

Mr. John McDonald, Project Officer at (617) 223-8364.

SUPPLEMENTARY INFORMATION: The Vermont Agency of Transportation requested a temporary deviation from the operating regulations at 33 CFR 117.993 governing the US2 Bridge between South Hero Island and North Hero Island across Lake Champlain, in Vermont, to paint the draw spans of the bridge.

This deviation to the operating regulations will allow the US2 Bridge to not open for vessel traffic after 5 p.m., Monday through Thursday, from August 17, 1998 through October 15, 1998. The bridge will operate on the normal operating schedule Friday through Sunday each week and on Labor Day, Monday, September 7, 1998. Vessels that can pass under the bridge without an opening may do so at all times. This deviation from the normal operating regulations is authorized under 33 CFR 117.35.

Dated: August 12, 1998.

Robert F. Duncan,

Captain, U.S. Coast Guard, Acting Commander, First Coast Guard District.

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD05-98-017]

RIN 2115-AE47

Drawbridge Operation Regulations; Anacostia River, Washington, DC

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule; extension of effective date.

SUMMARY: The Coast Guard is amending the temporary rule currently governing the operation of the Frederick Douglass Memorial (South Capitol Street) bridge across Anacostia River at mile 1.2 in Washington, D.C. This temporary rule extends the authorization to keep this bridge closed to navigation until November 23, 1998. This action is necessary to complete on-going extensive mechanical and electrical rehabilitation and maintain the bridge's operational integrity.

DATES: This temporary final rule is effective from 11:01 p.m. August 31, 1998 to 11 p.m. on November 23, 1998.

ADDRESSES: Documents as indicated in this preamble are available for inspection or copying at the office of the Commander (Aowb), Fifth Coast Guard

District, Federal Building, 4th Floor, 431 Crawford Street, Portsmouth, Virginia 23704-5004, between 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays. The telephone number is (757) 398-6222.

FOR FURTHER INFORMATION CONTACT: Ann Deaton, Bridge Administrator, Fifth Coast Guard District, (757) 398-6222.

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 from the date of publication. The Coast Guard was notified of the extension request on July 17, 1998. Subsequently, publication of a notice of proposed rulemaking and delay of effective date would be contrary to the public interest because immediate action is necessary to address the bridge's present inability to open safely.

Discussion of Regulation

On April 20, 1998, the Coast Guard published a Temporary Final Rule entitled "Drawbridge Operation Regulations; Anacostia River, Washington, DC" in the **Federal Register** (63 FR 19406). That regulation is effective from April 2, 1998 to 11 p.m. on August 31, 1998. During that period, necessary repairs consisting of the mechanical and electrical rehabilitation were being implemented for the modification of the bridge's swing span. However, during removal and disassembly of the machinery, serious flaws and defects were found in various gears and components which require additional repair or replacement. These gears and components are no longer available as standard equipment and require special ordering. A report, prepared by the contractor, revealed that the swing span had sustained added deflection or bend. This added deflection is seriously hampering the operation of the swing span and negatively impacting the operation of the machinery. The evaluation of the deficiencies, implementation of corrective measures, and unavailability of raw materials have seriously disrupted the contractor's ability to meet the August 31, 1998 date of completing the repairs and returning to successful operation of the swing span to marine traffic. Therefore, the Coast Guard is extending the closure period until November 23, 1998 so the repairs can be completed.

The Coast Guard has notified the affected users of the waterway of this closure extension. The U.S. Navy indicated that it will not be affected by

the extension. The Coast Guard also contacted EPA's Office of Water Programs and the local Coast Guard unit (USCG Station St. Inigoes) of the bridge's extended inability to open for vessels, and they did not object. Additionally, vessels docked at a nearby marina can clear the bridge's vertical clearance in the closed position, which is 42 feet at mean high water. Therefore, vessels are not expected to be negatively impacted by this temporary rule.

Regulatory Evaluation

This temporary final 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 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. Due to the small number of requests for openings, the notification of affected public vessels of the United States, and the ability of vessels at the nearby marina to clear the bridge's closed-position vertical clearance, the impact on routine navigation is expected to be minimal.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), the Coast Guard must consider whether this temporary final rule will have a significant economic impact on a substantial number of small entities. "Small entities" include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as "small business concerns" under section 3 of the Small Business Act (15 U.S.C. 632).

As a result of notifying the affected users of the waterway of the extension, the limited requests for vessel openings and the ability of nearby vessels to clear the bridge's closed-position vertical clearance, the Coast Guard certifies under 5 U.S.C. 605(b) that this 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 requirement under the Paperwork Reduction Act of 1995 (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 this rule does not have sufficient federalism implications to warrant preparation of a Federalism Assessment.

