mine as to form one integral enterprise.'' Therefore, such facilities are excluded from coverage under the State plan.

Section 4(b)(1) of the Federal Act provides that ''nothing in this Act shall apply to working conditions with respect to which other Federal agencies * * * exercise statutory authority to prescribe or enforce standards or regulations affecting occupational safety or health'' but does not include language precluding coverage of concrete or asphalt plants comparable to that in the Arizona statute. OSHA coverage of such facilities is specifically provided by a Memorandum of Understanding Between OSHA and the Mine Safety and Health Administration, which was signed on March 29, 1979 (see 44 FR 22,827).

B. Location of Supplement for Inspection and Copying

A copy of the legislation referenced in this notice as well as information on the Arizona plan is available during normal business hours at the following locations: Office of the Regional Administrator, U.S. Department of Labor—OSHA, 71 Stevenson Street, Suite 415, San Francisco, CA 94105; Industrial Commission of Arizona, 800 W. Washington, Phoenix, AZ 85007; and the Office of State Programs, 200 Constitution Avenue, N.W., Room N3700, Washington, D.C. 20210. For electronic copies of this notice, contact OSHA's Web Page at http://www.osha.gov/.

C. Public Participation

Under 29 CFR 1953.2(c), the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. Arizona's Final Approval determination issued after an opportunity for public comment in 1985, specifically provides that Federal standards and enforcement will apply to safety or health issues the State is unable to cover under its State plan, and this notice implements that provision. State and Federal OSHA requirements applicable to employment in concrete and asphalt batch plants are identical. Accordingly, OSHA finds that further public participation is not necessary.

D. Decision

To assure worker protection under the OSH Act, Federal OSHA will assume coverage over concrete and asphalt batch plants that are physically connected to or interdependent with mines in Arizona. OSHA is hereby amending 29 CFR part 1952, Subpart CC, to reflect this change in the level of Federal enforcement.

List of Subjects in 29 CFR Part 1952

Intergovernmental relations, Law enforcement, Occupational safety and health.

This document was prepared under the direction of Charles Jeffress, Assistant Secretary of Labor for Occupational Safety and Health. It is issued under Section 18 of the OSH Act (29 U.S.C. 667), 29 CFR part 1902, and Secretary of Labor's Order No. 6–96 (62 FR 111).

Signed at Washington, D.C. this 21 day of August 1998.

Charles N. Jeffress,

Assistant Secretary of Labor.

For the reasons set out in the preamble 29 CFR part 1952, Subpart CC (Arizona) is hereby amended as set forth below:

PART 1952—APPROVED STATE PLANS FOR ENFORCEMENT OF STATE STANDARDS

1. The authority citation for Part 1952 continues to read as follows:

Authority: Sec. 18 Stat. 1608 (29 U.S.C. 667); 29 CFR part 1902, Secretary of Labor's Order No. 6–96 (62 FR 111).

Subpart CC—Arizona

2. Section 1952.354 is amended by revising paragraph (b) to read as follows:

§ 1952.354 Final approval determination.

* * * * *

(b) The plan which has received final approval covers all activities of employers and all places of employment in Arizona except for private sector maritime employment, copper smelters, concrete and asphalt batch plants that are physically connected to a mine or so interdependent with a mine as to form one integral enterprise, and Indian reservations.

* * * * *

3. Section 1952.355 is amended by revising the first four sentences of paragraph (b) to read as follows:

§ 1952.355 Level of Federal enforcement.

