

PARTS 1, 20, 25—[CORRECTED]

10. On page 23228, in the table in amendatory instruction Par.32, the entry for 1.170A-6 (c)(5), *Example* (2)(c) is added in numerical order; and the

entries for 1.170A-6(c)(5), *Example* (2)(a), first sentence; 1.170A-6(c)(5), *Example* (3)(a), seventh and eighth sentences (the fifth entry from top of chart); 1.642(c)-A6(e)(2)(i); 20.2055-2 (f)(2)(iv), *Example* (3), second sentence;

20.2055-2(f)(2)(iv), *Example* (3), third sentence; 20.2056A-4(c)(4)(ii)(B), penultimate sentence; and 25.7520-1(c)(1), third sentence are corrected to read as follows:

Section	Remove	Add
1.170A-6(c)(5), <i>Example</i> (2)(a), first sentence	1970.	
1.170A-6(c)(5), <i>Example</i> (2)(c)	for 1970.	
1.170A-6(c)(5), <i>Example</i> (3)(a), seventh, eighth, and ninth sentences	1972	1973.
1.642(c)-6A(e)(2)(i)	§ 20.2031-7(d)(6) ..	§ 20.2031-7A(e)(4).
20.2055-2(f)(2)(iv), <i>Example</i> (3), third sentence	§ 20.2031-10(e)	§ 20.2031-7A(c).
20.2055-2(f)(2)(iv), <i>Example</i> (3), fourth sentence	§ 20.2031-10(f)	§ 20.2031-7A(d).
20.2056A-4(c)(4)(ii)(B), fifth sentence	Alpha Volume	Book Aleph.
25.7520-1(c)(1), third sentence	Section 20.2031-7(d)(6) of this chapter (Estate Tax Regulations) contains.	Sections 20.2031-7(d)(6) and 20.2031-7A(e)(4) of this chapter contain.

Michael Slaughter,

Acting Chief, Regulations Unit, Assistant Chief Counsel (Corporate).

[FR Doc. 99-15786 Filed 6-21-99; 8:45 am]

BILLING CODE 4830-01-P

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

[CGD01-99-042]

RIN 2115-AA97

Safety Zone: Glen Cove, New York Fireworks, Hempstead Harbor, NY

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone on Hempstead Harbor for the Glen Cove, NY fireworks display. This action is necessary to provide for the safety of life on navigable waters during the event. This action is intended to restrict vessel traffic in a portion of Hempstead Harbor.

DATES: This rule is effective from 8:30 p.m. until 10 p.m. on July 4, 1999, and July 5, 1999.

ADDRESSES: Documents as indicated in this preamble are available for inspection or copying at Coast Guard Activities New York, 212 Coast Guard

Drive, room 205, Staten Island, New York 10305, between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (718) 354-4193.

FOR FURTHER INFORMATION CONTACT:

Lieutenant J. Lopez, Waterways Oversight Branch, Coast Guard Activities New York (718) 354-4193.

SUPPLEMENTARY INFORMATION:**Regulatory History**

On May 10, 1999, the Coast Guard published a notice of proposed rulemaking (NPRM) entitled Safety Zone: Glen Cove, New York Fireworks, Hempstead Harbor, NY in the **Federal Register** (64 FR 24987). The Coast Guard received no letters commenting on the proposed rulemaking. No public hearing was requested, and none was held.

Good cause exists for making this regulation effective less than 30 days after **Federal Register** publication. Due to the date the Application for Approval of Marine Event was received, there was insufficient time to promulgate a NPRM and a final rule that would be effective at least 30 days after it was published. The Coast Guard published an NPRM with a 30-day comment period, but this did not leave sufficient time to publish the final rule 30 days before its effective date. Any delay encountered in this regulation's effective date would be contrary to public interest since immediate action is needed to prevent

traffic from transiting a portion of Hempstead Harbor, Glen Cove, New York, and provide for the safety of life on navigable waters. Additionally, the public was notified of this event when the NPRM was published in the Local Notice to Mariners on May 12, 1999.