Environment

The Coast Guard considered the environmental impact of this rule and concluded that under figure 2-1, paragraph (32)(2) of Commandant Instruction M16475.1C, this rule is categorically excluded from further environmental documentation based on the fact that it is a promulgation of the operating regulations for a drawbridge. A Categorical Exclusion Determination statement has been prepared and placed in the rulemaking docket.

List of Subjects in 33 CFR Part 117

Bridges.

Regulations

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR Part 117 as follows:

PART 117—[AMENDED]

1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05-1(g); Section 117.255 also issued under the authority of Pub. L. 102-587, 106 Stat. 5039.

2. Effective 11:01 p.m. August 31, 1998 through November 23, 1998, Section 117.253 is amended by suspending paragraph (a) and adding paragraph (c) to read as follows:

§ 117.253 Anacostia River.

* * * * *

(c) From 8 a.m. on March 11, 1998 until 11 p.m. on November 23, 1998, the draw of the Frederick Douglass Memorial (South Capitol Street) bridge need not be opened for the passage of vessels.

Dated: August 14, 1998.

Roger T. Ruff, Jr.,

*Vice Admiral, U.S. Coast Guard Commander,
Fifth Coast Guard District.*

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[MD068-3027a; FRL-6144-5]

Approval and Promulgation of Air Quality Implementation Plans; Maryland; Control of Volatile Organic Compounds From Sources That Store and Handle Jet Fuel

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is approving a State Implementation Plan (SIP) revision submitted by the State of Maryland. This revision establishes and requires volatile organic compound (VOC) emission control requirements for sources that store or handle jet fuel. The intended effect of this action is to approve revisions to COMAR 26.11.13 into the Maryland SIP in accordance with the Clean Air Act.

DATES: This final rule is effective October 26, 1998 unless within September 25, 1998, adverse or critical comments are received. If EPA receives such comment, EPA will publish a timely withdrawal in the **Federal Register** informing the public that the rule will not take effect.

ADDRESSES: Comments may be mailed to David L. Arnold, Chief, Ozone and Mobile Sources Branch, Mailcode 3AP21, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103; the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460; and the Maryland Department of the Environment, 2500 Broening Highway, Baltimore, Maryland 21224.

FOR FURTHER INFORMATION CONTACT: Kristeen Gaffney at (215) 814-2092, or by e-mail at gaffney.kristeen@epamail.epa.gov. While information may be requested via e-mail, comments must be submitted in writing to the above EPA Region III address.

SUPPLEMENTARY INFORMATION: On March 31, 1998, the State of Maryland submitted a formal revision to its SIP, which consists of amendments to existing state regulation COMAR

26.11.13, the "Control of Gasoline and Volatile Organic Compound Storage and Handling." The purpose of the amendments to COMAR 26.11.13 are to establish VOC emission control requirements on sources that store and handle jet fuel. This revision was submitted to satisfy the requirements of sections 182 and 184 of the Clean Air Act to implement reasonably available control technology (RACT) on major sources of VOCs.

Summary of the SIP Revision

The provisions COMAR 26.11.13 are the control requirements of VOC emissions from gasoline and VOC storage tanks. COMAR 26.11.13 was amended to also apply to any source which handles or stores jet fuel. Sources handling or storing jet fuel were not previously subject to regulation 26.11.13. Jet fuel, also known as JP-4, has similar volatility properties as gasoline, is a significant source of VOC emissions and is stored and used at several major sources in Maryland. The purpose of these amended revisions is to apply controls constituting RACT on sources that store and handle jet fuel.

Formerly COMAR 26.11.13 only applied to sources that stored VOCs or gasoline. Gasoline was defined in COMAR 26.11.13 under section .01, "Definitions", as "* * * fuel used for internal combustion engines". The amended language in the rule consists entirely of a change to the definition of gasoline under section .01. The definition for the term "gasoline" found at 26.11.13.01 (B)(4) has been revised to read: "Gasoline means a petroleum distillate or alcohol, or their mixtures, having a true vapor pressure within the range of 1.5 to 11 pounds per square inch absolute (psia) (10.3 to 75.6 kilonewton/square meter) that is used as fuel for internal combustion engines or aircraft." This is the only provision that was changed in the rule in the March 31, 1998 SIP submittal.

COMAR 26.11.13 applies statewide. All provisions of Rule 26.11.13 related to emission control requirements, monitoring, compliance, record-keeping, test methods now apply to sources that store and handle jet fuel. A summary of these provisions follows:

Requirements for large closed top storage tanks: Tanks must be equipped with gas-tight gauges and sampling devices and either: an internal floating roof with a primary and secondary seal; a pressure tank system that maintains pressure at all times; or a vapor control system to collect and dispose vapors. Seals must be checked and maintained in good condition. Visual inspections of the internal floating roof and seals must