§ 151.1518 [Corrected]

6. On page 17790, in the introductory paragraph of § 151.1518, ''inquires'' should read ''inquiries''.

Subpart C to Part 151 [Corrected]

7. In the appendix to subpart C of part 151, on page 17791, in line 16 of the second column, ''were taken? (i.e., transfer of water to a land based holding facility or other approved treatment).'' should read ''were taken (i.e., transfer of water to a land based holding facility or other approved treatment)?''.

8. In the appendix to subpart C of part 151, on page 17791, in line 10 of the third column, ''subject to this section'' should read ''subject to subpart C''.

Dated: June 10, 1998.

Howard L. Hime,

Acting Director of Standards, Marine Safety and Environmental Protection.

[FR Doc. 98–15964 Filed 6–15–98; 8:45 am]

BILLING CODE 4910–15–M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD 05–98–038]

RIN 2115–AA97

Safety Zone: Atlantic Intracoastal Waterway, Vicinity of Marine Corps Base Camp Lejeune, NC

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to establish a safety zone in the Atlantic Intracoastal Waterway (AICW) adjacent to Marine Corps Base (MCB) Camp Lejeune, North Carolina which encompasses the navigable waters of the AICW and connecting waters between Cedar Point and Bear Creek. THe safety zone will improve vessel safety and permit maximum safe nonmilitary use of the AICW during times of military training involving the firing of live ammunition.

DATES: Comments must be received on or before September 14, 1998.

ADDRESSES: Comments may be mailed to Commanding Officer, U.S. Coast Guard Marine Safety Office Wilmington, 272 North Front Street, Suite 500, Wilmington, NC 28401–3907 or may be delivered to Suite 500 at the same address between 8 a.m. and 4 p.m., Monday through Friday, except federal holidays. The telephone number is (910) 815–4895. Comments will become part of the docket for this rulemaking and will be available for inspection or copying in Suite 500, Marine Safety Office Wilmington.

FOR FURTHER INFORMATION CONTACT: LT D.C. Brown, USCG, Project Officer, c/o Commanding Officer, U.S. Coast Guard Marine Safety Office Wilmington, 272 North Front Street, Wilmington, North Carolina 28401–3907, phone: 1–(800) 325–4956 or (910) 815–4895 ext. 108.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views, or arguments. Persons submitting comments should include their names and addresses and identify this rulemaking (CGD 05–98–038). Commenters should also identify the specific section of this proposal to which each comment applies, and give the reason for each comment. The Coast Guard requests that all comments and attachments be submitted in an unbound format suitable for copying and electronic filing. If not practical, a second copy of any bound material is requested. Persons wanting acknowledgment of receipt of comments should enclose a stamped self addressed postcard or envelope.

The Coast Guard will consider all comments received during the comment period, and may change this proposal in view of the comments. The Coast Guard plans no public hearing. Persons may request a public hearing by writing to Marine Safety Office Wilmington at the location under **ADDRESSES**. The request should include reasons why a hearing would be beneficial. If the Coast Guard determines that the opportunity for oral presentation will aid this rulemaking, a public hearing will be held at a time and place announced in a **Federal Register** notice.

Background and Purpose

Military personnel fire live ammunition on training ranges at Marine Corps Base (MCB) Camp Lejeune. During these live firing exercises, projectiles sometimes travel across the Atlantic Intracoastal Waterway (AICW) and into the Atlantic Ocean. Firing live ammunition across the AICW creates a hazardous condition to vessels that may be near the impact area of the projectiles. Army Corps of Engineers (ACOE) regulations in 33 CFR 334.440 designate certain coastal and connecting waters in the vicinity of Camp Lejeune as either danger zones or restricted areas.

The ACOE regulations at 33 CFR 334.440(e)(2)(ii) prohibit vessels from entering the waters between the south bank of Bear Creek and the north bank of the north connecting channel between the AICW and Browns Inlet at all times. 33 CFR 334.440(e)(2)(iii) prohibits vessels from passing through the north connecting channel and the south connecting channel in the area between the AICW and Browns Inlet to the Atlantic Ocean during times of military use, including live firing and bombing. These ACOE regulations do not preclude vessels from transiting the AICW. The ACOE regulation at 33 CFR 334.440(e)(2)(i) permits vessels to proceed through the area of the AICW between Bear Creek and the Onslow Beach Bridge without stopping except in cases of extreme emergencies.

