

Control(s)	Country chart
CB applies to "technology" for the disposal of items controlled by 1C351, 1C352, 1C353, 1C354, or 1C360 .....	CB Column 1.
CB applies to "technology" for the disposal of items controlled by 1C350 .....	CB Column 2.
AT applies to entire entry .....	AT Column 1.

\* \* \* \* \*

Dated: June 5, 2006.

**Matthew S. Borman,**  
Deputy Assistant Secretary for Export Administration.

[FR Doc. E6-8995 Filed 6-9-06; 8:45 am]

BILLING CODE 3510-33-P

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 165**

[CGD09-06-035]

RIN 1625-AA00

**Safety Zone: Lake Michigan, Milwaukee, WI**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of Implementation of final rule.

**SUMMARY:** The Coast Guard is implementing safety zones for annual fireworks displays in the Captain of the Port Sector Lake Michigan Zone during June 2006. This action is necessary to provide for the safety of life and property on navigable waters during these events. These safety zones will restrict vessel traffic from a portion of the Captain of the Port Sector Lake Michigan Zone.

**DATES:** Regulations at 33 CFR 165.909(a)(1) through (3) and (9) will be enforced from 12:01 a.m. on June 12, 2006 to 11:59 p.m. on June 30, 2006. All times given in this notice are local.

**FOR FURTHER INFORMATION CONTACT:** Chief Warrant Officer Brad Hinken, Sector Lake Michigan, (414) 747-7154.

**SUPPLEMENTARY INFORMATION:** The Coast Guard is implementing the permanent safety zones in 33 CFR 165.909, for fireworks displays in the Captain of the Port Sector Lake Michigan Zone during June 2006. The following safety zones will be enforced during the times indicated below:

(1) *Pridefest Fireworks*, Milwaukee, WI. Location: All waters off of Henry W. Maier Festival Park Harbor Island, outer Milwaukee Harbor from the point of origin at 43[deg]02.209[min] N, 087[deg]53.714[min] W; southeast to 43[deg]02.117[min] N, 087[deg]53.417[min] W; then south to

43[deg]01.767[min] N, 087[deg]53.417[min] W; then southwest to 43[deg]01.555[min] N, 087[deg]53.772[min] W; then north following the shoreline back to the point of origin. All geographic coordinates are North American Datum of 1983 (NAD 83). The Harbor Island Lagoon Area is encompassed by this safety zone. This safety zone will be enforced from 9 p.m. to 10:30 p.m. on June 9, 2006.

(2) *Summerfest Fireworks*, Milwaukee, WI. Location: All waters off of Henry W. Maier Festival Park Harbor Island, outer Milwaukee Harbor encompassed by a line drawn from the point of origin at 43[deg]02.209[min] N, 087[deg]53.714[min] W; then southeast to 43[deg]02.117[min] N, 087[deg]53.417[min] W; then south to 43[deg]01.767[min] N, 087[deg]53.417[min] W; then southwest to 43[deg]01.555[min] N, 087[deg]53.772[min] W; then north following the shoreline back to the point of origin (NAD 83). The Harbor Island Lagoon Area is encompassed by this safety zone. This safety zone will be enforced from 10:00 p.m. to 11:30 p.m. on June 29, 2006 or, in the event of foul weather, during those same times on June 30, 2006.

(3) *Summerfest Hole-in-One Shoot/Stunt Shows*, Milwaukee, WI. Location: All waters of the Harbor Island Lagoon, outer Milwaukee Harbor from the point of origin at 43[deg]02.50[min] N, 087[deg]53.78[min] W then west to 43[deg]02.50[min] N, 087[deg]53.85[min] W; then following the shoreline of the Henry W. Maier Festival Park and Harbor Island back to the point of origin (NAD 83). This safety zone will be enforced from 12 p.m. to 12 a.m. on June 29, 2006 and June 30, 2006.

(4) *Riversplash Fireworks*, Milwaukee, WI. Location: All waters and adjacent shoreline of Pere Marquette Park, Milwaukee River encompassed by the arc of a circle with a 210-foot radius of the fireworks barge in approximate position 43[deg]02.33[min] N, 087[deg]54.46[min] W (NAD 83). (This safety zone will temporarily close down the Milwaukee River.) This safety zone will be enforced from 8:30 p.m. to 10:30 p.m. on June 2, 2006 and June 3, 2006.

In order to ensure the safety of spectators and transiting vessels, these safety zones will be enforced for the duration of the events. In the event that

these safety zones affect shipping, commercial vessels may request permission from the Captain of the Port, Sector Lake Michigan to transit through the safety zone. Requests must be made in advance and approved by the Captain of Port before transits will be authorized. The Captain of the Port may be contacted via U.S. Coast Guard Sector Lake Michigan on channel 16, VHF-FM. The Coast Guard will give notice to the public via a Broadcast to Mariners that the regulation is in effect.

Dated: June 1, 2006.

