

"Headquarters, Defense Special Weapons Agency" to read "Defense Threat Reduction Agency".

6. In § 318.3 footnote (1) in paragraph (d) is amended by revising "Headquarters Defense Special Weapons Agency, Washington, DC 20305-1000" to read "Defense Threat Reduction Agency, 45045 Aviation Drive, Dulles, VA 20166-7517".

7. Sections 318.4(d), 318.6(b), 318.8(b) are amended by revising "Defense Special Weapons Agency, 6801 Telegraph Road, Alexandria, VA 22310-3398" to read "Defense Threat Reduction Agency, 45045 Aviation Drive, Dulles, VA 20166-7517".

8. Section 318.2 is amended by removing the acronyms "HQ" and "FC" and the words "Field Command".

Dated: November 2, 1998.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD07-97-020]

RIN 2115-AE47

Drawbridge Regulations; Atlantic Intracoastal Waterway, Florida

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is changing the regulations governing the operation of the Flagler Memorial, Royal Park, and Southern Boulevard drawbridges across the Atlantic Intracoastal Waterway at Palm Beach County, Florida. This rule has been established as a result of complaints about extensive highway traffic delays caused by bridge openings. This rule is intended to relieve highway congestion while still meeting the reasonable needs of navigation.

DATES: This rule becomes effective on October 26, 1998.

FOR FURTHER INFORMATION CONTACT: Miss Evelyn Smart, Project Manager, Bridge Section, (305) 536-6546.

SUPPLEMENTARY INFORMATION:

Regulatory History

On August 12, 1997, the Coast Guard published a Notice of Proposed Rulemaking entitled Drawbridge Operation Regulations; Atlantic Intracoastal Waterway, Florida, in the

Federal Register (62 FR 43131). On June 30, 1998, the Coast Guard published a Supplemental Notice of Proposed Rulemaking entitled Drawbridge Operation Regulations; Atlantic Intracoastal Waterway, Florida, in the **Federal Register** (63 FR 35552). The Coast Guard received 14 letters commenting on the supplemental proposal. No public hearing was requested, and none was held.

Background and Purpose

The Coast Guard completed an analysis of highway traffic data, traffic analysis and bridge logs provided by the Florida Department of Transportation in 1997. The analysis indicated that the reduced highway level of service and limited number of bridge openings for all three bridges does not warrant additional bridge opening restrictions during the off season summer months. In addition, the analysis and subsequent investigations during 1998 indicate the significant increase in vessel traffic experienced on weekends during the Winter season is beneficial to the local community and should not be unreasonably impacted by bridge opening restrictions which do not provide clearly offsetting benefits to the seasonal traffic across the bridge. The changes to the seasonal weekday opening schedules have been modified to remove the existing 8 a.m. opening on the Flagler Memorial Bridge and the 8 a.m. and 5 p.m. openings on the Royal Park Bridge which will reduce highway traffic delays during commuter periods.

These revised regulations will maintain the existing seasonal weekday 30 minute opening schedules for Flagler Memorial and Royal Park Bridges, and will add a seasonal weekday 30 minute opening schedule to the Southern Boulevard Bridge which now operates on signal. The seasonal restriction for all three bridges will start one month earlier on 1 October to help reduce traffic congestion created by earlier arrival of seasonal visitors to the Palm Beach areas. These changes will relieve seasonal highway congestion while still meeting the reasonable needs of navigation. The amended regulations will still provide an exception to the opening schedules for public vessels of the United States, tugs with tows, and vessels in situations where a delay would endanger life or property.

In accordance with 5 U.S.C. 553, good cause exists for making these regulations effective in less than 30 days from the date of publication. Following normal rulemaking procedures would have been impracticable. The regulations were changed to allow for seasonal bridge schedules to begin on

October 1 each year, and there was not sufficient time remaining after the comment period to provide for a delayed effective date.

Discussion of Comments and Changes

Fourteen letters were received in response to the public notice. The National Marine Fisheries Service and the U.S. Fish and Wildlife Service stated in their letters that the proposal would not adversely affect fishery resources and offered neither support nor objection. U.S. Environmental Protection Agency concluded in their letter that this rulemaking would not negatively impact the principal water source in the vicinity of the bridge. The Florida State Historic Preservation Officer stated that the rulemaking would have no effect on any sites listed, or eligible for listing in the National Register. Four letters were in opposition to the proposed rule because they felt that the bridge should not open to the passage of vessels at any time during morning and afternoon rush hours. Although complete closure of 3 bridges over the Intracoastal Waterway for over 3 hours each weekday is considered unreasonable to navigation, two openings during peak traffic periods have been eliminated with this rulemaking. In addition, a 30 minute schedule has been established at the Southern Boulevard Bridge because of increased in-season traffic demands during morning and afternoon rush hour. Four letters were in opposition to the proposed rule because they felt that the existing in-season weekday regulations should be extended to the off-season. However, the lack of highway traffic levels (LOS C) during the off-season and only one opening or less per hour doesn't justify placing additional restrictions on navigation. Two letters were in favor of the rulemaking and recommended that these changes be enforced.

