Nancy J. Jardini,

Acting Deputy Commissioner of Services and Enforcement.

Approved: July 16, 2004.

Gregory F. Jenner,

Acting Assistant Secretary of the Treasury.

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 150

[USCG–1998–3884]

RIN 1625–AA20 (formerly RIN 2115–AF63)

Deepwater Ports

AGENCY: Coast Guard, DHS.

ACTION: Correcting amendments.

SUMMARY: This document corrects the temporary interim rule with request for comments (FR Doc. 03–32204) published in the **Federal Register** of January 6, 2004 (69 FR 724). The temporary interim rule contained provisions relating to deepwater ports that may remain in effect until October 2006.

DATES: Effective on August 30, 2004.

FOR FURTHER INFORMATION CONTACT: If you have questions on this correction, call Lieutenant Commander Kevin Tone, Vessel and Facility Operating Standards Division (G–MSO–2), Coast Guard, telephone 202–267–0226.

SUPPLEMENTARY INFORMATION:

Background

The temporary interim rule that is the subject of this correction updated Coast Guard regulations governing the license process, the design, construction, and equipment, and the operation of deepwater ports, which are used for the transportation, storage, and further handling of oil or natural gas. The temporary interim rule inadvertently omitted provisions describing the location of the safety zone for the Louisiana Offshore Oil Port (LOOP), as well as areas to be avoided and the anchorage area within the safety zone. Those provisions were first promulgated in 1980 and last updated in 1994; prior to the temporary interim rule they appeared in Annex A to Appendix A, part 150 of the Code of Federal Regulations. The Coast Guard intended no substantive change in the LOOP safety zone requirements, but for stylistic consistency and to clarify their regulatory nature we did intend to set them out in a regulatory section rather than in an annex.

Need for Correction

As published, the temporary interim rule omits text. This omission may prove to be misleading and needs to be corrected.

List of Subjects in 33 CFR Part 150

Harbors, Marine safety, Navigation (water), Occupational safety and health, Oil pollution, Reporting and recordkeeping requirements.

■ Accordingly, 33 CFR part 150 is corrected by making the following correcting amendment:

PART 150—DEEPWATER PORTS: OPERATIONS

■ 1. The authority citation for part 150 continues to read as follows:

Authority: 33 U.S.C. 1231, 1321(j)(1)(C), (j)(5), (j)(6), (m)(2); 33 U.S.C. 1509(a); E.O. 12777, sec. 2; E.O. 13286, sec. 34, 68 FR 10619; Department of Homeland Security Delegation No. 0170.1(70), (73), (75), (80).

■ 2. Add § 150.940 to read as follows:

§ 150.940 Safety zones for specific deepwater ports.

(a) *Louisiana Offshore Oil Port (LOOP):*

(1) The location of the safety zone for LOOP is as described in Table 150.940(A):

TABLE 150.940(A).—SAFETY ZONE FOR LOOP, GULF OF MEXICO

Latitude N	Longitude W
(i) Starting at:	
28°55′23″	90°00′37″
(ii) A rhumb line to:	
28°53′50″	90°04′07″
(iii) Then an arc with a 4,465 meter (4,883 yard) radius centered at the port's pumping platform complex:	
28°53′06″	90°01′30″
(iv) To a point:	
28°51′07″	90°03′06″
(v) Then a rhumb line to:	
28°50′09″	90°02′24″
(vi) Then a rhumb line to:	
28°49′05″	89°55′54″
(vii) Then a rhumb line to:	
28°48′36″	89°55′00″
(viii) Then a rhumb line to:	
28°52′04″	89°52′42″
(ix) Then a rhumb line to:	
28°53′10″	89°53′42″
(x) Then a rhumb line to:	
28°54′52″	89°57′00″
(xi) Then a rhumb line to:	
28°54′52″	89°59′36″
(xii) Then an arc with a 4,465 meter (4,883 yard) radius centered again at the port's pumping platform complex;	
(xiii) To the point of starting:	
28°55′23″	90°00′37″

(2) The areas to be avoided within the safety zone are:

(i) The area encompassed within a circle having a 600 meter radius around the port's pumping platform complex and centered at:

Latitude N	Longitude W
28°53′06″	90° – 1′30″

(ii) The six areas encompassed within a circle having a 500 meter radius around each single point mooring (SPM) at the port and centered at:

Latitude N	Longitude W
28°54′12″	90°00′37″
28°53′16″	89°59′59″
28°52′15″	90°00′19″
28°51′45″	90°01′25″
28°52′08″	90°02′33″
28°53′07″	90°03′02″

(3) The anchorage area within the safety zone is an area enclosed by the rhumb lines joining points at:

Latitude N	Longitude W
28°52′21″	89°57′47″
28°54′05″	89°56′38″
28°52′04″	89°52′42″
28°50′20″	89°53′51″
28°52′21″	89°57′47″

Dated: August 20, 2004.

