

Latitude	Longitude
39°13'20.0" N	76°31'56.0" W
39°13'34.0" N	76°31'33.5" W
39°14'02.0" N	76°32'02.9" W
39°13'50.5" N	76°32'20.0" W

(8) *Dead ship anchorage.* The waters bounded by a line connecting the following points:

Latitude	Longitude
39°13'00.4" N	76°34'10.4" W
39°13'13.4" N	76°34'10.8" W
39°13'13.9" N	76°34'05.7" W
39°13'14.8" N	76°33'29.8" W
39°13'00.4" N	76°33'29.9" W

(b) *Definitions.* As used in this section:

(1) *Dangerous cargo* means "certain dangerous cargo" as defined in § 160.203 of this chapter.

(2) *Class 1 (explosive) materials* means Division 1.1, 1.2, 1.3, and 1.4 explosives, as defined in 49 CFR 173.50.

(c) *General regulations.* (1) Except as otherwise provided, this section applies to vessels over 20 meters long and vessels carrying or handling dangerous cargo or Class 1 (explosive) materials while anchored in an anchorage ground described in this section.

(2) Except in cases where unforeseen circumstances create conditions of imminent peril, or with the permission of the Captain of the Port, no vessel shall be anchored in Baltimore Harbor and Patapsco River outside of the anchorage areas established in this section for more than 24 hours. No vessel shall anchor within a tunnel, cable or pipeline area shown on a government chart. No vessel shall be moored, anchored, or tied up to any pier, wharf, or other vessel in such manner as to extend into established channel limits. No vessel shall be positioned so as to obstruct or endanger the passage of any other vessel.

(3) Except in an emergency, a vessel that is likely to sink or otherwise become a menace or obstruction to navigation or the anchoring of other vessels may not occupy an anchorage, unless the vessel obtains a permit from the Captain of the Port.

(4) The Captain of the Port may grant a revocable permit to a vessel for a habitual use of an anchorage. Only the vessel that holds the revocable permit may use the anchorage during the period that the permit is in effect.

(5) Upon notification by the Captain of the Port to shift its position, a vessel at anchor shall get underway and shall move to its new designated position within 2 hours after notification.

(6) The Captain of the Port may prescribe specific conditions for vessels anchoring within the anchorages described in this section, including, but not limited to, the number and location of anchors, scope of chain, readiness of engineering plant and equipment, usage of tugs, and requirements for maintaining communication guards on selected radio frequencies.

(7) No vessel at anchor or at a mooring within an anchorage may transfer oil to or from another vessel unless the vessel has given the Captain of the Port the four hours advance notice required by § 156.118 of this title.

(8) No vessel may anchor in a "dead ship" status (propulsion or control unavailable for normal operations) without prior approval of the Captain of the Port.

(d) *Regulations for vessels handling or carrying dangerous cargoes or Class 1 (explosive) materials.* (1) This paragraph applies to every vessel, except a U.S. naval vessel, handling or carrying dangerous cargoes or Class 1 (explosive) materials.

(2) The Captain of the Port may require every person having business aboard a vessel handling or carrying dangerous cargoes or Class 1 (explosive) materials while in an anchorage, other than a member of the crew, to hold either a pass issued by the Captain of the Port or another form of identification prescribed by the Captain of the Port.

(3) Each person having business aboard a vessel handling or carrying dangerous cargoes or Class 1 (explosive) materials while in an anchorage, other than a member of the crew, shall present the pass or other form of identification prescribed by paragraph (d)(2) of this section to any Coast Guard Boarding Officer who requests it.

(4) The Captain of the Port may revoke at any time a pass issued under the authority of paragraph (d)(2) of this section.

(5) Each non-self-propelled vessel handling or carrying dangerous cargoes or Class 1 (explosive) materials must have a tug in attendance at all times while at anchor.

(6) Each vessel handling or carrying dangerous cargoes or Class 1 (explosive) materials while at anchor must display by day a bravo flag in a prominent location and by night a fixed red light.

(e) *Regulations for specific anchorages.* (1) *Anchorage 1.* Except when given permission by the Captain of the Port, a vessel may not anchor in this anchorage for more than 12 hours.

(2) *Anchorage 3.* Except when given permission by the Captain of the Port,

a vessel may not anchor in this anchorage for more than 24 hours.

(3) *Anchorage 7. Dead Ship Anchorage.* The primary use of this anchorage is to lay up dead ships. Such use has priority over other uses. A written permit from the Captain of the Port must be obtained prior to the use of this anchorage for more than 72 hours.

Dated: June 23, 2003.

Sally Brice-O'Hara,

Rear Admiral, Coast Guard, Commander, Fifth Coast Guard District.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[TX-42-1-6274b; FRL-7521-1]

Approval and Promulgation of Implementation Plans for Texas; Approval of Section 179B Demonstration of Attainment, Carbon Monoxide Motor Vehicle Emissions Budget for Conformity, and Contingency Measure for El Paso Carbon Monoxide Nonattainment Area

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA is approving, through direct final action, a revision to the Texas State Implementation Plan (SIP), submitted to show attainment of the Carbon Monoxide (CO) National Ambient Air Quality Standard (NAAQS) in the El Paso CO nonattainment area, but for emissions emanating from outside of the United States. The EPA is also approving the El Paso area's CO emissions budget, and a CO contingency measure requirement. The State submitted the revisions to satisfy sections 179B and other part D requirements of the Federal Clean Air Act (CAA).

DATES: Written comments on proposed rule are due on or before August 1, 2003.

