

## SUPPLEMENTARY INFORMATION:

**Background**

The final regulations that are the subject of these corrections amend Title 33 and Title 46 of the Code of Federal Regulations to reflect the Debt Collection Improvement Act of 1996 (DCIA) (Pub. L. 104-134) which requires Federal agencies to adjust certain Civil Monetary Penalties (CMPs) to account for inflation. As amended, the law requires each agency to make an initial inflationary adjustment for each applicable CMP, and to make further adjustments at least once every 4 years for these penalty amounts.

**Need for Correction**

As published, the final regulations contain errors which may prove to be misleading and are in need of correction or clarification.

**Correction of Publication**

Accordingly, the publication on April 8, 1996, of the final regulations (62 FR 16695), which were the subject of FR Doc. 97-8781 is corrected as follows:

**PART 130—[CORRECTED]**

1. On page 16703, in the first column, § 130.14 is correctly revised to read as follows:

**§ 130.14 Enforcement.**

(a) any vessel operator who fails to comply with this part is subject to a fine of not more than \$10,000 for each failure.

(b) The Secretary of the Treasury may refuse to grant the clearance required by section 4197 of the Revised Statutes of the United States, as amended (46 U.S.C. 91), to any vessel subject to section 311(p) of the Act which does not have a Certificate issued under this part.

(c) The Coast Guard denies entry to any port or place in the United States or the navigable waters of the United States and detains, at the port or place in the United States from which it is about to depart for any other port or place in the United States, any vessel subject to section 311(p) of the Act, which, upon request, does not produce a valid Certificate.

**PART 136—[CORRECTED]**

2. On page 16703, in the first column, the authority citation for Part 136, is correctly revised to read as follows:

**Authority:** 33 U.S.C. 2713, 2714; E.O. 12777, 3 CFR, 1991 Comp., p.351; 49 CFR 1.46.

**PART 151—[CORRECTED]**

3. On page 16703, in the second column, instruction number 27 is corrected to read as follows:

"27. The authority citation for subpart A of part 151 is revised to read as follows:"

**§ 151.59 [Corrected]**

4. On page 16703, in the second column, in § 151.59, in paragraph (d)(6), add the following sentences at the end of the paragraph. "Placards installed on vessels before May 7, 1997, need not be replaced; and existing stocks of placards, containing previous language, may be used. When language on a placard is inconsistent with the language in the Code of Federal Regulations (CFR) due to use of a placard containing previous language, penalty amounts contained in the CFR are controlling."

5. On page 16703, in the second column, in § 151.59, in paragraph (e)(2)(ii), add the following sentences at the end of the paragraph. "Placards installed on vessels before May 7, 1997, need not be replaced; and existing stocks of placards, containing previous language, may be used. When language on a placard is inconsistent with the language in the Code of Federal Regulations (CFR) due to use of a placard containing previous language, penalty amounts contained in the CFR are controlling."

Dated: June 3, 1997.

**Robert S. Horowitz,**

*Acting Chief Counsel, U.S. Coast Guard.*

[FR Doc. 97-14970 Filed 6-6-97; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION****Coast Guard****33 CFR Part 165**

[CGD 05-97-040]

RIN 2115-AA97

**Safety Zone: Delaware Bay, Delaware River**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone on the Delaware Bay and Delaware River between the Delaware Breakwater and Marcus Hook, Pennsylvania. This safety zone is needed to protect vessels, the port community and the environment from potential safety and environmental hazards associated with the loading and transit of the T/V EEKLO while it is

loaded with more than 2% of its cargo carrying capacity of Liquefied Hazardous Gas.

**DATES:** This rule is effective from 11:59 p.m. May 31, 1997, and terminates at 11:59 p.m. June 10, 1997.

**FOR FURTHER INFORMATION CONTACT:**

LTJG C. M. Savarese, Project Officer  
c/o U.S. Coast Guard Captain of the Port, 1 Washington Avenue,  
Philadelphia, PA 19147-4395, Phone:  
(215) 271-4889.

**SUPPLEMENTARY INFORMATION:** In accordance with 5 U.S.C. 553, a notice of proposed rulemaking (NPRM) was not published for this regulation and good cause exists for making it effective in less than 30 days after **Federal Register** publication. The Coast Guard was informed by the owner/operator of the T/V EEKLO on May 29, 1997 of the intended transit of the T/V EEKLO along the Delaware River. Publishing a NPRM and delaying its effective date would be contrary to the public interest, since immediate action is needed to respond to protect the environment and vessel traffic against potential hazards associated with the transit of the T/V EEKLO while it is loaded with Liquefied Hazardous Gas.

**Discussion of the Regulation**

This temporary rule establishes a safety zone in a specified area around the T/V EEKLO while underway in the loaded condition and during cargo operations. The safety zone will be in effect during the T/V EEKLO's transit of the Delaware Bay and Delaware River and during cargo operations at the Sun Refining and Marketing Refinery terminal on the Delaware River, at Marcus Hook, Pennsylvania. This temporary rule is intended to minimize the potential hazards associated with the transportation of Liquefied Hazardous Gas by a large tankship in heavily trafficked areas of the Delaware Bay and Delaware River as well as in the Ports of Philadelphia. Entry into this zone is prohibited unless authorized by the Captain of the Port, Philadelphia, PA. The Captain of the Port may impose certain restrictions on vessels allowed to enter the safety zone.

