

5. Cardiovascular System (4.00 and 104.00): July 3, 2006.  
 6. Digestive System (5.00 and 105.00): July 3, 2006.  
 7. Genito-Urinary System (6.00 and 106.00): July 3, 2006.  
 8. Hematological Disorders (7.00 and 107.00): July 2, 2007.

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10. Endocrine System (9.00 and 109.00): July 2, 2007.

11. Multiple Body Systems (10.00): June 19, 2008 and (110.00): July 3, 2006.

12. Neurological (11.00 and 111.00): July 2, 2007.

13. Mental Disorders (12.00 and 112.00): July 2, 2007.

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15. Immune System (14.00 and 114.00): July 2, 2007.

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[FR Doc. 05-11887 Filed 6-15-05; 8:45 am]

BILLING CODE 4191-02-P

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[CGD08-05-039]

#### Drawbridge Operation Regulations; Corpus Christi—Port Aransas Channel—Tule Lake, Corpus Christi, TX

**AGENCY:** Coast Guard, DHS.

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

**SUMMARY:** The Commander, Eighth Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the Tule Lake Vertical Lift Span Highway and Railroad Bridge across the Corpus Christi—Port Aransas Channel, mile 14.0, at Corpus Christi, Nueces County, TX. This deviation allows the bridge to remain closed to navigation for six hours each day for three consecutive days. This temporary deviation is necessary for the repair of the haul rope anchors of the drawbridge.

**DATES:** This deviation is effective from 8:30 a.m. on Tuesday, July 12, 2005, through 2:30 p.m. on Thursday, July 14, 2005.

**ADDRESSES:** Materials referred to in this document are available for inspection or copying at the office of the Eighth Coast Guard District, Bridge Administration Branch, Hale Boggs Federal Building, room 1313, 500 Poydras Street, New Orleans, Louisiana 70130-3310 between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The

telephone number is (504) 589-2965. The Bridge Administration Branch of the Eighth Coast Guard District maintains the public docket for this temporary deviation.

**FOR FURTHER INFORMATION CONTACT:** Phil Johnson, Bridge Administration Branch, telephone (504) 589-2965.

**SUPPLEMENTARY INFORMATION:** The Port of Corpus Christi Authority has requested a temporary deviation in order to repair the haul rope anchors of the Tule Lake vertical lift span bridge across Corpus Christi—Port Aransas Channel, mile 14.0 at Corpus Christi, Nueces County, Texas. This temporary deviation will allow the bridge to remain in the closed-to-navigation position from 8:30 a.m. to 2:30 p.m. on Tuesday, July 12, on Wednesday, July 13, and on Thursday, July 14, 2005.

The bridge has a vertical clearance of 9.0 feet above mean high water, elevation 1.0 foot Mean Sea Level and 11.0 feet above mean low water, elevation - 1.0 foot Mean Sea Level in the closed-to-navigation position. Navigation at the site of the bridge consists mainly of oil tankers and tows with barges. Recreational vessels do not generally transit this segment of the waterway. Due to prior experience, as well as coordination with waterway users, it has been determined that this three-day partial closure will not have a significant effect on these vessels. The bridge normally opens to pass navigation an average of 850 times per month. The bridge opens on signal as required by 33 CFR 117.5. The bridge may not be able to open for emergencies during the closure period. Alternate routes are not available.

In accordance with 33 CFR 117.35(c), this work will be performed with all due speed in order to return the bridge to normal operation as soon as possible. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: June 9, 2005.

**Marcus Redford,**

*Bridge Administrator.*

[FR Doc. 05-11849 Filed 6-15-05; 8:45 am]

BILLING CODE 4910-15-P

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[CGD13-05-020]

RIN 1625-AA09

#### Drawbridge Operation Regulations; Duwamish Waterway, Seattle, WA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard has temporarily changed the operating regulations for the First Avenue South dual drawbridges across the Duwamish Waterway, mile 2.5, at Seattle, Washington. The change allows the bridge owner to keep the bridges closed during night hours from July 15 to November 15, 2005, between 9 p.m. and 5 a.m. Sunday through Friday. This will facilitate painting the structures while properly containing debris and paint.

**DATES:** This rule is effective from 9 p.m. July 15, 2005, to 5 a.m. November 15, 2005.

**ADDRESSES:** Comments and material received from the public as well as documents referred to in this preamble as being available in the docket, are part of docket (CGD13-04-047) and are available for inspection or copying at 13th Coast Guard District, Aids to Navigation and Waterways Management Branch, 915 Second Avenue, Seattle, WA 98174-1067 between 7:30 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Austin Pratt, Chief Bridge Section, (206) 220-7282.

