

the grade crossing improvement program, and shall evaluate the effectiveness of completed highway safety improvement projects in these programs.

(b) The preparation of the State's annual report may be financed with funds made available through 23 U.S.C. 402, 307(c), and, where applicable, 104(f).

[FR Doc. 79-6017 Filed 2-28-79; 8:45 am]

[4910-14-M]

**Title 33—Navigation and Navigable Waters**

**CHAPTER I—COAST GUARD,  
DEPARTMENT OF TRANSPORTATION**

[CGD 7-79-21]

**PART 165—SAFETY ZONES**

**Establishment of Safety Zone in Vicinity of U.S. Coast Guard Base, Charleston, S.C.**

AGENCY: Coast Guard, DOT.

ACTION: Final Rule.

**SUMMARY:** The amendment to the Coast Guard Safety Zone regulations establishes a safety zone on the waters of the Ashley River in the vicinity of the U.S. Coast Guard Base, Charleston, SC. The safety zone shall encompass the Ashley River within the following boundaries: A line beginning at 32°46'25" N Latitude, 79°57'10" W Longitude (North Shore of Intercoastal Waterway); thence to 32°46'36" N Latitude, 79°56'59" W Longitude; thence 32°46'16" N Latitude, 79°56'26" W Longitude; thence 32°46'06" N Latitude, 79°56'36" N Longitude; thence along a line to the point of beginning. This safety zone is being established for the protection of personnel during the construction of a new pier at U.S. Coast Guard Base, Charleston. Vessels entering the safety zone shall be operated at "NO WAKE" speeds and shall not approach the construction site closer than 100 feet. This safety zone shall be in effect during daylight hours only.

**EFFECTIVE DATE:** This amendment is effective on 12 February 1979 and remains in effect until the completion of construction or 12 February 1980, whichever is earlier.

**FOR FURTHER INFORMATION CONTACT:**

Cdr R. F. Bennett, COTP Charleston 196 Tradd Street, Charleston, SC 29402 (803) 724-4218.

**SUPPLEMENTARY INFORMATION:** This safety zone is being enforced by patrol craft representing the Captain of the Port, Charleston, SC. An opportunity to comment on this safety zone

as a proposed rule has not been provided and this amendment is effective in less than 30 days from the date of publication. Good cause exists for making the zone effective immediately a determination has been made that to do otherwise would be both impracticable and contrary to the public interest. Due to the fact that construction has already begun there is not sufficient time to allow an opportunity for public comment or to provide for a delayed effective date. Following those administrative procedures would prevent timely establishment of the safety zone and thus would thwart the purpose of the zone.

**DRAFTING INFORMATION:** The principal persons involved in the drafting of this rule are LT. J. A. MOON, Chief, Port Operation, Marine Safety Office, Charleston, SC.

In consideration of the above, Part 165 of Title 33 of the Code of Federal Regulations is amended by adding § 165.702 to read as follows:

§ 165.702 Ashley River Charleston Harbor, SC.

The area enclosed by the following boundary is a Safety Zone—A line beginning at 32°46'25" N Latitude, 79°57'10" W Longitude (North Shore of Intercoastal Waterway); thence to 32°46'36" Latitude, 79°56'59" W Longitude; thence 32°46'16" N Latitude, 79°56'26" W Longitude; thence 32°46'06" N Latitude, 79°56'36" N Longitude; thence along a line to the point of beginning. This safety zone shall be in effect during daylight hours only.

(86 Stat. 427 (33 USC 1224); 49 CFR 1.46(n) (4).)

Dated: February 9, 1979.

R. F. BENNETT,  
CDR, U.S. Coast Guard, COTP  
Charleston, Charleston, SC.

[FR Doc. 79-6324 Filed 2-28-79; 8:45 am]

[6560-01-M]

**Title 40—Protection of the Environment**

**CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY**

**SUBCHAPTER N—EFFLUENT LIMITATIONS GUIDELINES FOR EXISTING SOURCES**

[FRL 1066-1]

**PART 440—ORE MINING AND DRESSING POINT SOURCE CATEGORY**

**Effluent Limitations Guidelines; Modification**

AGENCY: Environmental Protection Agency.

**ACTION:** Amendment to Final Rule.

**SUMMARY:** This amendment modifies the effluent limitations guidelines for existing sources in the Ore Mining and Dressing Point Source Category, Base and Precious Metals Subcategory, with respect to mills recovering copper, lead, zinc, gold or silver, or any combination thereof, by the froth-flotation process. The Regulations were promulgated on July 11, 1978 (43 FR 29771). This amendment deletes the effluent limitations for cyanide applicable to such mills. This action is being taken as a result of the Agency's review of various criticisms of these requirements which it had received after promulgation. This action is anticipated to have minimal, if any, impacts; cyanide limitations presently are included in permits throughout the industry, and permitting authorities may continue to impose cyanide limitations, irrespective of these regulations.

**EFFECTIVE DATE:** March 1, 1979.

**FOR FURTHER INFORMATION CONTACT:**

William Telliard, Branch Chief, Effluent Guidelines Division (WH-552), Office of Water Planning and Standards, Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460, 202-426-2726.

**SUPPLEMENTARY INFORMATION:** On July 11, 1978, EPA promulgated effluent limitations guidelines for the Ore Mining and Dressing Point Source Category. 43 FR 29771. With respect to the Base and Precious Metals Subcategory established thereunder, the regulations establish effluent limitations for discharges from mills recovering copper, lead, zinc, gold or silver, or any combination of those metals by the froth-flotation process. § 440.22(a)(2). The regulations limit cyanide discharges from those mills to not more than 0.1 mg/l (thirty-day average) and 0.2 mg/l (twenty-four hour maximum) of cyanide.

