

available in the federal docket where indicated under **ADDRESSES**.

#### 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 amends 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.

■ 2. Add § 100.35–T01–0675 to read as follows:

#### § 100.35–T01–0675 Special Local Regulations; Summer Marine Events, Coastal Massachusetts.

(a) *General*. Special local regulations are established for the following marine events:

(1) Charles River One Mile Swim, Charles River, Boston, MA.

(i) *Location*. All waters of the Charles River, from surface to bottom, between the Longfellow Bridge and the Harvard Bridge.

(ii) *Enforcement Date*. This regulation will be enforced from 8 a.m. through 9 a.m. on July 25, 2010.

(2) Joppa Flats Open Water Mile, Merrimack River, Newburyport, MA

(i) *Location*. All waters of the Merrimack River, from surface to bottom, within a 400 yard radius of position 42°80.4' N; 070°85.4' W.

(ii) *Enforcement Date*. This regulation will be enforced from 3 p.m. through 5 p.m. July 31, 2010.

(3) Gloucester Fisherman Triathlon, Western Harbor, Gloucester, MA.

(i) *Location*. All waters of Western Harbor, from surface to bottom, starting at the beach at position 42°36'34" N 070°40'02" W, thence to 42°36'29" N 070°40'04" W, thence to 42°36'28" N 070°40'00" W, thence to the beach at position 42°36'33" N 070°39'58" W.

(ii) *Enforcement Date*. This regulation will be enforced from 10 a.m. through 11 a.m. on August 8, 2010.

(4) 32nd Annual Celebrate the Clean Harbor Swim, Gloucester Harbor, Gloucester, MA.

(i) *Location*. All waters of Gloucester Harbor, from surface to bottom, within a 400 yard radius of approximate position 41°35'35" N 070°39'45" W.

(ii) *Enforcement Date*. This regulation will be enforced from 9 a.m. through 12 p.m. on August 21, 2010.

(5) Haverhill River Run, Merrimack River, Haverhill, MA.

(i) *Location*. All waters of the Merrimack River, from surface to

bottom, between the Interstate 495 Highway Bridge and the Haverhill-Groveland SR97/113 Bridge.

(ii) *Enforcement Date*. This regulation will be effective from 12 p.m. on August 28, 2010 to 5 p.m. on August 29, 2010. This regulation will be enforced daily from 12 p.m. to 5 p.m. on both August 28th and 29th, 2010.

#### (b) Regulations.

(1) In accordance with the general regulations in Section 100.35 of this part, entry into, and transiting or anchoring within any of these special local regulation areas is prohibited unless authorized by the Captain of the Port Boston or his designated on-scene representative.

(2) These special local regulation areas are closed to all vessel traffic, except as may be permitted by the Captain of the Port Boston or his designated on-scene representative.

(3) The "on-scene representative" of the Captain of the Port Boston is any Coast Guard commissioned, warrant, or petty officer who has been designated by the Captain of the Port Boston to act on his behalf. The on-scene representative of the Captain of the Port Boston will be aboard either a Coast Guard or Coast Guard Auxiliary vessel. The Captain of the Port or his designated on scene representative may be contacted via VHF Channel 16.

(4) Vessel operators desiring to enter or operate within any of the special local regulation areas must contact the Captain of the Port Boston or his on-scene representative to obtain permission to do so. Vessel operators given permission to enter or operate in the special local regulation areas must comply with all directions given to them by the Captain of the Port or his on-scene representative.

Dated: July 23, 2010.

**John N. Healey,**

*Captain, U.S. Coast Guard, Captain of the Port Boston.*

[FR Doc. 2010–19291 Filed 8–4–10; 8:45 am]

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#### DEPARTMENT OF HOMELAND SECURITY

##### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG–2010–0702]

#### Drawbridge Operation Regulations; Newark Bay, NJ, Maintenance

**AGENCY:** Coast Guard, DHS.

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

**SUMMARY:** The Commander, First Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the Lehigh Valley Railroad Bridge across Newark Bay, mile 4.3, at Newark, New Jersey. This deviation allows the bridge to remain in the closed position on three Mondays to facilitate scheduled maintenance.

**DATES:** This rule is effective in the CFR from August 5, 2010 through through 2 p.m. on August 16, 2010, and with actual notice for purposes of enforcement from 9 a.m. on August 2, 2010, with actual notice through 2 p.m. on August 16, 2010.

**ADDRESSES:** Documents mentioned in this preamble as being available in the docket are part of docket USCG–2010–0702 and are available online at <http://www.regulations.gov>, inserting USCG–2010–0702 in the "Keyword" and then clicking "Search". They are also available for inspection or copying at the Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or e-mail Mr. Joe Arca, Project Officer, First Coast Guard District, telephone (212) 668–7165. If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202–366–9826.

**SUPPLEMENTARY INFORMATION:** The Lehigh Valley Railroad Bridge, across Newark Bay at mile 4.3, Newark, New Jersey, has a vertical clearance in the closed position of 35 feet at mean high water and 39 feet at mean low water. The drawbridge operation regulations are listed at 33 CFR 117.5.

The owner of the bridge, Conrail, requested a temporary deviation from the regulations to facilitate scheduled bridge maintenance, lift cable replacement.

Under this temporary deviation the Lehigh Valley Bridge may remain in the closed position on three Mondays, August 2, 9, and 16, 2010, between 9 a.m. and 2 p.m. to facilitate lift cable replacement.

Waterway users were advised of the requested bridge closures and offered no objection.

In accordance with 33 CFR 117.35(e), the bridge must return to its regular operating schedule immediately at the end of the designated time period. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: July 26, 2010.

Gary Kassof,

Bridge Program Manager, First Coast Guard District.