Notwithstanding the ACOE regulations in 33 CFR 334.440(e)(2)(i), however, the Coast Guard may, in the interest of public safety, restrict vessel movement through the AICW by establishing a safety zone. The Coast Guard's current method of controlling vessel traffic through the AICW during live firing exercises is by establishing temporary safety zones that restrict access to portions of the AICW during live firing exercises. This proposed rule would establish a permanent safety zone that will enhance safety for mariners and still accommodate necessary military training. The permanent regulation will also more adequately notify mariners about the existence and location of the safety zone, which has been established in the past by frequent temporary rules of short duration.

The Marine Corps' firing range training schedule is not extensive. Generally, mariners will not experience extended periods (over 12 consecutive hours) of activity on the ranges. Firing ranges are used an average of two days every month. Encountering more than two consecutive days of range activity would be unusual. Generally, MCB Camp Lejeune provides the Coast Guard 2 or 3 weeks notice of its intent to conduct firing exercises.

This proposal was developed by the Coast Guard based on discussions with the Marine Corps, local towboat operators, fishermen, and recreational boaters. Based on those discussions, the Coast Guard believes this proposal is the best method of enhancing public safety, allowing maximum access through the AICW, and facilitating military training aboard the Marine Corps Base.

Discussion of Proposed Rule

The proposed safety zone would include a 9 nautical mile section of the AICW. Specifically, the proposed safety zone would include the waters of the AICW and connecting waters, from

Bogue Sound—New River Light 58 (LLNR 39210) at approximate position 34°37′57″ North, 077°12′18″ West, and continuing in the AICW southwest to Bogue Sound—New River Daybeacon 70 (LLNR 39290) at approximate position 34°33′ 07″ North, 077°20′ 30″ West.

Red warning flags or red warning lights will be displayed on towers located at both ends of the safety zone (Bear Creek and Cedar Point) whenever firing exercises are in progress. The flags or lights will be displayed by 8 a.m. on the day of the firing exercise, and will be removed at the end of the firing exercise. Vessels from the U.S. Navy will sweep the entire safety zone and give an ''all clear'' to Marine Corps range control prior to commencing fire. Navy safety vessels will also sweep the area used for firing and will report to range control prior to resuming fire on any even hour period. The Coast Guard or U.S. Navy will patrol each end of the safety zone area to inform mariners of a particular firing exercise.

Although the safety zone covers an area of nine nautical miles, actual firing exercises normally take place within a 2 nautical mile area which does not change during a particular live firing exercise. The location of the 2 nautical mile area within the 9 mile safety zone may vary from exercise to exercise, however. While the safety zone is activated during the live fire exercises, permission may be granted to transit in non-firing areas of the safety zone. Consequently, even though the proposed safety zone would extend for 9 nautical miles, the Coast Guard would publish in the Local Notice to Mariners and announce in a Broadcast Notice to Mariners, the location within the safety zone of the two nautical mile area that the live firing exercise will occupy which would be subject to transit restrictions, and which portions of the safety zone not affected by the live firing exercise that the COTP has given advance permission to transit.

Also, during a live firing exercise, the Marines only fire ordnance during alternating hours. Thus, there would be alternating one hour periods of closure and opening of this 2 nautical mile area for vessel transits. For example, during a 12-hour firing exercise, there would be alternate one hour periods of closure and opening for vessel transits (i.e., 1 hour of closure, one hour of opening, and so on). All vessels would be prohibited from entering the two nautical mile firing area during one-hour periods beginning at the start of even-numbered hours, local time. During odd-numbered hours, local time, vessels would be permitted to pass through the firing area as long as the vessel would be able to exit the firing area before the beginning of the next even-numbered hour. For example, if the firing area in the AICW were closed between 8 a.m. and 9 a.m., then from 9 a.m. to 10 a.m. vessel traffic may transit, and shall completely clear the area. At 10 a.m. the firing area in the AICW would again be closed to vessel traffic for the next hour, and so on.