#### SUPPLEMENTARY INFORMATION:

##### Regulatory Information

On January 21, 2005, we published a notice of proposed rulemaking (NPRM) entitled Drawbridge Operation Regulations; Duwamish Waterway, Seattle, Washington, in the **Federal Register** (70 FR 3168). We received no comments in response to the notice of proposed rulemaking. No public hearing was requested and none was held.

##### Background and Purpose

The dual First Avenue South bascule bridges provide 32 feet of vertical clearance above mean high water for the central 100 feet of horizontal distance in the channel spans. When the drawspans are open there is unlimited vertical clearance for the central 120 feet of the spans. Drawbridge openings are provided for recreational vessels, large

barges, and floating construction equipment. The operating regulations currently in effect for these drawbridges at 33 Code of Federal Regulations 117.1041 provide that the spans need not open for the passage of vessels from 6 a.m. to 9 a.m. and from 3 p.m. to 6 p.m. Monday through Friday, except for federal holidays. The draws shall open at any time for a vessel of 5,000 gross tons and over, a vessel towing such a vessel or en route to take in tow a vessel of that size.

The temporary rule will enable the bridge owner to paint the structure after preparing the surfaces of the steel truss beneath the roadway. All of this work must be accomplished within a containment system that permits no material to fall into the waterway. This containment system will have to be modified for drawspan openings. The temporary rule will allow the work to proceed without frequent interruption.

#### **Discussion of Comments and Changes**

The Coast Guard received no comments in response to the notice of proposed rulemaking. The only change made is to postpone the start date from June 1 to July 15, 2005, for approximately the same 4-month duration. This should present no change in effect to mariners.

#### **Regulatory Evaluation**

This rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not "significant" under the regulatory policies and procedures of the Department of Homeland Security.

We expect the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary. Most vessels will be able to plan transits to avoid the closed periods. Most commercial vessel owners have indicated that they can tolerate the proposed hours by working around them. Saturdays will enjoy normal operations, lessening inconvenience to sailboats.

#### **Small Entities**

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered whether this rule would have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently

owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule would not have a significant economic impact on a substantial number of small entities. This may affect some recreational sailboat owners insofar as they must return by 9 p.m. or wait until 5 a.m. to regain moorage above the drawbridges. We expect these to be few in number.

#### **Assistance for Small Entities**

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule so that they can better evaluate its effects on them and participate in the rulemaking. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact Austin Pratt, Chief, Bridge Section, at (206) 220–7282.

#### **Collection of Information**

This rule would call for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520.).

#### **Federalism**

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

#### **Unfunded Mandates Reform Act**

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

#### **Taking of Private Property**

This rule would not affect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and

Interference with Constitutionally Protected Property Rights.

#### **Civil Justice Reform**

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

#### **Protection of Children**

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and would not create an environmental risk to health or risk to safety that might disproportionately affect children.

#### **Indian Tribal Governments**

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

#### **Energy Effects**

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of Information and Regulatory Affairs has not designated this as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

#### **Technical Standards**

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g. specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or

adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

## Environment

We have analyzed this 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 (32)(e) of the Instruction, from further environmental documentation. There are no expected environmental consequences of the action that would require further analysis and documentation.

### List of Subjects in 33 CFR Part 117

Bridges.

## Regulations

■ For the reasons discussed in the preamble, the Coast Guard is amending 33 CFR part 117 as follows:

### PART 117—DRAWBRIDGE OPERATION REGULATIONS

■ 1. The authority citation for part 117 continues to read as follows:

**Authority:** 33 U.S.C. 499; 33 CFR 1.05–1(g); Department of Homeland Security Delegation No. 0170.1; section 117.255 also issued under the authority of Pub. L. 102–587, 106 Stat. 5039.

■ 2. From 9 p.m. July 15, 2005, to 5 a.m. November 15, 2005, in § 117.1041, suspend paragraph (a)(1) and add a new paragraph (a)(3) to read as follows:

#### § 117.1041 Duwamish Waterway.

(a) \* \* \*

(3) Monday through Friday, except all Federal holidays but Columbus Day, the draws of the First Avenue South Bridges, mile 2.5, need not be opened for the passage of vessels from 6 a.m. to 9 a.m. and from 3 p.m. to 6 p.m., except that the draw shall open on one-hour notice for a vessel of 5000 gross tons and over, a vessel towing a vessel of 5000 gross tons and over, and a vessel proceeding to pick up for towing a vessel of 5000 gross tons and over.

