

TABLE FIVE

Vessel	Number	Masthead lights not over all other lights and obstructions. annex 1, sec. 2(f)	Forward masthead light not in forward quarter of ship. annex 1, sec. 3(a)	After mast-head light less than 1/2 ship's length aft of forward masthead light. annex 1, sec. 3(a)	Percentage horizontal separation attained
USS SAIPAN	LHA 2	10.2

Dated: March 22, 1995.

Approved:

K.P. McMahon,

CDR, JAGC, U.S. Navy Deputy Assistant Judge Advocate General (Admiralty).

[FR Doc. 95-12476 Filed 5-19-95; 8:45am]

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32 CFR Part 706

Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea, 1972; Amendment

AGENCY: Department of the Navy, DOD.

ACTION: Final rule.

SUMMARY: The Department of the Navy is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), to reflect that the Deputy Assistant Judge Advocate General (Admiralty) of the Navy has determined that USS CURTIS WILBUR (DDG 54) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with certain provisions of the 72 COLREGS without interfering with its special functions as a naval ship. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

EFFECTIVE DATE: May 1, 1995.

FOR FURTHER INFORMATION CONTACT: Commander K. P. McMahon, JAGC, U.S.

Navy, Admiralty Counsel, Office of the Judge Advocate General, Navy Department, 200 Stovall Street, Alexandria, VA 22332-2400, Telephone number: (703) 325-9744.

SUPPLEMENTARY INFORMATION: Pursuant to the authority granted in 33 U.S.C. 1605, the Department of the Navy amends 32 CFR Part 706. This amendment provides notice that the Deputy Assistant Judge Advocate General (Admiralty) of the Navy, under authority delegated by the Secretary of the Navy, has certified that USS CURTIS WILBUR (DDG 54) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with the following specific provision of 72 COLREGS without interfering with its special function as a naval ship: Annex I, section 3(a) pertaining to the location of the forward masthead light in the forward quarter of the vessel, and the horizontal distance between the forward and after masthead lights; and, Annex I, section 2(f)(i) pertaining to placement of the masthead light or lights above and clear of all other lights and obstructions. The Deputy Assistant Judge Advocate General (Admiralty) has also certified that the lights involved are located in closest possible compliance with the applicable 72 COLREGS requirements.

Moreover, it has been determined, in accordance with 32 CFR Parts 296 and 701, that publication of this amendment

for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on this vessel in a manner differently from that prescribed herein will adversely affect the vessel's ability to perform its military functions.

List of Subjects in 32 CFR Part 706

Marine safety, Navigation (Water), and Vessels.

Accordingly, 32 CFR Part 706 is amended as follows:

PART 706—[AMENDED]

1. The authority citation for 32 CFR Part 706 continues to read as follows:

Authority: 33 U.S.C. 1605.

2. Table Four of section 706.2 is amended by revising the entry for USS CURTIS WILBUR in Paragraph 16 to read as follows:

Vessel	Number	Obstruction angle relative ship's headings
USS CURTIS WILBUR.	DDG 54	102.61 thru 112.50°.

3. Table Five of § 706.2 is amended by revising the entry for USS CURTIS WILBUR to read as follows:

TABLE FIVE

Vessel	No.	Masthead lights not over all other lights and obstructions. annex 1, sec. 2(f)	Forward masthead light not in forward quarter of ship. annex 1, sec. 3(a)	After mast-head light less than 1/2 ship's length aft of forward masthead light. annex 1, sec. 3(a)	Percentage horizontal separation attained
USS CURTIS WILBUR	DDG 54	X	X	X	20.4

Dated: May 1, 1995.

Approved:

K. P. McMahon,

CDR, JAGC, U.S. Navy Deputy Assistant Judge Advocate General (Admiralty).

[FR Doc. 95-12477 Filed 5-19-95; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[CA-64-1-6997; FRL-5202-4]

Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; State of California, Approval of the Maintenance Plan for the San Francisco Bay Area and Redesignation of the San Francisco Bay Area to Attainment; Approval of Emissions Inventory; Approval of NO_x Exemption Petition

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The EPA is approving a redesignation request and maintenance plan for the San Francisco Bay Area as a revision to California's State Implementation Plan (SIP) for ozone. In addition, EPA is approving the 1990 base year emissions inventory and a petition requesting an exemption from the section 182(f) nitrogen oxides (NO_x) requirements for the area.