**S.P. LaRochelle,**  
Captain, U.S. Coast Guard, Captain of the Port Sector Lake Michigan.

[FR Doc. E6-9131 Filed 6-9-06; 8:45 am]

BILLING CODE 4910-15-P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA-R07-OAR-2006-0462; FRL-8181-8]

**Approval and Promulgation of Implementation Plans; State of Missouri**

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

**ACTION:** Direct final rule.

**SUMMARY:** EPA is approving a revision to the Missouri State Implementation Plan (SIP). This approval pertains to revisions to the state's rule which restricts emissions from specific Missouri lead smelter-refinery installations. The effect of this approval is to remove duplication between two SIP-approved documents, and does not affect the stringency of the requirements.

**DATES:** This direct final rule will be effective August 11, 2006, without further notice, unless EPA receives adverse comment by July 12, 2006. If adverse comment is received, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R07-OAR-2006-0462, by one of the following methods:

1. <http://www.regulations.gov>. Follow the online instructions for submitting comments.

2. *E-mail*: Gwen Yoshimura at [yoshimura.gwen@epa.gov](mailto:yoshimura.gwen@epa.gov).

3. *Mail*: Gwen Yoshimura, Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101.

4. *Hand Delivery or Courier*: Deliver your comments to Gwen Yoshimura, Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101.

*Instructions*: Direct your comments to Docket ID No. EPA-R07-OAR-2006-0462. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit through <http://www.regulations.gov> or e-mail information that you consider to be CBI or otherwise protected. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through <http://www.regulations.gov>, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

*Docket*: All documents in the electronic docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information is not publicly available, *i.e.*, CBI 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 in <http://www.regulations.gov> or in hard copy at the Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101. The Regional Office's official hours of business are Monday through Friday, 8 to 4:30 excluding Federal holidays. The interested persons wanting to examine these documents should make an appointment with the office at least 24 hours in advance.

**FOR FURTHER INFORMATION CONTACT:** Gwen Yoshimura at (913) 551-7073, or by e-mail at [yoshimura.gwen@epa.gov](mailto:yoshimura.gwen@epa.gov).

**SUPPLEMENTARY INFORMATION:** Throughout this document whenever "we," "us," or "our" is used, we mean EPA. This section provides additional information by addressing the following questions:

What Is a SIP?

What Is the Federal Approval Process for a SIP?

What Does Federal Approval of a State Regulation Mean to Me?

What Is Being Addressed in This Document? Have the Requirements for Approval of a SIP Revision Been Met?

What Action Is EPA Taking?

#### What Is a SIP?

Section 110 of the Clean Air Act (CAA) requires states to develop air pollution regulations and control strategies to ensure that state air quality meets the national ambient air quality standards established by EPA. These ambient standards are established under section 109 of the CAA, and they currently address six criteria pollutants. These pollutants are: Carbon monoxide, nitrogen dioxide, ozone, lead, particulate matter, and sulfur dioxide.

Each state must submit these regulations and control strategies to us for approval and incorporation into the Federally-enforceable SIP.

Each Federally-approved SIP protects air quality primarily by addressing air pollution at its point of origin. These SIPs can be extensive, containing state regulations or other enforceable documents and supporting information such as emission inventories, monitoring networks, and modeling demonstrations.

#### What Is the Federal Approval Process for a SIP?

In order for state regulations to be incorporated into the Federally-enforceable SIP, states must formally adopt the regulations and control strategies consistent with state and Federal requirements. This process generally includes a public notice, public hearing, public comment period,

and a formal adoption by a state-authorized rulemaking body.

Once a state rule, regulation, or control strategy is adopted, the state submits it to us for inclusion into the SIP. We must provide public notice and seek additional public comment regarding the proposed Federal action on the state submission. If adverse comments are received, they must be addressed prior to any final Federal action by us.

All state regulations and supporting information approved by EPA under section 110 of the CAA are incorporated into the Federally-approved SIP. Records of such SIP actions are maintained in the Code of Federal Regulations (CFR) at title 40, part 52, entitled "Approval and Promulgation of Implementation Plans." The actual state regulations which are approved are not reproduced in their entirety in the CFR outright but are "incorporated by reference," which means that we have approved a given state regulation with a specific effective date.

#### What Does Federal Approval of a State Regulation Mean to Me?

Enforcement of the state regulation before and after it is incorporated into the Federally-approved SIP is primarily a state responsibility. However, after the regulation is Federally approved, we are authorized to take enforcement action against violators. Citizens are also offered legal recourse to address violations as described in section 304 of the CAA.

#### What Is Being Addressed in This Document?

In January 1992, the portion of Iron County, Missouri, bounded by Arcadia and Liberty Townships, was designated as nonattainment for lead. The major source of lead emissions in the nonattainment area was the Doe Run Primary Smelting Facility, near Glover, Missouri.

Primary smelting of lead began at this location in 1968 under prior ownership. Since the first quarter of 1997 the area consistently complied with the 1.5 micrograms per cubic meter (1.5  $\mu\text{g}/\text{m}^3$ ), maximum quarterly average National Ambient Air Quality Standard (NAAQS) for lead. Currently the facility has ceased production and has been operating on a care and maintenance schedule since December 1, 2003. On October 29, 2004, EPA redesignated Iron County, Missouri, to attainment for the lead NAAQS and approved Missouri's associated SIP revision. As part of the SIP revision, EPA approved the maintenance plan for the area including a settlement agreement.