Background and Purpose

Bay Fireworks submitted an Application for Approval of a Marine Event for a fireworks display on Hempstead Harbor. This regulation establishes a temporary safety zone in all waters of Hempstead Harbor within a 360-yard radius of the fireworks barge in approximate position 40°51'58"N 073°39'34"W (NAD 1983), approximately 500 yards northeast of Glen Cove Breakwater Light 5 (LLNR 27065). The temporary safety zone is in effect from 8:30 p.m. until 10 p.m. on July 4, 1999. If the event is canceled due to inclement weather, then this event will be held from 8:30 p.m. until 10 p.m. on July 5, 1999. The temporary safety zone prevents vessels from transiting a portion of Hempstead Harbor and is needed to protect boaters from the hazards associated with fireworks launched from a barge in the area. Marine traffic will still be able to transit through the western 1,075 yards of Hempstead Harbor. The Captain of the Port does not anticipate any negative impact on vessel traffic due to this event. Additionally, vessels are not

precluded from mooring at or getting underway from public or private facilities at Glen Cove or Red Spring Point, NY in the vicinity of this event. Public notifications will be made prior to the event via Local Notice to Mariners, and marine information broadcasts. The Coast Guard limited the comment period for this NPRM to 30 days because the temporary safety zone is only for a one and a half hour long local event and it should have negligible impact on vessel transits.

Discussion of Comments and Changes

The Coast Guard received no letters commenting on the proposed rulemaking. No changes were made to the proposed rule.

Regulatory Evaluation

This 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 not been reviewed 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 final rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. Although this regulation prevents traffic from transiting a portion of Hempstead Harbor during the event, the effect of this regulation will not be significant for several reasons: the minimal time that vessels will be restricted from the area, that vessels are not precluded from getting underway, or mooring at public or private facilities in Glen Cove or Red Spring Point, NY in the vicinity of this event, that vessels may safely transit to the west of the zone, and advance notifications which will be made to the local maritime community by the Local Notice to Mariners and marine information broadcasts.

Small Entities

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

For reasons discussed in the Regulatory Evaluation section above, the

Coast Guard certifies under 5 U.S.C. 605(b) that this final rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This final rule does not provide for a collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this final rule under the principles and criteria contained in Executive Order 12612 and has determined that this final rule does not have sufficient implications for federalism to warrant the preparation of a Federalism Assessment.

Unfunded Mandates

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) [Pub. L. 104-4, 109 Stat. 48] requires Federal agencies to assess the effects of certain regulatory actions on State, local, and tribal governments, and the private sector. UMRA requires a written statement of economic and regulatory alternatives for rules that contain Federal mandates. A "Federal mandate" is a new or additional enforceable duty imposed on any State, local, or tribal government, or the private sector. If any Federal mandate causes those entities to spend, in the aggregate, \$100 million or more in any one year, the UMRA analysis is required. This final rule does not impose Federal mandates on any State, local, or tribal governments, or the private sector.

Environment

The Coast Guard considered the environmental impact of this final rule and concluded that under figure 2-1, paragraph 34(g), of Commandant Instruction M16475.1C, this final rule is categorically excluded from further environmental documentation. A written Categorical Exclusion Determination is available in the docket for inspection or copying where indicated under ADDRESSES.

List of Subjects in 33 CFR 165

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

Regulation

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), 6.04-6, 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.T01-042 to read as follows:

§ 165.T01-042 Safety Zone: Glen Cove, New York Fireworks, Hempstead Harbor, NY.

(a) *Location.* The following area is a safety zone: All waters of Hempstead Harbor within a 360-yard radius of the fireworks barge in approximate position 40° 51' 58" N 073° 39' 34" W (NAD 1983), approximately 500 yards northeast of Glen Cove Breakwater Light 5 (LLNR 27065).

(b) *Effective period.* This section is effective from 8:30 p.m. until 10 p.m. on July 4, 1999. If the event is cancelled due to inclement weather, then this section is effective from 8:30 p.m. until 10 p.m. on July 5, 1999.

(c) *Regulations.* (1) The general regulations contained in 33 CFR 165.23 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. These personnel comprise commissioned, warrant, and petty officers of the Coast Guard. Upon being hailed by a U.S. Coast Guard vessel by siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.

Dated: June 11, 1999.

L.M. Brooks,

Captain, U.S. Coast Guard, Acting Captain of the Port, New York.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[MD 027-3038; FRL-6363-2]

Approval and Promulgation of Air Quality Implementation Plans; Maryland; Reasonably Available Control Technology Requirements for Major Sources of Nitrogen Oxides

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is granting conditional limited approval of a State