On April 13, 1994, EPA notified the State of California that EPA had made a finding of incompleteness for required programs under the Clean Air Act (CAA or the Act). The EPA's redesignation of the San Francisco Bay Area to attainment and approval of the 1990 emissions inventory abrogates those requirements for the area. Therefore, the sanctions and federal implementation plan clocks begun by those findings are stopped at the time of this redesignation.

EFFECTIVE DATE: This final rule will become effective on June 21, 1995.

ADDRESSES: Copies of the documents relevant to this action are available for public inspection during normal business hours at the following locations:

- Plans Development Section (A-2-2), Air and Toxics Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105.
- California Air Resources Board, 2020 L Street, Sacramento, CA 94814.

FOR FURTHER INFORMATION CONTACT: Wallace Woo, Chief, Plans Development Section, Air & Toxics Division, U.S. Environmental Protection Agency, Region IX, at (415) 744-1207.

SUPPLEMENTARY INFORMATION:

Background

A. Ozone Redesignation Request and Maintenance Plan

The San Francisco Bay Area ozone nonattainment area has attained the National Ambient Air Quality Standard (NAAQS) for ozone based on three years of quality assured ambient air quality data, for the period 1990-1992. Therefore, in accordance with the CAA, as amended in 1990, and to ensure continued attainment of the standard for at least 10 years, the State of California has submitted an ozone maintenance plan which projects continued attainment of the ozone NAAQS in the San Francisco Bay Area.

The maintenance plan submitted for the San Francisco Bay Area meets all applicable requirements of the CAA. The San Francisco Bay Area submittal complies with section 175A of the Act which sets forth maintenance plan requirements for areas seeking redesignation from nonattainment to attainment. The plan demonstrates attainment of the NAAQS for at least 10 years after the area is redesignated.

Eight years after the redesignation, the state commits to submit a revised maintenance plan which demonstrates

attainment for the ten year period following the initial ten year period. In the event of a NAAQS violation, the maintenance plan contains contingency measures adequate to ensure prompt correction of the air quality problem.

The state submittal being approved today contains a redesignation request in which the state demonstrates that the area has fulfilled the redesignation requirements of the CAA pursuant to section 107(d)(3)(E), a NO_x exemption petition pursuant to section 182(f), and a 1990 emissions inventory of ozone precursors pursuant to section 182(a) for the area.

On September 28, 1994 (59 FR 49361-49370), EPA published a notice of proposed rulemaking (NPRM) for the State of California SIP. The NPRM proposed that the San Francisco Bay Area be redesignated from nonattainment to attainment for ozone and that the maintenance plan submitted by the State of California as a revision to the California SIP be approved contingent upon EPA taking final rulemaking action to approve various SIP deficiencies for the San Francisco Bay Area (including volatile organic compound (VOC) reasonable available control technology (RACT) corrections, emission statement rule, NSR corrections) and California's submittal of the ozone maintenance plan amendments to the contingency plan and the 1990 base year emissions inventory. In addition, the NPRM proposed approval of a NO_x waiver petition and 1990 base year emissions inventory.

Since that time, the EPA has taken final rulemaking action to approve both the volatile organic compound (VOC) reasonable available control technology (RACT) rules which resolve the deficiencies and the emission statement rule. Below is the list of rules that the EPA has approved since the time of proposed rulemaking on the redesignation. These approvals remove one of the conditions for redesignation of the San Francisco Bay Area.

Rule No.	Rule title	Notice of final rulemaking
8-1	General Provisions	60 FR 15062, March 22, 1995.
8-2	Miscellaneous Operations	60 FR 15062, March 22, 1995.
8-4	General Solvent and Surface Coating Operations	60 FR 15092, March 22, 1995.
8-7	Gasoline Dispensing Facilities	60 FR 15062, March 22, 1995.
8-8	Wastewater (Oil-Water) Separators	59 FR 43328, August 29, 1994.
8-11	Metal Container Closure and Coil Coating	59 FR 63721, December 9, 1994.
8-12	Paper, Fabric, and Film Coating	60 FR 15062, March 22, 1995.
8-13	Light and Medium Duty Motor Vehicle Assembly Plants	NFRM signed March 29, 1995— publication pending.
8-14	Surface Coating of Large Appliance and Metal Furniture	NFRM signed March 29, 1995— publication pending.
8-15	Emulsified and Liquid Asphalts	60 FR 15062, March 22, 1995.
8-16	Solvent Cleaning Operations	59 FR 63721, December 9, 1994.