

some shipping interests using the Mississippi River, possibly causing them to incur minimal additional expenses for such items as wharf fees. Based upon this assessment it is certified in accordance with section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 605(b)) that this regulation, if promulgated, will not have a significant economic impact on a substantial number of small entities. Also, the regulation will result in minor delays to regulation has been reviewed in accordance with Executive Order 12291 of February 17, 1981, on Federal Regulation and has been determined not to be a major rule under the terms of that order.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Security measures, Vessels, Waterways.

PART 165—[AMENDED]

Final Regulations

In consideration of the foregoing, the Coast Guard is amending Part 165 of Title 33, Code of Federal Regulations, by adding § 165.7812 to read as follows:

§ 165.7812 Safety Zone: Vicinity of the Mississippi Aerial River Transit (MART) in New Orleans.

(a) The area from the down river edge of the new, Greater New Orleans Mississippi River Bridge (approximate LMR mile 95.7, AHOP) to LMR mile 94.7, AHOP is a Safety Zone.

(b) Regulations:

(1) In accordance with the general regulations in 165.23 of this part, vessels may not enter into, or operate within, this zone unless authorized by the Captain of the Port.

(2) This Safety Zone will be closed to all marine traffic between the hours of 7:00 a.m. and 1:00 p.m. on March 4, 1984, and again on March 11, 1984 and March 18, 1984 during the same hours. The prohibition against vessels entering, or operating within, this zone will commence and end promptly at the stated times.

(3) At his discretion, the Captain of the Port, New Orleans, may terminate this Safety Zone at any time during the dates and times provided for.

(33 U.S.C. 1225 and 1231; 49 CFR 1.46; 33 CFR 165.3)

Dated: January 20, 1984.

John L. Bailey,

Captain of the Port, New Orleans, LA.

[FR Doc. 84-3155 Filed 2-3-84; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA Docket No. AW402PA; A-3-FRL 2516-7]

Approval and Promulgation of Implementation Plans; Approval of the Allegheny County Portion of the Pennsylvania State Implementation Plan for Lead

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: EPA approves the Allegheny County portion of the Pennsylvania State Implementation Plan (SIP) for the control of lead (Pb) emissions. Allegheny County's lead SIP meets all of the applicable requirements under section 110 of the Clean Air Act and 40 CFR Part 51, Requirements for Preparation, Adoption and Submittal of Implementation Plans.

DATES: This action will be effective on April 6, 1984 unless notice is received by March 7, 1984 that someone wishes to submit adverse or critical comments.

ADDRESSES: Written comments should be addressed to Mr. Glenn Hanson, at the EPA, Region III address shown below. Copies of Allegheny County Lead SIP may be examined during normal business hours at the following locations:

U.S. Environmental Protection Agency, Region III, Air Management Branch, Curtis Building, 6th & Walnut Streets, Philadelphia, PA 19106, Attn: Patricia Gaughan (3AW11)

Pennsylvania Department of Environmental Resources, Bureau of Air Quality Control, Fulton Bank Building, Third and Locust Streets, Harrisburg, PA 17120, Attn: Gary L. Triplett

Allegheny County Health Department, Bureau of Air Pollution Control, 301 Thirty-Ninth Street, Pittsburgh, PA 15201, Attn: Roger C. Westman
Public Information Reference Unit, Room 2922, EPA Library, U.S. Environmental Protection Agency, 401 M Street SW. (Waterside Mall), Washington, D.C. 20460

The Office of the Federal Register, 1100 L Street NW., Room 8401, Washington, D.C. 20408

FOR FURTHER INFORMATION CONTACT: Mr. Michael C. Guiranna at the EPA Region III address shown above or telephone (215) 597-2842.

SUPPLEMENTARY INFORMATION: On September 6, 1983, the Pennsylvania Department of Environmental Resources submitted to the U.S. Environmental Protection Agency (EPA) an amendment

to the Allegheny County portion of the Pennsylvania State Implementation Plan (SIP) for lead. A public hearing was held on May 24, 1983, on this SIP. Also, Allegheny County has indicated that it has the legal authority necessary to implement this plan and any control strategies related to it.

Allegheny County has certified that there are presently no point sources which emit five or more tons of lead per year. The major lead emissions in the County are from mobile sources and re-entrained road dust. The air quality data supplied to the EPA from 2nd quarter of 1975 to 2nd quarter of 1982 show only one violation of the National Ambient Air Quality Standard for Lead, which is 1.5 micrograms/cubic meter (average over a calendar quarter). This violation ($1.83 \mu\text{g}/\text{m}^3$) occurred in the 4th quarter of 1978 at the Court House monitor. The readings at this and all other monitors have shown a steady decline since then and the most recent ambient levels show no reading higher than $0.35 \mu\text{g}/\text{m}^3$. The average lead reading in the County is only 14% of the standard. In the future, the County's lead emissions should decrease further as the amount of lead in fuel decreases.

In section 18.6.2 of the Allegheny County State Implementation Plan for Lead the County did not use the EPA preferred model to determine maximum quarterly concentration. They used a rollback model on their highest measured lead concentration in 1982 and projected this to 1987 to demonstrate attainment. EPA prefers that a modeling scheme is used which depends on the historic lead concentration in the base year. Based on federal regulations and information about past and projected gasoline sales and assuming that lead concentrations decrease proportionally with automotive lead emissions, EPA has calculated critical lead concentrations for several base and attainment years. These were published in a July 1983 draft report entitled Updated Information of Approval and Promulgation of Lead Implementation Plans prepared for EPA Office of Air Quality Planning and Standards, Control Programs Development Division, Research Triangle Park, NC. If the highest lead concentration for a given base year/attainment year combination is less than the critical value for that combination, EPA assumes that the standard will be attained by the attainment date. In 1978 Allegheny County had a worst-case quarterly concentration of $1.83 \mu\text{g}/\text{m}^3$. The national ambient air quality standard is $1.5 \mu\text{g}/\text{m}^3$. The County's worst case concentration is much less than the critical concentration

calculated by EPA for an attainment date of 1987; therefore EPA concludes that the standard is being and will continue to be attained in Allegheny County.

