601 *et seq.*) that this rule will not have a significant impact on a substantial number of small entities.

Assistance for Small Entities

Under subsection 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), the Coast Guard wants to assist small entities in understanding this final rule so that they can better evaluate its effects on them and participate in the rulemaking. If your small business or organization would be affected by this final rule and you have questions concerning its provisions or options for compliance, please call LCDR T.J. Walker, telephone (203) 468–4444.

The Ombudsman of Regulatory Enforcement for Small Business and Agriculture, and 10 Regional Fairness Boards, were established to received comments from small businesses about enforcement by Federal agencies. The Ombudsman will annually evaluate such enforcement and rate each agency's responsiveness to small business. If you wish to comment on enforcement by the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247)

Collection of Information

This 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 action in accordance with the principles and criteria contained in Executive Order 12612, and has determined that these regulations do not raise sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Unfunded Mandates

Under the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4), the Coast Guard must consider whether this rule will result in an annual expenditure by state, local, and tribal governments, in aggregate of $100 million (adjusted annually for inflation). If so, the Act requires that a reasonable number of regulatory alternatives be considered, and that from those alternatives, the least costly, most cost-effective, or least burdensome alternative that achieves the objective of the rule be selected. No state, local, or tribal government entities will be effected by this rule, so this rule will not result in annual or aggregate costs of $100 million or more. Therefore, the Coast Guard is exempt from any further regulatory requirements under the Unfunded Mandates Act.

Environment

The Coast Guard has considered the environmental impact of this regulation and concluded that under Figure 2–1, paragraph 34(g), of Commandant Instruction, M 16475.C, this 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**.

Other Executive Orders on the Regulatory Process

In addition to the statutes and Executive Orders already addressed in this preamble, the Coast Guard considered the following executive orders in developing this final rule and reached the following conclusions:

E.O. 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights. This final rule will not effect a taking of private property or otherwise have taking of private property or otherwise have taking implications under this Order.

E.O. 12875, Enhancing the Intergovernmental Partnership. This final rule meets applicable standards in sections 3(a) and 3(b)(2) of this Order to minimize litigation, eliminate ambiguity, and reduce burden.

E.O. 13405, Protection of Children from Environmental Health Risks and Safety Risks. This final rule is not an economically significant rule and does not concern an environmental risk to safety disproportionately affecting children.

List of Subjects in 33 CFR Part 165

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

Regulation

For the reasons set out 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), 604–1, 6.04–6 and 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–CGD1–072 to read as follows:

§ 165.T01–CGD1–072; Sag Harbor Fireworks Display, Sag Harbor Bay, Sag Harbor, NY.

(a) *Location.* The safety zone includes all waters of Sag Harbor within a 1200 foot radius of the launch site located in Sag Harbor Bay, Sag Harbor, NY in approximate position 41°–00′51.2″N, 072°–17′57.8″W (NAD 1983).

(b) *Effective date.* This section is effective on July 2, 1999 from 9:00 p.m. until 10:20 p.m. In case of inclement weather, this section is effective July 3, 1999 at the same time and place.

(c)(1) *Regulations.* The general regulations covering safety zones contained in § 165.23 of this part 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. U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard. Upon being hailed by a U.S. Coast Guard Vessel via siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.

P. K. Mitchell,

Captain, U.S. Coast Guard, Captain of the Port, Long Island Sound.

[FR Doc. 99–16361 Filed 6–25–99; 8:45 am]

BILLING CODE 4910–15–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[ME61–7010c; A–1–FRL–6366–9]

Approval and Promulgation of Air Quality Implementation Plans; Maine; Approval of Fuel Control Program Under Section 211(c)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule; withdrawal.

SUMMARY: On May 14, 1999, EPA published a direct final rule (64 FR 26306) approving, and an accompanying proposed rule (64 FR 26352) proposing to approve, a State Implementation Plan (SIP) revision submitted by the State of Maine on March 10, 1999. This revision establishes and requires that all gasoline sold in York, Cumberland, Sagadahoc, Androscoggin, Kennebec, Knox and Lincoln counties meet certain summertime volatility limits, as measured by the Reid Vapor Pressure (RVP). We are withdrawing this final rule due to adverse comment received from the Oxygenated Fuels Association. In a subsequent final rule, we will summarize and respond to any comments received and take final rulemaking action on this requested Maine SIP revision.

DATES: As of June 28, 1999, we withdraw the direct final rulemaking published on May 14, 1999.

ADDRESSES: Copies of the documents relevant to this action are available for public inspection during normal business hours, by appointment at the Office of Ecosytem Protection, U.S. Environmental Protection Agency, Region I, One Congress Street, 11th floor, Boston, MA.

FOR FURTHER INFORMATION CONTACT: Robert C. Judge, (617) 918–1045.

List of Subjects on 40 CFR Part 52

Environmental Protection, Air pollution control, Carbon monoxide, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Nitrogen Dioxide, Ozone, Reporting and recordkeeping requirements

Dated: June 16, 1999.