[FR Doc. 2010-19290 Filed 8-4-10; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 52 and 81

[EPA-R04-OAR-2010-0134-201027; FRL-9184-9]

#### Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Kentucky; Redesignation of the Kentucky Portion of the Cincinnati-Hamilton 1997 8-Hour Ozone Nonattainment Area to Attainment

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

**ACTION:** Final rule.

**SUMMARY:** EPA is taking final action to approve a request submitted on January 29, 2010, from the Commonwealth of Kentucky, through the Kentucky Energy and Environment Cabinet, Division for Air Quality (DAQ), to redesignate the Kentucky portion of the tri-state Cincinnati-Hamilton 8-hour ozone nonattainment area (hereafter referred to as “the Cincinnati-Hamilton Area”) to attainment for the 1997 8-hour ozone national ambient air quality standards (NAAQS). The Cincinnati-Hamilton Area is comprised of Boone, Campbell and Kenton Counties in Kentucky (hereafter also referred to as “Northern Kentucky”); Butler, Clermont, Clinton, Hamilton and Warren Counties in Ohio; and a portion of Dearborn County in Indiana. EPA’s approval of the redesignation request is based on the determination that Northern Kentucky has met the criteria for redesignation to attainment set forth in the Clean Air Act (CAA), including the determination that the Cincinnati-Hamilton Area has attained the 1997 8-hour ozone NAAQS. Additionally, EPA is approving a revision to the Kentucky State Implementation Plan (SIP) including the 1997 8-hour ozone maintenance plan for Northern Kentucky that contains the new 2015 and 2020 motor vehicle emission budgets (MVEBs) for nitrogen oxides (NO<sub>x</sub>) and volatile organic compounds (VOC) for Northern Kentucky. This action also approves the emissions inventory submitted with the maintenance plan. EPA has previously approved, in a separate rulemaking, similar redesignation requests submitted by the States of Ohio and Indiana for

their portions of this 1997 8-hour ozone area.

**DATES:** *Effective Date:* This rule will be effective August 5, 2010.

**ADDRESSES:** EPA has established a docket for this action under Docket Identification No. EPA-R04-OAR-2010-0134. All documents in the docket are listed on the <http://www.regulations.gov> Web site. Although listed in the index, some information is not publicly available, *i.e.*, Confidential Business Information or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically through <http://www.regulations.gov> or in hard copy at the 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. EPA requests that if at all possible, you contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office’s official hours of business are Monday through Friday, 8:30 to 4:30, excluding Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Jane Spann, 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. Jane Spann may be reached by phone at (404) 562-9029 or via electronic mail at [spann.jane@epa.gov](mailto:spann.jane@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Table of Contents

- I. What Is the Background for the Actions?
- II. What Actions Is EPA Taking?
- III. Why Is EPA Taking These Actions?
- IV. What Are the Effects of These Actions?
- V. Response to Comments
- VI. Final Action
- VII. Statutory and Executive Order Reviews

#### I. What Is the Background for the Actions?

On January 29, 2010, the Commonwealth of Kentucky, through DAQ, submitted a request to redesignate Northern Kentucky (as a portion of the Cincinnati-Hamilton Area) to attainment for the 1997 8-hour ozone NAAQS, and for EPA approval of the Kentucky SIP revision containing a maintenance plan for Northern Kentucky. In an action published on May 12, 2010 (75 FR

26685), EPA proposed to approve the redesignation of Northern Kentucky to attainment. EPA also proposed approval as a SIP revision of Kentucky’s plan for maintaining the 1997 8-hour NAAQS, including the emissions inventory submitted pursuant to CAA section 172(c)(3); and the NO<sub>x</sub> and VOC MVEBs for Northern Kentucky contained in the maintenance plan. The background for these rulemakings is set forth in detail in EPA’s May 12, 2010 proposal.

The MVEBs included in the maintenance plan are as follows:

TABLE 1—NORTHERN KENTUCKY VOC AND NO<sub>x</sub> MVEBS

[Summer season tons per day (tpd)]

Year	2015	2020
NO <sub>x</sub> .....	14.40	13.27
VOC .....	9.76	10.07

In its May 12, 2010, proposed action, EPA stated that the adequacy public comment period on these MVEBs (as contained in Kentucky’s submittal) began on February 3, 2010, and closed on March 5, 2010. No comments were received during this public comment period, and therefore, EPA deems the new MVEBs for Northern Kentucky adequate for the purposes of transportation conformity. In a separate action, EPA previously found adequate and approved the MVEB’s for the Ohio and Indiana portions of the Cincinnati-Hamilton Area (75 FR 26118, May 11, 2010).

As we stated in the May 12, 2010, proposal, this redesignation addresses Northern Kentucky’s status solely with respect to the 1997 8-hour ozone NAAQS, for which designations were finalized on April 30, 2004 (69 FR 23857). In 2008, EPA issued a revised 8-hour ozone NAAQS, which is currently under reconsideration. Today’s rulemaking concerns only the 1997 8-hour ozone NAAQS, and does not address or affect the 2008 or any subsequently revised and promulgated ozone NAAQS.

In this final rulemaking, EPA is noting a correction for the site identification numbers listed in EPA’s May 12, 2010 (75 FR 26685), proposed approval. Specifically, the air quality monitor site identification number (ID) listed in Table 2 (Annual 4th Max High and Design Value Concentration for 8-Hour Ozone for the Cincinnati-Hamilton OH-KY-IN Area (parts per million)) of EPA’s May 12, 2010 proposed rulemaking, column 3 labeled “Monitor” were incorrect for the Boone and Campbell County, Kentucky entries. The site monitor IDs should read: Boone