and drinking water ATP applications. Thus, the regulations at 40 CFR 136.4 and 136.5 directed those applications to be sent to the EMSL-Ci address. To "streamline" Agency processes for action on analytical methods, EPA shifted the internal delegation of responsibility from the office in Cincinnati to the Headquarters EPA office in Washington, DC. To expedite processing of all wastewater and drinking water ATP applications, applicants should send them to the