

Environment

We have analyzed this proposed rule under Commandant Instruction M16475.1D, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA)(42 U.S.C. 4321–4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, this rule is categorically excluded, under figure 2–1, paragraph (34)(h), of the Instruction, from further environmental documentation. Special local regulations issued in conjunction with a regatta or marine parade permit are specifically excluded from further analysis and documentation under that section.

Under figure 2–1, paragraph (34)(h), of the Instruction, an “Environmental Analysis Check List” and a “Categorical Exclusion Determination” are not required for this rule. Comments on this section will be considered before we make the final decision on whether to categorically exclude this rule from further environmental review.

List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 100 as follows:

PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

1. The authority citation for part 100 continues to read as follows:

Authority: 33 U.S.C. 1233 through 1236; Department of Homeland Security Delegation No. 0170.1, 33 CFR 100.35.

2. Add a temporary § 100.35–T05–109 to read as follows:

§ 100.35–T05–109 Sunset Lake, Wildwood Crest, NJ

(a) *Definitions*—(1) *Coast Guard Patrol Commander* means a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Group Atlantic City.

(2) *Official Patrol* means any vessel assigned or approved by Commander, Coast Guard Group Atlantic City with a commissioned, warrant, or petty officer on board and displaying a Coast Guard ensign.

(3) *Participant* includes all vessels participating in the Sunset Lake Hydrofest under the auspices of the Marine Event Permit issued to the event sponsor and approved by Commander, Coast Guard Group Atlantic City.

(4) *Regulated area* includes all waters of Sunset Lake, New Jersey, from shoreline to shoreline, south of latitude 38° 58'32" N. All coordinates reference Datum: NAD 1983.

(b) *Special local regulations.* (1) Except for event participants and persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area.

(2) The operator of any vessel in the regulated area shall:

(i) Stop the vessel immediately when directed to do so by any Official Patrol.

(ii) Proceed as directed by any Official Patrol.

(iii) Unless otherwise directed by the Official Patrol, operate at a minimum wake speed not to exceed six (6) knots.

(c) *Enforcement period.* This section will be enforced from 7:30 a.m. to 2:30 p.m. on September 27 and 28, 2003.

Dated: August 5, 2003.

Sally Brice-O'Hara,

Rear Admiral, Coast Guard, Commander, Fifth Coast Guard District.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 81

[CA087–DESIG; FRL–7544–8]

Clean Air Act Area Designations; California

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to make minor changes in the boundaries between areas in Southern California established under the Clean Air Act for purposes of addressing the national ambient air quality standards (NAAQS) for 1-hour ozone, particulate matter (PM–10), carbon monoxide (CO), nitrogen dioxide (NO₂), and sulfur dioxide (SO₂), and the prior NAAQS for total suspended particulate matter (TSP).

We are taking comments on this proposal and plan to follow with a final action.

DATES: Any comments must arrive by September 15, 2003.

ADDRESSES: Please address your comments to: Dave Jesson, Air Planning Office (AIR–2), Air Division, EPA, Region IX, 75 Hawthorne Street, San Francisco, CA 94105–3901, or to jesson.david@epa.gov.

A copy of the State's submittal is available for public inspection during

normal business hours at EPA's Region IX office. Please contact Dave Jesson if you wish to schedule a visit. A copy of the submittal is also available at the following location: California Air Resources Board, 1001 “I” Street, Sacramento, CA 95812.

FOR FURTHER INFORMATION CONTACT: Dave Jesson, EPA Region IX, at (415) 972–3957, or jesson.david@epa.gov.

SUPPLEMENTARY INFORMATION: Throughout this document, “we,” “us,” and “our” refer to EPA.

I. Background

A. Current Area Boundaries, Designations, and Classifications

Areas of the country were originally designated as attainment, nonattainment, or unclassifiable following enactment of 1977 Amendments to the Clean Air Act (“CAA” or “the Act”). 43 FR 8962 (March 3, 1978). These designations were generally based on monitored air quality values compared to the applicable NAAQS.

On November 15, 1990, the date of enactment of the 1990 CAA Amendments, each ozone and CO area designated nonattainment, attainment, or unclassifiable immediately before enactment of the Amendments was designated, by operation of law, as a nonattainment, attainment, or unclassifiable area, respectively. CAA section 107(d)(1)(C). The specific boundaries of the areas were determined subsequently based on requests by each state and final determinations by EPA. 56 FR 56694 (November 6, 1991). Ozone and CO nonattainment areas were also given classifications according to the design values prescribed in the 1990 Amendments. CAA sections 181(a)(1) and 186(a)(1), respectively.

PM–10 areas meeting the requirements of either (i) or (ii) of CAA section 107(d)(4)(B) were designated nonattainment for PM–10 by operation of law and classified “moderate” at the time of enactment of the 1990 CAA Amendments. EPA later designated additional PM–10 nonattainment areas (see, for example, 58 FR 67335, December 21, 1993) and amended the initial classifications in accordance with CAA section 188(b).

SO₂ and NO₂ areas designated as nonattainment or attainment/unclassified before enactment of the 1990 CAA Amendments retained those designations by operation of law. CAA section 107(d)(1)(C)(i) and (ii), respectively.

Area boundaries and (for ozone, CO, and PM–10) area classifications have been amended over the years under the