

requirements, Security measures, Waterways.

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

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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. Add § 165.T11–079 to read as follows:

§ 165.T11–079 Safety Zone; Mission Creek Waterway, China Basin, San Francisco Bay, California.

(a) *Location.* One hundred yards to either water-side of the Fourth Street Bridge, encompassing the navigable waters, from the surface to the bottom, within two lines; one line drawn from a point on the north shore of Mission Creek [37°46'29" N, 122°23'36" W] extending southeast to a point on the opposite shore [37°46'28" N, 122°23'34" W], and the other line drawn from a point on the north shore of Mission Creek [37°46'34" N, 122°23'30" W] extending southeast to a point on the opposite shore [37°46'33" N, 122°23'28" W]. [Datum: NAD 83].

(b) *Effective dates.* The safety zone will be in effect from 11:59 p.m. (PDT) on April 14, 2003 to 11:59 p.m. (PDT) on May 27, 2003 and from 11:59 p.m. (PST) on March 31, 2004 to 11:59 p.m. (PDT) on September 1, 2004. If the need for either of the safety zones ends before the scheduled termination time, the Captain of the Port will cease enforcement of the safety zone(s) and will announce that fact via Broadcast Notice to Mariners.

(c) *Regulations.* In accordance with the general regulations in § 165.23 of this part, entry into, transit through, or anchoring within this zone by all vessels is prohibited, unless authorized by the Captain of the Port, or a designated representative thereof.

(d) *Enforcement.* All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on-scene patrol personnel. Patrol personnel comprise commissioned, warrant, and petty officers of the Coast Guard onboard Coast Guard, Coast Guard Auxiliary, local, state, and federal law enforcement vessels. Upon being hailed by U.S. Coast Guard patrol personnel by siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.

Dated: February 28, 2003.

S.J. Boyle,

Commander, U.S. Coast Guard, Acting Captain of the Port, San Francisco Bay, California.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[KY–143–200315; FRL–7469–1]

Approval and Promulgation of Implementation Plans; Kentucky: Approval of Revisions to Maintenance Plan for Northern Kentucky

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA is proposing to approve a revision to the state implementation plan (SIP) of the Commonwealth of Kentucky to revise the motor vehicle emissions budgets (MVEBs) for the Northern Kentucky maintenance area for the year 2010. The Northern Kentucky maintenance area, a subset of the Cincinnati-Hamilton maintenance area, includes the three Kentucky counties of Boone, Campbell and Kenton. The revision to the MVEBs is allowable because of an available safety margin for volatile organic compounds (VOCs) and nitrogen oxides (NO_x) for the Northern Kentucky portion of the maintenance area. The Commonwealth's submittal also requests to clearly identify that the Ohio portion and the Kentucky portion of the Cincinnati-Hamilton maintenance area will have subarea MVEBs for the purposes of implementing transportation conformity. Ohio will make a similar request for subarea MVEBs for this area in an upcoming revision to the Cincinnati-Hamilton county maintenance plan. Kentucky has requested that EPA parallel process this revision because the revision is not yet state-effective.

DATES: Written comments must be received on or before April 18, 2003.

ADDRESSES: All comments should be addressed to: Michele Notarianni; Regulatory Development Section; Air Planning Branch; Air, Pesticides and Toxics Management Division; U.S. Environmental Protection Agency, Region 4; 61 Forsyth Street, SW., Atlanta, Georgia 30303–8960. (404/562–9031 (phone) or notarianni.michele@epa.gov (e-mail))

Copies of documents relative to this action are available at the following

addresses for inspection during normal business hours:

Environmental Protection Agency, Region 4, Air Planning Branch, 61 Forsyth Street, SW., Atlanta, Georgia 30303–8960. (Michele Notarianni, 404/562–9031, notarianni.michele@epa.gov)
Commonwealth of Kentucky, Division for Air Quality, 803 Schenkel Lane, Frankfort, Kentucky 40601–1403. (502/573–3382)

Persons wanting to examine these documents should make an appointment at least 24 hours before the visiting day and reference file KY143. (Telephone number: 404/562–9031)

FOR FURTHER INFORMATION CONTACT:

Michele Notarianni, Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, Region 4, U.S. Environmental Protection Agency, 61 Forsyth Street, SW., Atlanta, Georgia 30303–8960. (404/562–9031 (phone) or notarianni.michele@epa.gov (e-mail))

SUPPLEMENTARY INFORMATION: This section is organized as follows:

- I. What is the background for this action?
- II. Who is affected by this action?
- III. What is transportation conformity?
- IV. What is an MVEB?
- V. What is a safety margin?
- VI. How does this action change implementation of transportation conformity for the Kentucky portion of the Cincinnati-Hamilton maintenance area?
- VII. What is parallel processing?
- VIII. Proposed action
- IX. Statutory and Executive Order Reviews

I. What Is the Background for This Action?

The Commonwealth of Kentucky submitted a request on February 6, 2003, to revise the MVEBs for the Northern Kentucky maintenance area for the year 2010. The Northern Kentucky area (*i.e.*, Boone, Campbell and Kenton counties), in conjunction with the Cincinnati-Hamilton County area in Ohio, was designated as a nonattainment area for the 1-hour ozone national ambient air quality standard (NAAQS) per the Clean Air Act as amended in 1990. In October 1999, after the area had three consecutive years of “clean” air quality data, the Commonwealth of Kentucky, through the Kentucky Department of Air Quality (KDAQ), submitted a redesignation request and a maintenance plan for the Northern Kentucky area to EPA. On June 19, 2000, EPA redesignated the Northern Kentucky area to attainment for the 1-hour ozone NAAQS and approved the maintenance plan for the Northern Kentucky area (65 FR 37879).