ADDRESSES: Written comments should be addressed to Mr. Thomas H. Diggs, Chief, Air Planning Section (6PD-L), at the EPA Region 6 Office listed below. Copies of documents relevant to this action are available for public inspection during normal business hours at the following locations. Anyone wanting to examine these documents should make an appointment with the appropriate office at least two working days in advance.

Environmental Protection Agency, Region 6, Air Planning Section (6PD-L), 1445 Ross Avenue, Suite 700, Dallas, TX 75202-2377.

Texas Commission on Environmental Quality, 12100 Park 35 Circle, Austin, Texas 78753.

FOR FURTHER INFORMATION CONTACT: Joe Kordzi of the EPA Region 6 Air Planning Section, at (214) 665-7186 and at the Region 6 address above.

SUPPLEMENTARY INFORMATION: In the "Rules and Regulations" section of this **Federal Register**, EPA is approving the State's SIP revision as a direct final rule without prior proposal because EPA views this as a noncontroversial revision and anticipates no adverse comment. The EPA has explained its reasons for this approval in the preamble to the direct final rule. If EPA receives no relevant adverse comment, EPA will not take further action on this proposed rule. If EPA receives relevant adverse comment, EPA will withdraw the direct final rule and it will not take effect. The EPA will address all public comments in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this action. Any parties interested in commenting must do so at this time.

For additional information, see the direct final rule located in the "Rules and Regulations" section of this **Federal Register**.

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

Dated: June 20, 2003.

Lawrence E. Starfield,

Acting Regional Administrator, Region 6.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AI 11

Endangered and Threatened Wildlife and Plants; Extension of Final Decision and Re-opening of Comment Period on Proposed Rule to List Beluga Sturgeon (*Huso huso*) as Endangered

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; 6-month extension of final decision and re-opening of comment period.

SUMMARY: We, the Fish and Wildlife Service (Service), announce a 6-month

extension for a final decision and re-opening of the comment period on the proposed rule to list beluga sturgeon (*Huso huso*) as endangered. This action is required to allow for public review of, and comment on, a report that was recently received by the Division of Scientific Authority that provides significant new information about the status of Caspian Sea beluga sturgeon stocks.

DATES: Comments and information may be submitted through September 2, 2003. A final decision on the proposal will be made by January 31, 2004.

ADDRESSES: Comments, information, and questions should be submitted to the Chief, Division of Scientific Authority; by mail, U.S. Fish and Wildlife Service, 4401 North Fairfax Drive, Room 750; Arlington, Virginia 22203; by fax, 703-358-2276; or by e-mail, ScientificAuthority@fws.gov. Comments will be available for public inspection, by appointment, from 8 a.m. to 4 p.m., Monday through Friday, at this address.

FOR FURTHER INFORMATION CONTACT: Robert R. Gabel, Chief, Division of Scientific Authority, at the above address (telephone, 703-358-1708).

SUPPLEMENTARY INFORMATION: On December 18, 2000, we received a petition to list the beluga sturgeon (*Huso huso*) as endangered under the Endangered Species Act of 1973. In the **Federal Register** of June 20, 2002 (67 FR 41918), we published concurrent 90-day and 12-month findings on the petition. The 90-day finding stated that the petition presented substantial information indicating the requested action may be warranted. The 12-month finding stated the petitioned action is warranted. Subsequently, in the **Federal Register** of July 31, 2002 (67 FR 49657), we published a proposed rule to list beluga sturgeon as endangered. In the notice, we requested public comments and information by October 29, 2002, and we stated that requests for a public hearing were to be received by September 16, 2002. The Division of Scientific Authority (DSA) received four requests for a public hearing. To accommodate the requests, we published a notice in the **Federal Register** on November 6, 2002 (67 FR 67586), of a public hearing to take place December 5, 2002. With that notice, we extended the public comment period through December 28, 2002, to allow for submission of comments during, and 15 days after, the public hearing.

On March 11, 2003, we received a new document that may have major relevance to this decision: "Report on Results of Complex Interstate All-

Caspian Sea Expedition on the Assess[ment] of Sturgeon Species Stocks" from the Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). The report summarizes the 2002 sturgeon stock-assessment survey for the Caspian Sea. The Secretariat's report contains substantial information that must be considered in our deliberations and should be made available to the public.

In an effort to address Caspian Sea sturgeon conservation issues, the so-called "Paris agreement" was developed during the 45th meeting of the CITES Standing Committee (Paris, June 2001). An important provision of the agreement was implementation of annual Caspian Sea sturgeon stock-assessment surveys that were to include mandatory reports. The report submitted by the CITES Secretariat contains the results of the 2002 sturgeon stock-assessment survey. All Caspian Sea range nations (except the Islamic Republic of Iran) participated in the 2002 sturgeon stock-assessment survey. Our review of the 2002 survey report indicates that survey parameters have been substantially broadened and the scope of data collection efforts has improved considerably since completion of the initial survey mandated by the Paris agreement in 2001. The current report provides new information regarding changes in beluga sturgeon feeding habits, expanded toxicological studies, and increased stock abundance estimates that were extrapolated from the most recent raw data.

To consider this new information, and any comments thereon, the Service has decided to extend the publication of a final rule from July 31, 2003, to January 31, 2004. We will also re-open the comment period until [the date specified above in **DATES**], and will provide copies of the indicated document upon request. All comments and information received will be considered in making a final decision on the proposal to list beluga sturgeon as endangered, and will be included in the administrative record.

Authority: Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*).

Dated: June 11, 2003.

Marshall P. Jones, Jr.,

Deputy Director, Fish and Wildlife Service.

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