Sunday through Friday, the draws need not be opened for the passage of any vessels from 9 p.m. to 5 a.m.

\* \* \* \* \*

Dated: June 8, 2005.

J.M. Garrett,

Rear Admiral, U.S. Coast Guard, Commander, Thirteenth Coast Guard District.

[FR Doc. 05–11850 Filed 6–15–05; 8:45 am]

BILLING CODE 4910–15–P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 148, 261, 268, 271, and 302

[RCRA–2003–0001; FRL–7924–9]

RIN 2050–AD80

### Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Dyes and/or Pigments Production Wastes; Land Disposal Restrictions for Newly Identified Wastes; CERCLA Hazardous Substance Designation and Reportable Quantities; Designation of Five Chemicals as Appendix VIII Constituents; Addition of Four Chemicals to the Treatment Standards of F039 and the Universal Treatment Standards; Correction

**AGENCY:** EPA.

**ACTION:** Final rule; correction.

**SUMMARY:** EPA issued a final rule in the *Federal Register* on February 24, 2005, listing as hazardous under the Resource Conservation and Recovery Act (RCRA) nonwastewaters generated from the production of certain dyes, pigments, and FD&C colorants. This document corrects typographical errors in the regulatory text and notes other typographical errors in the preamble.

**DATES:** This correction is effective on August 23, 2005.

**ADDRESSES:** Follow the detailed instructions as provided under **ADDRESSES** in the *Federal Register* document of February 24, 2005.

#### FOR FURTHER INFORMATION CONTACT:

Robert Kayser, Hazardous Waste Identification Division, Office of Solid Waste (5304W), Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; telephone number: (703) 308–7304; fax number: (703) 308–0514; e-mail address: [kayser.robert@epa.gov](mailto:kayser.robert@epa.gov). For general information on the final rule, review our Web site at <http://www.epa.gov/epaoswer/hazwaste/id/dyes/index.htm>.

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

##### A. Does This Action Apply to Me?

The Agency included in the final rule of February 24, 2005, a list of those who

may be potentially affected by this action. If you have questions regarding the applicability of this action to a particular entity, consult the person listed under the **FOR FURTHER INFORMATION CONTACT**.

##### B. How Can I Access Electronic Copies of This Document and Other Related Information?

In addition to using the EDOCKET at <http://www.epa.gov/edocket/>, you may access this *Federal Register* document electronically through the EPA Internet under the *Federal Register* listings at <http://www.epa.gov/fedrgstr/>. A frequently updated electronic version of 40 CFR part 261 is available at e-CFR Beta Site at <http://www.gpoaccess.gov/ecfr/>.

##### II. What Does This Correction Do?

This Action corrects two typographical errors in the final rule, both of which are the same but occur in different paragraphs, published in the *Federal Register* of February 24, 2005 (see FR Doc. 05–3454; 70 FR 9138–9180) (FRL–7875–8). The first error appears at 70 FR 9176 in the text of § 261.32(d)(2). At the end of the first sentence, the phrase “listing levels of this section” is misplaced and is in part repetitive. The phrase “listing levels of” should immediately precede “paragraph (c)” in that sentence and the last usage of the phrase “this section” at the end of the sentence should be deleted. Thus, the first sentence of § 261.32(d)(2) should conclude as follows: “to conclude that annual mass loadings for the K181 constituents are below the listing levels of paragraph (c) of this section.”

The second error also appears at 70 FR 9176 in the text of § 261.32(d)(3)(iv)(B). At the end of the sentence, the phrase “listing levels of this section” is misplaced and is in part repetitive. The phrase “listing levels of” should immediately precede “paragraph (c)” in the sentence and the last usage of the phrase “this section” at the end of the sentence should be deleted. Thus, § 261.32(d)(3)(iv)(B) should conclude as follows: “to support any claim that the constituent mass loadings are below the listing levels of paragraph (c) of this section.”

We also note that the preamble to the final rule contains several erroneous regulatory citations. The first one appears at 70 FR 9145, in the second column, in the first paragraph under the heading “1. Toluene-2,4-diamine,” line three. The correct regulatory citation is to “§ 261.32(c)(1)” and not “§ 261.31(c)(1)”. The second one appears in line six of the same paragraph. The correct citation is to