

Management Directive 5100.1 and Commandant Instruction M16475.ID, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded under the Instruction 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)(g), of the Instruction, from further environmental documentation because it only establishes a safety zone. A final “Environmental Analysis Check List” and a final “Categorical Exclusion Determination” will be available in the docket where indicated under ADDRESSES.

List of Subjects in 33 CFR Part 165

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

■ For the reasons discussed in the preamble, the Coast Guard amends 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. 1226, 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, 160.5; Public Law 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add temporary § 165.T13–060A to read as follows:

165.T13–060A Safety Zone; LST–1166 Safety Zone, Southeastern Tip of Lord Island, Columbia River, Rainier, OR.

(a) *Safety Zone.* The following area is designated a safety zone: The waters of the Columbia River encompassed within a 500 foot radius surrounding the vessel LST–1166 located at position 46°07′18″ N 123°00′51″ W.

(b) *Enforcement Date and Time.* The safety zone established in paragraph (a) will be enforced from 1 p.m. on October 3, 2008 until 8 p.m. on December 15, 2008.

(c) *Regulations.* In accordance with the general regulations in Section 165.23 of this part, no person or vessel may enter or remain in the safety zone established in paragraph (a) unless authorized by the Captain of the Port, Portland, Oregon, or his designated representatives. Vessels and/or persons granted authorization to enter the safety zone shall obey all lawful orders and directions of the Captain of the Port,

Portland, Oregon, or his designated representatives. Vessels and/or persons wishing to request permission to enter the safety zone must contact the Coast Guard representatives on scene with LST–1166 via VHF Channel 16 or by calling 503–240–9311 or the Fred Devine Diving & Salvage Co. escort vessel on VHF Channel 16.

Dated: October 3, 2008.

Russell C. Proctor,

Commander, U.S. Coast Guard, Alternate Captain of the Port, Portland, Oregon.

[FR Doc. E8–25521 Filed 10–24–08; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R04–OAR–2007–0836–200739(w); FRL–8734–3]

Approval and Promulgation of Implementation Plans; Florida; Removal of Gasoline Vapor Recovery From Southeast Florida Areas; Withdrawal of Direct Final Rule

AGENCY: Environmental Protection Agency (EPA).

ACTION: Withdrawal of direct final rule.

SUMMARY: Due to an adverse comment, EPA is withdrawing the direct final rule published September 16, 2008 (73 FR 53378), approving a revision to the State Implementation Plan (SIP) of the State of Florida. This revision granted the removal of Stage II vapor control requirements for new and upgraded gasoline dispensing facilities in Dade, Broward, and Palm Beach Counties (also referred to as the “Southeast Florida Area”) and allowed the phase out of Stage II requirements for existing facilities in those counties. In addition, the revision included a SIP amendment to require new and upgraded gasoline dispensing facilities and new bulk gasoline plants statewide to employ Stage I vapor control systems, and required the phase in of Stage I vapor control requirements statewide for existing gasoline dispensing facilities. As stated in the direct final rule, if EPA received an adverse comment by October 16, 2008, the rule would be withdrawn and not take effect. EPA subsequently received an adverse comment on September 16, 2008. EPA will address the comment in a subsequent final action based upon the proposed action also published on September 16, 2008. EPA will not institute a second comment period on this action.

DATES: The direct final rule is withdrawn as of October 27, 2008.

FOR FURTHER INFORMATION CONTACT: Ms. Twunjala Bradley, 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. The telephone number is (404) 562–9352. Ms. Bradley can also be reached via electronic mail at bradley.twunjala@epa.gov.

List of Subjects in 40 CFR Part 52

Environmental protection, Air Pollution control, Incorporation by Reference, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: October 14, 2008.

Russell L. Wright,

Acting Regional Administrator, Region 4.

PART 52—[AMENDED]

■ Accordingly, the amendments to 40 CFR 52.520 (which were published in the **Federal Register** on September 16, 2008, at 73 FR 53378) are withdrawn as of October 27, 2008.

[FR Doc. E8–25473 Filed 10–24–08; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 147

[EPA–R08–OW–2007–0153; FRL–8733–4]

Fort Peck Assiniboine and Sioux Tribes in Montana; Underground Injection Control (UIC) Program; Primacy Approval and Minor Revisions

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: EPA is approving an application from the Fort Peck Assiniboine and Sioux Tribes in Montana under section 1425 of the Safe Drinking Water Act (SDWA) to implement an underground injection control (UIC) program for Class II (oil and gas-related) injection wells. EPA is also revising regulations that are not specific to the Fort Peck Tribes’ application.

DATES: Effective Dates: This approval is effective November 26, 2008. The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of November 26, 2008.