* * * * *

(b) In accordance with section 18(e), final approval relinquishes Federal OSHA authority only with regard to occupational safety and health issues covered by the Arizona plan. OSHA retains full authority over issues which are not subject to State enforcement under the plan. Thus, Federal OSHA retains its authority relative to safety and health in private sector maritime activities and will continue to enforce all provisions of the Act, rules or orders, and all Federal standards, current or future, specifically directed to maritime employment (29 CFR part 1915, shipyard employment; part 1917, marine terminals; part 1918, longshoring; part 1919, gear certification) as well as provisions of general industry standards (29 CFR part 1910) appropriate to hazards found in these employments. Federal jurisdiction is also retained with respect to Federal government employers and employees, in copper smelters, in concrete and asphalt batch plants which are physically connected to a mine or so interdependent with the mine as to form one integral enterprise, and within Indian reservations. * * *

* * * * *

[FR Doc. 98–26525 Filed 10–2–98; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD11–98–013]

Drawbridge Operation Regulations; Carquinez Strait, Solano and Contra Costa Counties, CA, Union Pacific Benicia-Martinez Railroad Bridge

AGENCY: Coast Guard, DOT.

ACTION: Notice of temporary deviation from regulations.

SUMMARY: Notice is hereby given that the Coast Guard has issued a temporary deviation to the regulations governing the opening of the Union Pacific Martinez Railroad vertical lift bridge over Carquinez Strait between Benicia and Martinez, CA. The deviation specifices that the bridge operator requires 1-hour advance notice from 7 a.m. to 5 p.m. to open the bridge on the following specified dates. Those dates are Tuesday, September 29, 1998, Wednesday, September 30, 1998, Tuesday, October 13, 1998, and Wednesday, October 14, 1998. The purpose of this deviation is to allow the Union Pacific Railroad and its contractors to replace the rail across the bridge. The advance notice is needed to allow sufficient time for workers to remove equipment from the lift span.

DATES: Effective period of the deviation is 7 a.m.–5 p.m. on September 29, 1998, September 30, October 13, and October 14, 1998.

FOR FURTHER INFORMATION CONTACT:

Mr. Jerry Olmes, Bridge Administrator, Eleventh Coast Guard District, Building 50–6 Coast Guard Island, Alameda, CA 94501–5100, telephone (510) 437–3515.

SUPPLEMENTARY INFORMATION: The Coast Guard anticipates that the economic consequences of this deviation will be minimal. The bridge opens upon demand, however, most vessels needing bridge openings give the bridge operator a preliminary call about 30 minutes before arriving at the bridge. The additional time required for advance notice should not pose an economic burden for waterway users. This deviation from the normal operating regulations in 33 CFR 117.5 is authorized in accordance with the provisions of 33 CFR 117.35.

Dated: September 18, 1998.

E. E. Page,

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

[FR Doc. 98–26577 Filed 10–2–98; 8:45 am]

BILLING CODE 4910–15–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52 and 81

[CT50–7208; A–1–FRL–6167–1]

Approval and Promulgation of Air Quality Implementation Plans and Designations of Areas for Air Quality Planning Purposes; State of Connecticut; Approval of Maintenance Plan, Carbon Monoxide Redesignation Plan and Emissions Inventory for the New Haven-Meriden-Waterbury area

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is approving a request by the Connecticut Department of Environmental Protection (CTDEP) on January 17, 1997 to redesignate the New Haven-Meriden-Waterbury area from nonattainment to attainment for carbon monoxide (CO). EPA is approving this request which establishes the area as attainment for carbon monoxide and requires the state to implement their 10 year maintenance plan that will insure that the area remains in attainment. Under the Clean Air Act as amended in 1990 (CAA), designations can be revised if sufficient data is available to warrant such revisions. EPA is approving the Connecticut request because it meets the redesignation requirements set forth in the CAA, and this action is being taken in accordance with Clean Air Act requirements. In this action, EPA is also approving the 1990 base year emission inventory for CO emissions, which includes emissions data for sources of CO in the New Haven nonattainment area.

DATES: This action is effective December 4, 1998, unless EPA receives adverse or critical comments by November 4, 1998. Should the Agency receive such comments, it will publish a timely withdrawal in the **Federal Register**.

