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**John Seal,**

*Acting Executive Director, Pension Benefit Guaranty Corporation.*

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 117

[CGD05-01-065]

#### **Drawbridge Operation Regulations; Southern Branch of the Elizabeth River, Atlantic Intracoastal Waterway, Chesapeake, VA**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, Fifth Coast Guard District, has approved a temporary deviation from the regulations governing the operation of the Gilmerton Highway Drawbridge across the Southern Branch of the Elizabeth River, mile 5.8, in Chesapeake, Virginia. The temporary deviation allows the bridge to remain closed from October 17 through December 16, 2001, unless the vessel requesting an opening provides one-hour advance notice to the bridge tender. This change in regulation is necessary to perform needed repairs to the opening spans of the drawbridge.

**DATES:** This deviation is effective from 9 p.m. on October 17 until 5 a.m. on December 16, 2001.

**FOR FURTHER INFORMATION CONTACT:** Ann B. Deaton, Bridge Administrator, Fifth Coast Guard District, at (757) 398-6222.

**SUPPLEMENTARY INFORMATION:** On September 17, 2001, the City of Chesapeake requested a temporary deviation from the current operating schedule of the Gilmerton Highway bridge set out in 33 CFR 117.997(d). The City of Chesapeake requested this deviation to perform repairs to the bridge that would raise vehicular weight restrictions to allow limited use by heavier trucks.

In accordance with 33 CFR 117.35, the District Commander approved the City of Chesapeake's request for a temporary deviation from the governing regulations in a letter dated September 20, 2001.

The Coast Guard has informed the known commercial users of the waterway of the change to the regulations concerning this bridge so

that these vessels can arrange their transits to minimize any impact caused by the temporary deviation.

The temporary deviation allows the Gilmerton Highway bridge across the Southern Branch of the Elizabeth River, mile 5.8, to remain closed from 9 p.m. eastern time on October 17, through 5 a.m. eastern time on December 16, 2001, except that the draw shall open during this closure period with a one-hour advance notice to the bridge tender.

Dated: October 2, 2001.

**T.W. Allen,**

*Vice Admiral, U.S.C.G., Commander, Fifth Coast Guard District.*

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[PA-4174; FRL-7080-4]

#### **Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; NO<sub>x</sub> RACT Determination for Koppel Steel Corporation in the Pittsburgh-Beaver Valley Area**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** EPA is taking final action to approve a revision to the Commonwealth of Pennsylvania's State Implementation Plan (SIP). The revision was submitted by the Pennsylvania Department of Environmental Protection (PADEP) to establish and require reasonably available control technology (RACT) for the Koppel Steel Corporation's Ambridge Plant, a major source of nitrogen oxides (NO<sub>x</sub>) located in the Pittsburgh-Beaver Valley ozone nonattainment area (the Pittsburgh area). EPA is approving this revision to establish RACT requirements in the SIP in accordance with the Clean Air Act (CAA).

**EFFECTIVE DATE:** This final rule is effective on October 30, 2001.

**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, 401 M Street, SW, Washington, DC 20460; and the Pennsylvania Department of

Environmental Protection, Bureau of Air Quality, P.O. Box 8468, 400 Market Street, Harrisburg, Pennsylvania 17105.

#### **FOR FURTHER INFORMATION CONTACT:**

Marcia Spink, (215) 814-2104 or by e-mail at [spink.marcia@epa.gov](mailto:spink.marcia@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

On August 8, 2001, PADEP submitted revisions to the Pennsylvania SIP which establish and impose case-by-case RACT for several sources of VOC and/or NO<sub>x</sub>. This rulemaking pertains to the Commonwealth's submittal of operating permit (OP) 04-000-227 which imposes NO<sub>x</sub> RACT requirements for the Koppel Steel Corporation's Ambridge Plant, a major source of NO<sub>x</sub> located in the Pittsburgh area. The remaining sources are the subject of separate rulemakings.

On August 24, 2001, EPA published a direct final rule (66 FR 44544) and a companion notice of proposed rulemaking (66 FR 44581) to approve these SIP revisions. On September 7, 2001, we received adverse comments on our direct final rule from the Citizens for Pennsylvania's Future (PennFuture). On September 28, 2001 (66 FR 49541), we published a timely withdrawal in the **Federal Register** informing the public that the direct final rule did not take effect. We indicated in our August 24, 2001 direct final rulemaking that if we received adverse comments, EPA would address all public comments in a subsequent final rule based on the proposed rule (66 FR 44581). This is that subsequent final rule. A description of the RACT determination(s) made for each source was provided in the August 24, 2001 direct final rule and will not be restated here. A summary of the comments submitted by PennFuture germane to this final rulemaking and EPA's responses are provided in Section II of this document.

##### **II. Public Comments and Responses**

The Citizens for Pennsylvania's Future (PennFuture) submitted adverse comments on twenty proposed rules published by EPA in the **Federal Register** between August 6 and August 24, 2001 to approve case-by-case RACT SIP submissions from the Commonwealth for NO<sub>x</sub> and or VOC sources located in the Pittsburgh area. PennFuture's letter includes general comments and comments specific to EPA's proposals for certain sources. A summary of those comments and EPA's responses are provided below.

*A. Comment:* PennFuture comments that EPA has conducted no independent technical review, and has prepared no technical support document to survey