The specific times that the safety zone will be activated would be announced in a Broadcast Notice to Mariners, and published in a Notice to Mariners when practical. Because the live-firing schedule is not extensive, and because general permission may be granted to transit all but 2 nautical miles of the safety zone when activated, the Coast Guard expects the impact of this proposed rule on commercial and recreational traffic to be minimal.

To summarize, the Coast Guard is proposing to establish a 9 nautical mile safety zone in the AICW. The Coast Guard may grant general permission to transit the non-hazardous parts of the safety zone while it is in effect. Additionally, vessels would be permitted to transit the live-firing area of the safety zone during specified hours.

Regulatory Evaluation

This proposed 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 proposed rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. The Coast Guard does not expect extensive activation of this proposed safety zone. Furthermore, general permission to enter the non-hazardous parts of the safety zone may be granted, and the rest of the safety zone would be open to traffic during specified hours. Therefore, the Coast Guard expects the impact on routine navigation to be minimal.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this proposal, if adopted, will have a significant economic impact on a substantial number of small entities. ''Small entities'' include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as ''small business concerns'' under section 3 of the Small Business Act (15 U.S.C. 623). Because it expects the impact of this proposal to be minimal, the Coast Guard certifies under 5 U.S.C. 605(b) that this proposal, if adopted, will not have a significant economic impact on a substantial number of small entities.

Collection of Information

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

Federalism

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

Environment

The Coast Guard considered the environmental impact of this proposal and concluded that under figure 2–1, paragraph (34)(g) of COMDTINST M16475.1C, this proposed rule is categorically excluded from further environmental documentation. This proposed rule establishes a permanent safety zone in the area of live weapons firing exercises at Marine Corps Base Camp Lejeune. It does not allow any new or additional activity in the safety zone, but merely establishes regulations to provide for the safety of mariners transiting the area of the firing exercises. A Categorical Exclusion Determination statement has been prepared and placed in the rulemaking docket.

List of Subjects in 33 CFR Part 165

Harbors, Marine Safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons set out in the preamble, the Coast Guard proposes to amend 33 CFR part 165 as follows:

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), 6.04–1, 6.04–6, and 160.5; 49 CFR 1.46.

2. A new § 165.514 is added to read as follows:

§ 165.514 Safety Zone: Atlantic Intracoastal Waterway and connecting waters, vicinity of Marine Corps Base Camp Lejeune, North Carolina.

(a) *Location*. The following area is a safety zone: All waters of the Atlantic

Intracoastal Waterway (AICW) and connecting waters, from Bogue Sound—New River Light 58 (LLNR 39210) at approximate position 34°37′57″ North, 077°12′18″ West, and continuing in the AICW southwest to Bogue Sound—New River Daybeacon 70 (LLNR 39290) at approximate position 34°33′07″ North, 077°20′30″ West. All coordinates reference Datum: NAD 1983.

(b) Notwithstanding the provisions of 33 CFR 334.440(e)(2)(i), no vessel may enter the safety zone described in paragraph (a) of this section while weapons firing exercises are in progress, except as provided in paragraph (c) of this section or unless permitted by the Captain of the Port (COTP) Wilmington.

(1) Red warning flags or red warning lights will be displayed on towers located at both ends of the safety zone (Bear Creek and Cedar Point) while firing exercises are in progress. The flags or lights will be displayed by 8 a.m. on days where firing exercises are scheduled, and will be removed at the end of the firing exercise.

(2) A Coast Guard of U.S. Navy vessel will patrol each end of the safety zone to ensure the public is aware that firing exercises are in progress and that the firing area is clear of vessel traffic before weapons are fired.

(c)(1) The COTP Wilmington will announce the specific times and locations of firing exercises by Broadcast Notice to Mariners and Local Notice to Mariners. Normally, weapons firing for each firing exercise is limited to a two nautical mile portion of the safety zone. The COTP may issue general permission to transit all or specified parts of the safety zone outside of the actual firing area or if firing is temporarily stopped. This general permission will be announced in a Local Notice to Mariners and Broadcast Notice to Mariners.

(2) Weapons firing will be suspended and vessels permitted to transit the specified two nautical mile firing area for a one-hour period beginning at the start of each odd-numbered hour local time (e.g., 9 a.m.; 1 p.m.). A vessel may not enter the specified firing area unless it will be able to complete its transit of the firing area before firing exercises are scheduled to re-start at the beginning of the next even-numbered hour.

