

Environment

We have analyzed this proposed rule under Department of Homeland Security Management Directive 023-01 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 made a preliminary determination that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. A preliminary environmental analysis checklist supporting this determination is available in the docket where indicated under **ADDRESSES**. This proposed rule involves the establishment of regulated areas, including two spectator vessel viewing areas for a marine event which a permit application was made.

We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

List of Subjects in 33 CFR Part 165

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

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 165 as follows:

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; 50 U.S.C. 191, 195; 33 CFR 1.05-1(g), 6.04-1, 6.04-6, and 6.05; Pub. L. 107-295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

2. Add § 165.T01-0092 to read as follows:

§ 165.T01-0092 Regulated Navigation Area; Red Bull Air Race Championship, Upper New York Bay and Hudson River, New York.

(a) *Regulated Navigation Area.* The regulated area includes all waters of Upper New York Bay and the lower Hudson River bound by the following points (NAD 83): 40°42'31.8" N, 074°02'04.0" W; thence to 40°42'36.3" N, 74°01'47.9" W; thence to 40°42'34.1" N, 074°01'28.6" W; thence to 40°42'07.5" N, 074°01'26.4" W; thence to 40°41'17.5" N, 074°02'07.3" W; thence to 40°41'46.2" N, 074°03'04.0" W; thence along the shoreline to the point of origin. Within this area, the Captain of the Port New York may establish—

(b) *Definition.* As used in this section, “designated representative” means a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Captain of the Port Sector New York.

Regulations. (1) No person or vessel may enter, transit, or remain in the regulated area, unless participating in the event or unless authorized by the Coast Guard Captain of the Port New York or designated representative.

(2) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port New York or the designated on-scene representative. Upon being hailed by a Coast Guard or other law enforcement vessel by siren, radio, flashing light, or other means the operator of a vessel shall proceed as directed.

(c) *Enforcement period.* The regulated area will be enforced daily from 8 a.m. to 6 p.m. on June 17 through June 20, 2010.

Dated: May 4, 2010.

J.A. Servidio,

Captain, U.S. Coast Guard, Acting, Commander, First Coast Guard District.

[FR Doc. 2010-10946 Filed 5-7-10; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R05-OAR-2009-0290; FRL-9142-8]

Approval and Promulgation of Air Quality Implementation Plans; Ohio; General Provisions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve a request submitted by the Ohio Environmental Protection Agency (Ohio EPA) on March 17, 2009, to revise the Ohio State Implementation Plan (SIP) under the Clean Air Act (CAA). The State has submitted revisions to rules for approval under Chapter 3745-15, “General Provisions,” of the Ohio Administrative Code (OAC). The State’s revisions to OAC 3745-15-01 include adoption of the Federal definition and citation of the CAA, and the revisions to OAC 3745-15-05 include clarifications for exemptions and new requirements for sources regulated under Title V.

DATES: Comments must be received on or before June 9, 2010.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R05-OAR-2009-0290, by one of the following methods:

1. *www.regulations.gov:* Follow the on-line instructions for submitting comments.
2. *E-mail:* bortzer.jay@epa.gov.
3. *Fax:* (312) 692-2054.

4. *Mail:* Jay Bortzer, Chief, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

5. *Hand Delivery:* Jay Bortzer, Chief, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604. Such deliveries are only accepted during the Regional Office normal hours of operation, and special arrangements should be made for deliveries of boxed information. The Regional Office official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

Please see the direct final rule which is located in the Rules section of this **Federal Register** for detailed instructions on how to submit comments.

FOR FURTHER INFORMATION CONTACT:

Andy Chang, Environmental Engineer, Criteria Pollutant Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-0258, chang.andy@epa.gov.

SUPPLEMENTARY INFORMATION: In the Rules section of this **Federal Register**, EPA is approving the State’s SIP submittal as a direct final rule without prior proposal because EPA views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this rule, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period; therefore, any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment. For additional information, see the direct final rule which is located in the Rules section of this **Federal Register**.

Dated: April 19, 2010.

Walter W. Kovalick Jr.,

Acting Regional Administrator, Region 5.

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