

**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 117****[USCG-2008-0104]****RIN 1625-AA-09****Drawbridge Operation Regulations; Atlantic Intracoastal Waterway (AIWW); Wrightsville Beach, NC****AGENCY:** Coast Guard, DHS.**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, Fifth Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the S.R. 74 Bridge, across the AIWW mile 283.1 at Wrightsville Beach, NC, to accommodate the annual race.

**DATES:** This deviation is effective from 8 a.m. to 9:30 a.m. on March 15, 2008.

**ADDRESSES:** Materials referred to in this document are available for inspection or copying at Commander (dpb), Fifth Coast Guard District, Federal Building, 1st Floor, 431 Crawford Street, Portsmouth, VA 23704-5004 between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The telephone number is (757) 398-6222. Commander (dpb), Fifth Coast Guard District maintains the public docket for this temporary deviation.

**FOR FURTHER INFORMATION CONTACT:** Mr. Gary S. Heyer, Bridge Management Specialist, Fifth Coast Guard District, at (757) 398-6629.

**SUPPLEMENTARY INFORMATION:** The S.R. 74 Bridge, a lift drawbridge, has a vertical clearance in the closed position to vessels of 20 feet, above mean high water.

The North Carolina Department of Transportation (the bridge owner) requested a temporary deviation from the current operating regulation set out in 33 CFR 117.821(a)(5) to accommodate the Knights of Columbus Shamrock Fun Run and Walk scheduled for Saturday, March 15, 2008.

The Coast Guard will inform the users of the waterway through our Local and Broadcast Notices to Mariners of the closure period for the bridge so that vessels can arrange their transits to minimize any impact caused by the temporary deviation.

To facilitate the race, the S.R. 74 Bridge will be maintained in the closed-to-navigation position from 8 a.m. to 9:30 a.m. on March 15, 2008.

In accordance with 33 CFR 117.35(e), the drawbridge 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.

We analyzed this temporary deviation under Commandant Instruction M16475.ID and Department of Homeland Security Management Directive 5100.1, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321-4370f). The environmental impact that this temporary deviation will have is minimal because the drawbridge being closed to vessels for a period of an hour and a half will not result in a change in functional use, or an impact on a historically significant element or setting.

Dated: February 20, 2008.

**Waverly W. Gregory, Jr.,**  
Chief, Bridge Administration Branch, Fifth Coast Guard District.

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**BILLING CODE 4910-15-P**

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52****[EPA-R05-OAR-2007-0183; FRL-8535-1]****Approval and Promulgation of Air Quality Implementation Plans; Illinois; Revisions to Emission Reduction Market System**

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

**ACTION:** Withdrawal of direct final rule.

**SUMMARY:** EPA is withdrawing the January 30, 2008 (73 FR 5435), direct final rule approving revisions to the State of Illinois' rules for its Emission Reduction Market System (ERMS).

In the direct final rule, EPA commented on statements in and implications of a memorandum from Robert Meyers, Principal Deputy Assistant Administrator for Air and Radiation, to EPA's Regional Administrators dated October 3, 2007. (The rule gave an incorrect date of October 7, 2007.) The memorandum addresses the status of new source review criteria for ozone nonattainment areas based on a decision by the Court of Appeals for the DC Circuit in the case of *South Coast Air Quality Management Dist. v. EPA*, 472 F.3d 882 (DC Cir. 2006).

In commenting upon the memorandum of Robert Meyers in the direct final rule of January 30, 2008, Region 5 unintentionally addressed an

issue of national policy. As the issue is one of national policy, the implications of the Court ruling should only be addressed in national guidance and rulemaking. Notwithstanding our observations regarding the implications of the Robert Meyers memorandum, the rationale for proposing to approve the ERMS rule revisions did not rely on these observations, and so the soundness of EPA's proposal is not affected. Therefore, EPA is withdrawing the January 30, 2008, direct final rule, but announcing today that the associated proposed rule will stand as a proposed rule. (See 73 FR 5471). Comments on the proposed rule continue to be due on February 29, 2008. EPA will publish a revised final rule after considering any comments that it may receive. EPA will not institute a second comment period on this action.

**DATES:** The direct final rule published at 73 FR 5435 on January 30, 2008, is withdrawn as of February 29, 2008. Comments on the proposed rule published at 73 FR 5471 on January 30, 2008, remain due on February 29, 2008.

**FOR FURTHER INFORMATION CONTACT:** John Summerhays, Environmental Scientist, Criteria Pollutant Section, Air Programs Branch (AR-18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-6067, [summerhays.john@epa.gov](mailto:summerhays.john@epa.gov).

**List of Subjects in 40 CFR Part 52**

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

**Authority:** 42 U.S.C. 7401 *et seq.*

Dated: February 21, 2008.

**Bharat Mathur,**

*Acting Regional Administrator, Region 5.*

■ Accordingly, the amendments to 40 CFR 52.720 which published in the **Federal Register** on January 30, 2008 (72 FR 5435) on page 5439 are withdrawn as of February 29, 2008.

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