After the promulgation of this requirement, the Agency has received various criticisms concerning these cyanide limitations. As a result of the Agency's review of those criticisms, EPA has determined that the promulgated cyanide limitations for the Base and Precious Metals froth-flotation mill subcategory are not adequately supported by the administrative record. Therefore, EPA believes that the most appropriate course of action is to withdraw this effluent limitation pending further review.

It should be emphasized that permitting authorities may continue to impose limitations for cyanide pursuant to Section 402(a)(1) of the Clean Water Act.

Dated: February 21, 1979.

DOUGLAS M. COSTLE,  
Administrator.

§ 440.22. [Amended]

Part 440, § 440.22(a)(2) is revised to read as follows:

(a) \*\*\*

(2) The concentration of pollutants discharged from mills which employ the froth-flotation process alone or in conjunction with other processes, for the beneficiation of copper ores; lead ores, zinc ores, gold ores, or silver ores or any combination of these ores shall not exceed:

Effluent characteristic	Milligrams per liter	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
TSS.....	30	20
Cu.....	.30	.15
Zn.....	1.0	.5
Pb.....	.6	.3
Hg.....	.002	.001
Cd.....	.10	.05
pH.....	Within the range 6.0 to 9.0	

[FR Doc. 79-6000 Filed 2-28-79; 8:45 am]

[6730-01-M]

Title 46—Shipping

CHAPTER IV—FEDERAL MARITIME COMMISSION

[General Orders 13 and 38; Docket No. 78-30]

PART 531—FILING OF FREIGHT AND PASSENGER RATES, FARES, AND CHARGES IN THE DOMESTIC OFFSHORE TRADE, PUBLICATION AND POSTING

PART 536—FILING OF TARIFFS BY COMMON CARRIERS BY WATER IN THE FOREIGN COMMERCE OF THE UNITED STATES AND BY CONFERENCES OF SUCH CARRIERS

Time Limit for Filing of Overcharge Claims

AGENCY: Federal Maritime Commission.

ACTION: Postponement of effective date.

SUMMARY: The Commission's final rule in this proceeding was published in the FEDERAL REGISTER on February 6, 1979 (44 FR 7144). The effective date of the rule is March 1, 1979. Affected carriers are required to amend

their tariffs by that date to conform with the rule.

We have determined to extend the effective date to April 1, 1979. The rule as published was unintentionally scheduled to become effective on less than 30 days notice. It is unrealistic to expect the affected conferences and carriers to put the required tariff amendments in place within the three week period allowed. The additional 30 day period for compliance provided here should be sufficient for this purpose.

DATES: Effective as to both new and existing tariffs April 1, 1979.

FOR FURTHER INFORMATION CONTACT:

Francis C. Hurney, Secretary, Federal Maritime Commission, Room 11101, 1100 L Street, N.W., Washington, D.C. 20573, (202) 523-5725.

SUPPLEMENTARY INFORMATION: None.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc. 79-6063 Filed 2-28-79; 8:45 am]

[4910-06-M]

Title 49—Transportation

CHAPTER II—FEDERAL RAILROAD ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. LI-5, Notice 21]

PART 230—LOCOMOTIVE INSPECTION

Temporary Amendment of Inspection Interval

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Temporary amendment, final rule.

SUMMARY: Because of serious disruption of railroad operations due to severe weather conditions in many States, FRA is temporarily amending the provision of the locomotive inspection regulations that provides that a locomotive may be inspected within five (5) days after the prescribed thirty (30) days inspection interval if the railroad responsible for the inspection needs additional time due to circumstances beyond its control (49 CFR 230.331(a)). The temporary amendment would provide an additional twenty-five (25) days to complete inspections that become due during the period February 23, 1979 to May 30, 1979.

DATES: (1) Effective Dates: This temporary amendment is effective February 23, 1979 and expires May 30, 1979.

(2) Public Hearing: A public hearing will be held at 10 a.m. on March 9, 1979.

(3) Written comments must be received by March 16, 1979.

ADDRESSES: (1) Written Comments: Written comments should identify the Docket number and the notice number and must be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration (TransPoint Building) 2100 Second Street SW., Washington, D.C. 20590. Written comments will be available, both before and after the closing date for comments, during regular business hours in Room 4106 of the TransPoint Building at the above address.

(2) Public Hearing: A public hearing will be held in Room 3201 of the TransPoint Building. Persons desiring to make oral statements at the hearing should notify the Docket Clerk by telephone (202-426-8836) or by writing to: Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, TransPoint Building, at the above address.

FOR FURTHER INFORMATION CONTACT:

PRINCIPAL AUTHORS

Principal Program Person: Rolf Mowatt-Larsen (RRS-20), Office of Standards and Procedures, Federal Railroad Administration, Washington, D.C. 20590. Telephone 202-426-0924.

Principal Attorney: Edward F. Conway, Jr. (RCC-30), Office of Chief Counsel, Federal Railroad Administration, Washington, D.C. 20590. Telephone 202-426-8836.

SUPPLEMENTARY INFORMATION:

BACKGROUND

In response to a request filed by the Association of American Railroads (AAR), FRA is temporarily amending § 230.331(a) of the Locomotive Inspection Regulations (49 CFR 230.331(a)).

This section provides that each locomotive unit must be inspected at least once every thirty (30) days to determine whether the locomotive unit is in compliance with the requirements of Part 230. It also contains a provision that allows an additional five (5) days for accomplishing this inspection if the railroad responsible for that inspection needs additional time due to circumstances beyond its control and notes those circumstances on the prescribed inspection form (Form FRA 6180-49).

AAR advised that emergency conditions exist in railroad operations due