Joseph J. Angelo,

Director of Standards, Marine Safety, Security, and Environmental Protection, Coast Guard.

[FR Doc. 04–19731 Filed 8–27–04; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[PA 138–4230; FRL–7807–3]

Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Federally Enforceable State Operating Permit Program for Allegheny County

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is approving a revision to the Commonwealth of Pennsylvania's State Implementation Plan (SIP). This SIP revision was submitted by the Pennsylvania Department of the Environment (DEP) on behalf of the Allegheny County Health Department (ACHD). The SIP revision consists of the Federally enforceable state operating permit (FESOP) program adopted by the ACHD. The intent of this revision is to establish a SIP-approved FESOP program to be implemented by the ACHD for sources located in Allegheny County, Pennsylvania. EPA is approving this revision in accordance with the requirements of the Clean Air Act (CAA).

EFFECTIVE DATE: This final rule is effective on September 29, 2004.

ADDRESSES: Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103; the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 1301 Constitution Avenue, NW., Room B108, Washington, DC 20460; the Pennsylvania Department of Environmental Protection, Bureau of Air Quality, P.O. Box 8468, 400 Market Street, Harrisburg, Pennsylvania 17105; and the Allegheny County Health Department, Bureau of Environmental Quality, Division of Air Quality, 301 39th Street, Pittsburgh, Pennsylvania 15201.

FOR FURTHER INFORMATION CONTACT: Paul Arnold, (215) 814–2194, or by e-mail at *arnold.paul@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

On June 26, 2003 (68 FR 37973), EPA published a notice of direct final rulemaking (DFR) approving a revision to the Allegheny County (the County) portion of the Commonwealth of Pennsylvania's SIP. The formal SIP revision was submitted by the Pennsylvania DEP on behalf of the ACHD on November 9, 1998, as amended on March 1, 2001. The revision consists of the County's regulation to implement a program which provides for the procedural and legal issuance of federally enforceable state operating permits (FESOPs) for sources of air pollution located in Allegheny County.

On June 26, 2003 (68 FR 37993), EPA also published a companion notice of proposed rulemaking (NPR) approving this SIP revision. It was stated in the June 26, 2003 DFR and NPR notices that this SIP revision would be effective on August 25, 2003 without further notice unless EPA received adverse written comments by July 28, 2003. If adverse comments were submitted, the final rule approving the SIP revision would be withdrawn. On July 28, 2003, adverse comments were submitted. On September 26, 2003 (68 FR 55469), EPA withdrew the final rule approving ACHD's FESOP program.

II. Pennsylvania's SIP Revision for Allegheny County

EPA has evaluated the ACHD's operating permit program and determined that it satisfies the five criteria for approval of a FESOP program for purposes of limiting a source's potential to emit (PTE). *See* FR 27274, 27281–27284, June 28, 1989. EPA is therefore approving the Pennsylvania DEP's request that the ACHD's regulation be made part of the Pennsylvania SIP under section 110 of the CAA, 42 U.S.C. 7410. The Pennsylvania DEP also requested approval of ACHD's program pursuant to section 112(l) of the CAA, 42 U.S.C. 7412(l). EPA determined that the County's program is consistent with the objectives and requirements of section 112, 42 U.S.C. 7412, which governs the regulation of hazardous air pollutants (HAP). It enables sources to apply for federally enforceable limits on their PTE to avoid major source classification under section 112. The details of EPA's evaluation of the ACHD's regulation are provided in the notice published on June 26, 2003 (68 FR 37973) and shall not be restated here.

Today's action does not affect the ACHD's separate title V operating permit program codified in Allegheny County Health Department, Rules and Regulations, Article XXI, Part C, which was developed by the ACHD and approved by EPA under title V of the CAA (title V), 42 U.S.C. 7661–7661f, and EPA's implementing regulations in 40 CFR part 70 (part 70). *See* 66 FR 55112, Nov. 1, 2001. The title V operating permit program applies to major stationary sources of air pollution and certain other sources. By contrast, a FESOP program may be and often is used to establish emission standards and other source-specific regulatory requirements for stationary sources of air pollution that enable them to remain ''synthetic minor'' sources that are not subject to major source requirements, including title V permitting requirements. Thus, the ACHD's FESOP program generally will apply to sources that are not covered by the ACHD's title V program.[1]

III. Public Comments and EPA Responses

On July 28, 2003, adverse comments were submitted to EPA regarding its proposed approval of ACHD's FESOP

[1] In the event that a source covered by a FESOP becomes a major source subject to title V permitting requirements, the emission limits and other requirements set forth in the FESOP would be incorporated into the title V operating permit as required by title V, part 70 and the ACHD's corresponding authorities.