

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; Department of Homeland Security Delegation No. 0170.

■ 2. From 7 p.m. to 10 p.m. on May 10, 2003, in § 165.1191 temporarily suspend the entry in Table 1 to the section for “KFOG KaBoom” and add a new temporary paragraph (c) to read as follows:

§ 165.1191 Safety Zones: Northern California annual fireworks events.

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(c) *KFOG KaBoom Safety Zone.* The safety zone for KFOG KaBoom in San Francisco consists of the navigable waters within a 1,000-foot radius of the launch platform, which will be located approximately 1,000 feet off Piers 30 and 32 in San Francisco, California. This safety zone will be enforced from 7 p.m. PDT to 10 p.m. PDT on May 10, 2003. In accordance with the general regulations in § 165.23 of this part, entering into, transiting through, or anchoring within this zone is prohibited, unless authorized by the Captain of the Port or the Patrol Commander, or their designated representative.

Dated: April 25, 2003.

Gerald M. Swanson,

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

[FR Doc. 03–11299 Filed 5–6–03; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[MD136–3091a; FRL–7483–9]

Approval and Promulgation of Air Quality Implementation Plans; Maryland; Amendments to Stage II Vapor Recovery at Gasoline Dispensing Facilities

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking direct final action to approve revisions to the Maryland State Implementation Plan (SIP). The revisions allow existing gasoline dispensing facilities to continue using installed vapor recovery equipment and require new gasoline dispensing facilities to be equipped with the most recently approved system. EPA is proposing to approve these revisions in accordance with the requirements of the Clean Air Act.

DATES: This rule is effective on July 7, 2003 without further notice, unless EPA receives adverse written comment by June 6, 2003. If EPA receives such comments, it will publish a timely withdrawal of the direct final rule in the **Federal Register** and inform the public that the rule will not take effect.

ADDRESSES: Written comments should be addressed to Makeba Morris, Acting Chief, Air Quality Planning and Information Services Branch, Mailcode 3AP21, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. 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; and the Maryland Department of the Environment, 1800 Washington Boulevard, Suite 705, Baltimore, Maryland 21230.

FOR FURTHER INFORMATION CONTACT:

Kathleen Anderson, (215) 814–2173, or by e-mail at

anderson.kathleen@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

On May 23, 2002, the Maryland Department of the Environment (MDE) submitted a formal revision (#02–03) to its State Implementation Plan (SIP) revising certain provisions in the State’s regulations pertaining to Stage II Vapor Recovery at Gasoline Dispensing Stations. The SIP revision went to public hearing on February 27, 2002 and became effective on March 14, 2002. On April 5, 2002, MDE made corrections to the adopted rule to remove incorrectly placed brackets and an incorrect reference to a test method.

II. Summary of SIP Revision

The 1990 Clean Air Act Amendments (CAAA) required states to develop regulations requiring owners or operators of certain gasoline dispensing facilities to install systems for recovery of gasoline vapor emissions. This requirement is also known as Stage II Vapor Recovery (Stage II) and is required in areas classified as moderate and above ozone nonattainment. Stage II is the control of gasoline vapors when dispensing gasoline into vehicle fuel tanks. The MDE adopted Stage II regulations on January 18, 1993 which became effective on February 15, 1993.

These regulations were submitted to EPA as a SIP revision on January 18, 1993 and approved as a final rule by EPA on June 9, 1994 (54 FR 29730).

Maryland’s SIP-approved Stage II regulation requires the use of vapor recovery systems that have been certified or “approved” by the California Air Resources Board (CARB). In general, these systems are 95 percent efficient. However, CARB has decided to de-certify the existing approved systems in favor of those able to achieve an efficiency of 98 percent. This means that in California, all existing CARB-approved systems will be de-certified and will be required, within a specified time frame, to be re-certified using systems that meet, among other things, the new efficiency requirements. MDE is continuing to evaluate the CARB system changes. In the meantime, MDE will require existing gasoline dispensing facilities to continue to use the installed equipment and require new gasoline dispensing facilities to be equipped with a system that was approved by CARB prior to April 1, 2001.

The changes proposed by this SIP revision to MDE’s Stage II regulations are to:

(A) Redefine the term “approved Stage II Vapor Recovery System” as a system approved by CARB before April 1, 2001 or a system approved by the department. This change will require existing and new gas station operators to use systems that were previously approved by CARB.

(B) Identify “vapor assist system I” as the conventional vapor assist system and a “vapor assist system II” as the “Healy” system that requires different tests.

(C) Clarify the requirements for continued use of an existing Stage II system regardless of ownership unless the monthly throughput drops below 10,000 gallons.

(D) Clarify the requirements when a person purchases a facility that is not equipped with an approved system.

(E) Allow approved systems to be used after April 1, 2001 (the date when CARB-approved systems are de-certified) for both existing and new gasoline dispensing facilities.

(F) Require the use of a pressure/vacuum valve on gasoline tanks.

(G) Require owners to maintain inspection and testing reports on site and to notify the MDE of tests to be performed.

(H) Incorporate by reference the CARB-approved test methods.

EPA has reviewed these changes and has determined that the revisions continue to meet the CAAA requirements for states to have an