Regulatory Evaluation

This revised 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. We conclude this

because this revised rule does not effect the exemptions for tugs with tows and emergency situations already contained in the regulations.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this revised rule will have a significant economic impact on a substantial number of small entities. "Small entities" include small businesses and not-for-profit organizations that are independently owned and operated and are not dominant in their field, and governmental jurisdictions with populations of less than 50,000.

Because it expects the impact of this revised rule to be minimal, 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 because of the exemption for tugs with tows.

Collection of Information

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

Federalism

The Coast Guard has analyzed this revised 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 the preparation of a Federalism Assessment.

Environmental Assessment

The Coast Guard considered the environmental impact of this revised rule and has determined pursuant to Figure 2-1, paragraph 32(e) of Commandant Instruction M16475.1C, that this action is categorically excluded from further environmental documentation. A categorical exclusion determination for this rulemaking is available in the public docket for inspection and copying.

List of Subjects in 33 CFR Part 117

Bridges.

Final Regulations

In consideration of the foregoing, 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. § 117.261 is amended by revising paragraphs (u), (v) and (w) to read as follows:

§ 117.261 Atlantic Intracoastal Waterway from St. Mary's River to Key Largo.

* * * * *

(u) Flagler Memorial (SR A1A) bridge, mile 1021.9 at Palm Beach. The draw shall open on signal, except that from October 1 to May 31, Monday through Friday except Federal holidays, from 7:30 a.m. to 9:30 a.m. and from 4 p.m. to 5:45 p.m., the draw need open only at 8:30 a.m. and 4:45 p.m.; and from 9:30 a.m. to 4 p.m., the draw need open only on the hour and half-hour.

(v) Royal Park (SR 704) bridge, mile 1022.6 at Palm Beach. The draw shall open on signal, except that from October 1 through May 31, Monday through Friday except Federal holidays, from 7:45 a.m. to 9:45 a.m. and from 3:30 p.m. to 5:45 p.m., the draw need open only at 8:45 a.m., 4:30 p.m., and 5:15 p.m. and from (9:30 a.m. to 3:30 p.m., the draw need open only on the quarter-hour and three-quarter hour.

(w) Southern Boulevard (SR 700/80) bridge, mile 1024.7 at Palm Beach. The draw shall open on signal, except that, from October 1 through May 31, Monday through Friday except Federal holidays, from 7:30 a.m. to 9:15 a.m. and from 4:30 p.m. to 6:30 p.m., the draw need open only at 8:15 a.m. and 5:30 p.m. and from 9:15 a.m. to 4:30 p.m., the draw need open only on the quarter-hour and three-quarter hour.

* * * * *

Dated: October 20, 1998.

Norman T. Saunders,

Rear Admiral, U.S. Coast Guard, Commander, Seventh Coast Guard District.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA 210-0103a FRL-6185-1]

Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Sacramento Metropolitan Air Quality Management District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking direct final action on revisions to the California State Implementation Plan. This action is an administrative change which revises the definition of volatile organic

compounds (VOC) and updates the Exempt Compound list in rules from the Sacramento Metropolitan Air Quality Management District (SMAQMD). The intended effect of approving this action is to incorporate changes to the definition of VOC and to update the Exempt Compound list in SMAQMD rules to be consistent with the revised federal and state VOC definitions.

DATES: This rule is effective on January 8, 1999, without further notice, unless EPA receives adverse comments by December 9, 1998. If EPA receives such comment, it will publish a timely withdrawal in the **Federal Register** informing the public that this rule will not take effect.

ADDRESSES: Written comments must be submitted to Cynthia G. Allen at the Region IX office listed below. Copies of the rule revisions and EPA's evaluation report for each rule are available for public inspection at EPA's Region IX office during normal business hours. Copies of the submitted rule revisions are available for inspection at the following locations:

Rulemaking Office (AIR-4), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105

Environmental Protection Agency, Air Docket (6102), 401 "M" Street, S.W., Washington, D.C. 20460

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 "L" Street, Sacramento, CA 95812

Sacramento Metropolitan Air Quality Management District, 8411 Jackson Rd., Sacramento, CA 95826

FOR FURTHER INFORMATION CONTACT: Cynthia G. Allen, Rulemaking Office, AIR-4, Air Division, U.S.

Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, Telephone: (415) 744-1189.

SUPPLEMENTARY INFORMATION:

I. Applicability

The rules with definition revisions being approved into the California SIP include the following SMAQMD Rules: Rule 101, General Provisions and Definitions; Rule 442, Architectural Coatings; Rule 443, Leaks From Synthetic Organic Chemical and Polymer Manufacturing; Rule 447, Organic Liquid Loading; Rule 452, Can Coating; Rule 456, Aerospace Assembly and Component Coating Operations; and Rule 458, Large Commercial Bread Bakeries. These rules were submitted by the California Air Resources Board to EPA on May 18, 1998.