John P. DeVillars,

Regional Administrator, Region I.

[FR Doc. 99–16237 Filed 6–25–99; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA 210–147a; FRL–6362–9]

Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Bay Area Air Quality Management District, Monterey Bay Unified Air Pollution Control District, Placer County Air Pollution Control District, and Ventura County Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking direct final action to approve revisions to the California State Implementation Plan (SIP). This action revises the definitions in Bay Area Air Quality Management District (BAAQMD) Regulation 1; Monterey Bay Unified Air Pollution Control (MBUAPCD) Rule 101; Placer County Air Pollution Control District (PCAPCD) Rule 102; and Ventura County Air Pollution Control District (VCAPCD) Rule 2. The intended effect of approving this action is to incorporate changes to the definitions for clarity and consistency and to update the Exempt Compound list in MBUAPCD, PCAPCD, and VCAPCD rules to be consistent with the revised federal and state VOC definitions.

DATES: This rule is effective on August 27, 1999 without further notice, unless EPA receives adverse comments by July 28, 1999. 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 Andrew Steckel 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

Bay Area Air Quality Management District, 939 Ellis Street, San Francisco, CA 94109–7714

Monterey Bay Unified Air Pollution Control District, 24580 Silver Cloud Ct., Monterey, CA 93940–6536

Placer County Air Pollution Control District, DeWitt Center, 11464 ''B'' Ave., Auburn, CA 95603–2603

Ventura County Air Pollution Control District, 669 County Square Dr., 2nd Fl., Ventura, CA 93003–5417

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 being approved into the California SIP include: BAAQMD Regulation 1, General Provisions and Definitions; MBUAPCD Rule 101, Definitions; PCAPCD Rule 102, Definitions, and VCAPCD 2, Definitions. These rules were submitted by the California Air Resources Board to EPA on February 16, 1999 (Bay Area and Ventura); January 12, 1999 (Monterey); and May 18, 1998 (Placer).

II. Background

On March 3, 1978, EPA promulgated a list of nonattainment areas under the provisions of the Clean Air Act, as amended in 1977 (1977 Act or pre-amended Act), that included BAAQMD, MBUAPCD, PCAPCD, and VCAPCD. 43 FR 8964, 49 CFR 81.305. In response to Section 110(a) of the Act and other requirements, the BAAQMD, MBUAPCD, PCAPCD, and VCAPCD submitted many rules which EPA approved into the SIP.

On February 7, 1996 (61 FR 4588) EPA published a final rule excluding perchloroethylene from the definition of VOC. On October 8, 1996 (61 FR 52848) EPA published a final rule excluding HFC 43–10mee and HCFC–225ca and cb from the definition of VOC. On August 25, 1997 (62 FR 44900) EPA published a final rule excluding HFC–32, HFC–161, HFC–236ea and fa, HFC–245ca, ea, eb, and fa, HFC–365mfc, HCFC–31, HCFC–123a, HCFC–151a, $C_4F_9OCH_3$, $CF_{32}CFCF_2OCH_3$, $C_4F_9OC_2H_5$, $CF_{32}CFCF_2OC_2H_5$. On April 9, 1998 (63 FR 17331) EPA published a final rule excluding methyl acetate from the definition of VOC. These compounds were determined to have negligible photochemical reactivity and thus, were added to the Agency's list of Exempt Compounds.

This document addresses EPA's direct-final action for BAAQMD Regulation 1, General Provisions and Definitions; MBUAPCD Rule 101, Definitions; PCAPCD Rule 102, Definitions; and VCAPCD Rule 2, Definitions. These rules were adopted by BAAQMD on October 7, 1998; by MBUAPCD on November 12, 1998; by PCAPCD on June 19, 1997; and by VCAPCD on November 10, 1998. These rules were submitted by the California Air Resources Board to EPA on February 16, 1999 (Bay Area and Ventura); January 12, 1999 (Monterey); and May 18, 1998 (Placer). These submitted rules were found to be complete on May,1999 (Bay Area and Ventura); March 19, 1999 (Monterey); July 17, 1998 (Placer), pursuant to EPA's completeness criteria that are set forth in 40 CFR part 51, appendix V [1] and is being finalized for approval into the SIP.

The following are EPA's summary and final action for these rules.

III. EPA Evaluation and Action

In determining the approvability of a rule, EPA must evaluate the rule for consistency with the requirements of the CAA and EPA regulations, as found in section 110, and part D of the CAA and 40 CFR part 51 (Requirements for Preparation, Adoption and Submittal of Implementation Plans). The EPA interpretation of these requirements, which forms the basis for this action, appears in various EPA policy guidance documents.[2]

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[1] EPA adopted the completeness criteria on February 16, 1990 (55 FR 5830) and, pursuant to section 110(k)(1)(A) of the CAA, revised the criteria on August 26, 1991 (56 FR 42216).

[2] Among other things, the pre-amendment guidance consists of those portions of the proposed