**Regulatory Evaluation**

This temporary 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 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 CFR 11040; February 26, 1979). The Coast Guard expects the economic impact of this temporary rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary.

#### Collection of Information

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

#### Federalism Assessment

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been 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 temporary rule and concluded that under section 2.B.2.e(34) of Commandant Instruction M16475.1B (as revised by 59 FR 38654; July 29, 1994), this rule is categorically excluded from further environmental documentation.

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

Harbors, Marine safety, Navigation (water), Reporting and record keeping requirements, Security measures, Waterways. In consideration of the foregoing, the Coast Guard amends 33 CFR 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.

3. A new temporary section 165.T05–040 is added to read as follows:

#### **§ 165.T05–040 Safety Zone: Delaware Bay and Delaware River from the Delaware Breakwater to Marcus Hook, PA.**

(a) *Location:* The following area is a safety zone: (1) All waters within an area which extends 500 yards on either side and 1000 yards ahead and astern of the T/V EEKLO while the vessel is in the loaded condition and underway in the area of the Delaware River and Delaware Bay bounded by the Sun Refining and Marketing Refinery terminal on the Delaware River, at Marcus Hook, Pennsylvania and the Delaware Breakwater.

(2) All waters within a 200 yd radius of the T/V EEKLO while it is moored at the Sun Refining and Marketing

Refinery terminal on the Delaware River, at Marcus Hook, Pennsylvania.

(b) *Effective Dates:* This rule is effective from 11:59 p.m. May 31, 1997, and terminates at 11:59 p.m. June 10, 1997.

(c) *Definitions:* (1) *Captain of the Port* or *COTP* means the Captain of the Port Philadelphia or any Coast Guard commissioned, warrant or petty officer authorized to act on his behalf. (2) *Loaded Condition* means loaded with LHG that exceeds 2% of the vessel's cargo carrying capacity.

(d) No vessel may enter the safety zone unless its operator obtains permission of the Captain of the Port or his designated representative.

(e) As a condition of entry, the COTP may order that: (1) All vessels operating within the safety zone must maintain a continuous radio guard on channels 13 and 16 VHF-FM while underway; (2) Overtaking may take place only under conditions where overtaking is to be completed well before any bends in the channel. Before any overtaking, the pilots, masters, and operators of both vessels must clearly agree on all factors including speeds, time, and location of overtaking. (3) On the Delaware River, the T/V EEKLO and an oncoming vessel shall not meet at a relative speed greater than twenty (20) knots, or greater than prevailing weather conditions make prudent. Meeting situations on river bends shall be avoided.

(4) The operator of any vessel in the safety zone shall proceed as directed by the Captain of the Port or by his designated representative.

(f) The senior boarding officer enforcing the safety zone may be contacted on VHF channels 13 and 16. The Captain of the Port of Philadelphia and the Command Duty Officer at the Marine Safety Office, Philadelphia, may be contacted at telephone number (215) 271–4940.

Dated: May 30, 1997.

**John E. Veentjer,**

*Captain, U.S. Coast Guard, Captain of the Port, Philadelphia, PA.*

[FR Doc. 97–14971 Filed 6–6–97; 8:45 am]

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#### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 52

[IL 149–1a; FRL–5834–6]

#### Approval and Promulgation of Implementation Plans; Illinois

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

**ACTION:** Direct final rule.

**SUMMARY:** On July 23, 1996, the State of Illinois submitted a site specific State Implementation Plan (SIP) revision request to revise Volatile Organic Material (VOM) Reasonably Available Control Technology (RACT) requirements for Chase Products Company in Broadview (Cook County), Illinois. VOM, as defined by the State of Illinois, is identical to “volatile organic compounds” (VOC), as defined by USEPA. Emissions of VOC react with other pollutants, such as oxides of nitrogen, on hot summer days to form ground-level ozone, commonly known as smog. Ozone pollution is of particular concern because of its harmful effects upon lung tissue and breathing passages.

Chicago area RACT rules are intended to establish, for each particular major stationary source in the Chicago ozone nonattainment area, the lowest VOC emission limitation it is capable of meeting by the application of control technology that is reasonably available, considering technological and economic feasibility. RACT controls are a major component of the Chicago ozone nonattainment area's overall strategy to achieve and maintain attainment with the ozone standard. A direct final approval action is being taken because the submittal meets all pertinent Federal requirements.

**DATES:** The “direct final” is effective on August 8, 1997, unless USEPA receives adverse or critical comments by July 9, 1997. If the effective date is delayed, timely notice will be published in the **Federal Register**.

**ADDRESSES:** Copies of the revision request are available for inspection at the following address: U.S. Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. (It is recommended that you telephone Ryan Bahr, Environmental Engineer, at (312) 353–4366 before visiting the Region 5 Office.)

Written comments should be sent to: J. Elmer Bortzer, Chief, Regulation Development Section, Air Programs Branch (AR–18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

**FOR FURTHER INFORMATION CONTACT:** Ryan Bahr at (312) 353–4366.

#### SUPPLEMENTARY INFORMATION:

#### I. Background

Section 182(b)(2) of the Clean Air Act (Act) requires States with moderate and above ozone nonattainment areas to