(d) U.S. Navy safety vessels may be contacted on VHF marine band radio channels 13 (156.65 Mhz) and 16 (156.8 Mhz). The Captain of the Port may be contacted at the Marine Safety Office, Wilmington, NC by telephone at 1–(800) 325–4956 or (910) 815–4895.

Dated: June 1, 1998.

Roger T. Rufe, Jr.,

Vice Admiral, U.S. Coast Guard, Commander, Fifth Coast Guard District.

[FR Doc. 98–15896 Filed 6–15–98; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 60

[AD–FRL–6106–7]

Standards of Performance for New Stationary Sources and Guidelines for Control of Existing Sources: Municipal Solid Waste Landfills

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: This action proposes to amend, correct, and clarify regulatory text of the ''Standards of Performance for New Stationary Sources and Guidelines for Control of Existing Sources: Municipal Solid Waste Landfills,'' which was issued as a final rule on March 12, 1996. These revisions add definitions, clarify regulatory text, and correct typographical and cross referencing errors and inconsistencies. Because these revisions do not change the intent of the NSPS and emission guidelines, the Agency does not anticipate receiving adverse comments. Consequently the revisions are also being issued as a direct final rule in the final rules section of this **Federal Register**. If no relevant adverse comments are timely received, no further action will be taken with respect to this proposal and the direct final rule will become final on the date provided in that action.

DATES: Comments. Comments must be received on or before July 16, 1998, unless a hearing is requested by June 26, 1998. If a hearing is requested, written comments must be received by July 31, 1998.

Public Hearing. Anyone requesting a public hearing must contact the EPA no later than June 26, 1998. If a public hearing is held, it will take place on July 1, 1998, beginning at 10:00 a.m. at the address below.

ADDRESSES: *Comments.* Comments should be submitted (in duplicate, if possible) to: Air and Radiation Docket and Information Center (MC–6102), Attention Docket Number A–88–09/Category V–D, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460. The EPA requests that a separate copy also be sent to the contact person listed below. Refer to **SUPPLEMENTARY INFORMATION** for information regarding electronic submittal of comments.

Public Hearing. If a public hearing is held, it will be held at the EPA's Office of Administration Auditorium, Research Triangle Park, North Carolina or at an alternate site nearby. Persons interested in attending the hearing or wishing to present oral testimony should notify Ms. JoLynn Collins, U.S. Environmental Protection Agency, Research Triangle Park, NC 27711, telephone (919) 541–5671.

Docket. Docket No. A–88–09, containing the supporting information for the original new source performance standards (NSPS) and this action, is available for public inspection and copying between 8:00 a.m. and 5:30 p.m., Monday through Friday, at the EPA's Air and Radiation Docket and Information Center (Mail Code-6102), 401 M Street SW, Washington DC 20460, or by calling (202) 260–7548. The docket is located at the above address in Room M–1500, Waterside Mall (ground floor, central mall). A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: For information concerning this notice and analyses performed on developing this rule, contact Ms. Michele Laur, Waste and Chemical Processes Group, Emission Standards Division (MD–13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone number (919) 541–5256. For implementation issues, contact Mary Ann Warner, Program Review Group, Information Transfer and Program Integration Division (MD–12), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone number (919) 541–1192. For information on the landfill model, contact Susan Thorneloe through the internet at: thorneloe.susan@epamail.epa.gov. For information concerning applicability and rule determinations, contact the appropriate regional representative:

Region I: Greg Roscoe, Air Programs Compliance Branch Chief, U.S. EPA/ASO, Region I, JFK Federal Building, Boston, MA 02203, (617) 565–3221

Region II: Christine DeRosa, U.S. EPA Region II, 290 Broadway, 25th Floor, New York, NY 10007–1866, (212) 637–4022

Region III: James Topsale, U.S. EPA/3AP22 Region III, 841 Chestnut Building, Philadelphia, PA 10107, (215) 566–2190

Region IV: R. Douglas Neeley, Chief, Air and Radiation, Technology Branch, U.S. EPA Region IV, 61 Forsyth St.,