All precision monitoring has been conducted as required by 40 CFR Part 58, Appendix A. A description of the air quality monitoring network for lead may be inspected at the Bureau of Air Pollution Control, 301 Thirty-Ninth Street, Pittsburgh, PA 15201.

The County has committed to review the lead emitting potential of all new sources through a preconstruction review provision to insure continued maintenance of the lead standard. EPA has examined the air quality data from the sites and found it in accordance with EPA requirements for use of data in developing a plan. Therefore, this amendment to the Allegheny County SIP is being approved.

Public Hearing

The County provided proof that a public hearing, with respect to the lead SIP, was held on May 24, 1983 in Pittsburgh, Pennsylvania, in accordance with the requirements of 40 CFR 51.4. No verbal comments were given.

Solicitation of Public Comments

In a newspaper notice published in the *Pittsburgh Press* on April 23, 1983, the Allegheny County Health Department solicited public comments on its proposed lead implementation plan. However, no written comments were received.

EPA Action

EPA has reviewed Allegheny County's lead SIP and has determined that it meets the scope and intent of 40 CFR 51.80 through 51.88 (Control Strategy-Lead). Therefore, EPA is approving Allegheny County's lead SIP.

Under Executive Order 12291, EPA must judge whether a regulation is "Major" and therefore subject to the requirement of a Regulatory Impact Analysis. This regulation is not major because this action only approves State actions and imposes no new requirements.

Pursuant to the provisions of 5 U.S.C. 605(b) the Administrator has certified that SIP approvals under Section 110 of the Clean Air Act will not have a significant economic impact on a substantial number of small entities. See 46 FR 8709 (January 27, 1981). This action constitutes a SIP approval under section 110 within the terms of the January 27 certification. This action only approves State actions. It imposes no new requirements.

Under section 307(b)(1) of the Clean Air Act, judicial review of this action is available *only* by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit within 60 days of today. Under section 307(b)(2) of the Clean Air Act, the requirements which are the subject of today's notice may *not* be challenged later in civil or criminal proceedings brought by EPA to enforce these requirements.

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291.

Note.—Incorporation by reference of the Implementation Plan for the Commonwealth of Pennsylvania was approved by the Director of the Office of the Federal Register on July 1, 1982.

List of Subjects in 40 CFR 52

Air Pollution control, Ozone, Sulfur oxide, Nitrogen dioxide, Lead, Particulate matter, Carbon monoxide, Hydrocarbons, Intergovernmental relations.

Authority: Sections 110 and 301 of the Clean Air Act as amended (42 U.S.C. 7410 and 7601).

Dated: January 26, 1984.

William D. Ruckelshaus,
Administrator.

PART 52—[AMENDED]

Part 52 of Title 40, Code of Federal Regulations is amended as follows:

Subpart NN—Pennsylvania

1. Section 52.2020, paragraph (c)(59) is added to read as follows:

§ 52.2020 Identification of plan.

(c) * * *

(59) A State Implementation Plan for the control of lead (Pb) emissions in Allegheny County was submitted on September 6, 1983 by the Secretary of Environmental Resources.

[FR Doc. 84-2736 Filed 2-3-84; 8:45 am]
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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1, 73, and 74

Oversight of the Radio and TV Broadcast Rules

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This Order amends broadcast station regulations in 47 CFR Parts 73 and 74 of the FCC rules. Amendments are made to delete regulations that are no longer necessary, correct inaccurate rule texts, contemporize certain requirements, to execute editorial revisions as needed for purposes of clarity and ease of understanding and to give public notice of the status of rule review pursuant to Section 610 of the Regulatory Flexibility Act of 1980.

EFFECTIVE DATE: January 27, 1984.

ADDRESS: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Steve Crane, (202) 632-5414, Mass Media Bureau.

List of Subjects

47 CFR Part 1

Administrative practice and procedure.

47 CFR Parts 73 and 74

Radio broadcasting, Television broadcasting.

Order

In the matter of Oversight of the Radio and TV Broadcast Rules.

Adopted: January 24, 1984.

Released: January 27, 1984.

By the Chief, Mass Media Bureau.

1. In this *Order*, the Commission focuses its attention on the oversight of its radio and TV broadcast rules.

Modifications are made herein to update, delete, clarify or correct broadcast regulations as described in the following amendment summaries:

(a) Two of the rule sections in Part 1, pertaining to interlocutory actions in hearing proceedings, cross reference § 1.292. This rule, entitled Number of Copies, was removed from our regulations by Commission action effective April 23, 1971. 36 FR 7422, April 20, 1971. The statements in the deleted rule section were incorporated into § 1.51, Number of copies of pleadings, briefs and other papers, in that same Commission action. However, the cross references to § 1.292 have survived in § 1.291(c)(1) and in § 1.296. Correction to the subject sections is made herein. (See Appendix items 1 and 2.)

(b) In BC Docket 82-320, the Commission discontinued three of its policies and eliminated parts of two of the rules. The rules were § 73.203(b) and § 73.607(b); and the policies were Suburban Community Policy, the *Berwick Doctrine* and the *de facto* reallocation policy. 48 FR 12094, March 23, 1983. Retained in the rules were