ADDRESSES: Comments may be mailed to Susan Studlien, Deputy Director, Office of Ecosystem Protection (mail code CAA), U.S. Environmental Protection Agency, Region I, JFK Federal Bldg., Boston, MA 02203–2211. Copies of the documents relevant to this action are available for public inspection during normal business hours, by appointment at the Office of Ecosystem Protection, U.S. Environmental Protection Agency, Region I, One Congress Street, 11th floor, Boston, MA and the Bureau of Air Management, Department of Environmental Protection, State Office Building, 79 Elm Street, Hartford, CT 06106–1630.

FOR FURTHER INFORMATION CONTACT: Jeffrey S. Butensky, Environmental Planner, Air Quality Planning Unit of the Office of Ecosystem Protection (mail code CAQ), U.S. Environmental Protection Agency, Region I, JFK Federal Bldg., Boston, MA 02203–2211, (617) 565–3583 or at butensky.jeff@epamail.epa.gov

SUPPLEMENTARY INFORMATION: On January 17, 1997, the State of Connecticut submitted a formal redesignation request consisting of air quality data showing that the area is attaining the standard and a maintenance plan with all applicable requirements. In addition, on January 13, 1994, the State of Connecticut submitted a carbon monoxide inventory for the New Haven-Meriden-Waterbury area which is also being approved in today's action.

I. Summary of SIP Revision

A. Background

On March 31, 1978, (See 43 FR 8962), EPA published rulemaking which set forth attainment status for all States in relation to the National Ambient Air Quality Standards (NAAQS). The New Haven-Meriden-Waterbury area and surrounding towns (the ''New Haven area'') was designated as nonattainment for carbon monoxide (CO) through this notice. This includes the towns of New Haven, Thomaston, Watertown, Bethlehem, Woodbury, Wolcott, Waterbury, Middlebury, Southbury, Meriden, Cheshire, Prospect, Naugatuck, Oxford, Seymour, Shelton, Beacon Falls, Bethany, Hamden, Wallingford, Guilford, Branford, North Branford, Madison, North Haven, East Haven, Woodbridge, West Haven, Ansonia, Derby, Orange, and Milford.

Prior to the 1990 Clean Air Act amendments, a large area encompassing New Haven, Hartford, and Springfield, MA, was a single air quality control region. Pursuant to the CAA of 1990, the area was divided into specific nonattainment areas, one of which is the New Haven-Meriden-Waterbury CO nonattainment area. The Hartford CO nonattainment area was redesignated to attainment and a maintenance area on October 31, 1995. An ''unclassified area'' is an area with data showing no violations but had been designated as nonattainment prior to the 1990 Clean Air Act amendments. Therefore, the area continued as nonattainment by operation of law until the State completes all redesignation requirements and EPA takes action.

The New Haven area was designated ''unclassifiable'' as determined by EPA even though the area has ambient monitoring data showing attainment of the CO NAAQS since 1978. Therefore, this area is subject to the requirements of section 172 of the Clean Air Act which sets forth requirements for applicable nonattainment areas (see the technical support document for more information). The 1990 CAA required such areas to achieve the standard by November 15, 1995, and the New Haven area has fulfilled this requirement. Therefore, in an effort to comply with the CAA and to ensure continued attainment of the NAAQS, on January 17, 1997 the State of Connecticut submitted a CO redesignation request and a maintenance plan for the New Haven area. Connecticut submitted evidence that a public hearing was held on January 8, 1997.

B. Evaluation Criteria

Section 107(d)(3)(E) of the 1990 Clean Air Act Amendments provides five specific requirements that an area must meet in order to be redesignated from nonattainment to attainment.

1. The area must have attained the applicable NAAQS;
2. The area must have a fully approved SIP under section 110(k) of CAA;
3. The air quality improvement must be permanent and enforceable;
4. The area must have a fully approved maintenance plan pursuant to section 175A of the CAA;
5. The area must meet all applicable requirements under section 110 and Part D of the CAA.