The settlement agreement is an element of the Glover Lead Maintenance Plan, and contains permanent and enforceable emission reductions for the Doe Run Glover facility. The emission reductions were originally approved as part of the area's 1997 nonattainment SIP (62 FR 9970), and were later incorporated into the settlement agreement. Rule 10 CSR 10-6.120, Restriction of Emissions of Lead From Specific Lead Smelter-Refinery Installations, duplicates this emission reduction language. This direct final rule eliminates this duplication, deleting the language from the rule and leaving the settlement agreement as is.

Under state law, the settlement agreement would be subject to different enforcement mechanisms than a state regulation. However, under Federal law the settlement agreement (like the preexisting regulation) is enforceable under Section 113 of the CAA, so this change does not affect EPA's enforcement authority.

#### **Have the Requirements for Approval of a SIP Revision Been Met?**

The state submittal has met the public notice requirements for SIP submissions in accordance with 40 CFR 51.102. The submittal also satisfied the completeness criteria of 40 CFR part 51, appendix V. In addition, as explained above, the revision meets the substantive SIP requirements of the CAA, including section 110 and implementing regulations.

#### **What Action Is EPA Taking?**

EPA approves deletion of references to Doe Run, Glover within Missouri rule 10 CSR 10-6.120. Requirements for Doe Run, Glover remain intact within the settlement agreement among MDNR, the Missouri Air Conservation Commission (MACC), and Doe Run. Removal of this language from the rule therefore does not affect the stringency of the requirements.

On October 28, 2004, the MACC adopted the revised rule after considering comments received at public hearing. We are processing this action as a direct final action because the revisions make routine changes to the existing rule which are noncontroversial. Therefore, we do not anticipate any adverse comments. Please note that if EPA receives adverse comment on part of this rule and if that part can be severed from the remainder of the rule, EPA may adopt as final those parts of the rule that are not the subject of an adverse comment.

#### **Statutory and Executive Order Reviews**

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a "significant regulatory action" and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355, May 22, 2001). This action merely approves state law as meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule approves pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4).

This rule also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action also does not have Federalism implications because it does not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This action merely approves a state rule implementing a Federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the CAA. This rule also is not subject to Executive Order 13045, "Protection of Children from Environmental Health Risks and Safety Risks" (62 FR 19885, April 23, 1997), because it is not economically significant.

In reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the CAA. In this context, in the absence of a prior existing requirement for the State to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for

failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the CAA. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by August 11, 2006. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (*See* section 307(b)(2).)

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

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: May 31, 2006.

**James B. Gulliford,**

*Regional Administrator, Region 7.*

■ Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

**PART 52—[AMENDED]**

■ 1. The authority citation for Part 52 continues to read as follows:

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

**Subpart AA—Missouri**

■ 2. In § 52.1320(c) the table is amended under Chapter 6 by revising the entry for “10–6.120” to read as follows:

**§ 52.1320 Identification of plan.**

\* \* \* \* \*  
(c) \* \* \*

**EPA—APPROVED MISSOURI REGULATIONS**

Missouri citation	Title	State effective date	EPA approval date	Explanation
Missouri Department of Natural Resources				
* * * * *				
Chapter 6—Air Quality Standards, Definitions, Sampling and Reference Methods, and Air Pollution Control Regulations for the State of Missouri				
* * * * *				
10–6.120 .....	Restriction of Emissions of Lead From Specific Lead Smelter-Refinery Installations.	03/30/2005	06/12/2006 .....	
* * * * *				

\* \* \* \* \*  
[FR Doc. 06–5250 Filed 6–9–06; 8:45 am]  
**BILLING CODE 6560–50–P**

**ENVIRONMENTAL PROTECTION AGENCY**  
**40 CFR Part 52**  
**[EPA–R05–OAR–2006–0004; FRL–8176–4]**

**Approval and Promulgation of Air Quality Implementation Plans; Indiana**

**AGENCY:** Environmental Protection Agency (EPA).  
**ACTION:** Direct final rule.

**SUMMARY:** EPA is approving revisions to the Indiana State Implementation Plan (SIP) for ozone. In these revisions, the State has incorporated changes EPA made to its definition of volatile organic compound (VOC) and its list of Hazardous Air Pollutants (HAP). As a result of EPA’s approval, five chemical compounds will no longer be considered VOCs and one compound will no longer be considered a HAP under Indiana’s SIP.

**DATES:** This direct final rule will be effective August 11, 2006, without further notice, unless EPA receives adverse comment by July 12, 2006. If adverse comment is received, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA–R05–OAR–2006–0004, by one of the following methods:

- <http://www.regulations.gov>: Follow the online instructions for submitting comments.
  - *E-mail:* [mooney.john@epa.gov](mailto:mooney.john@epa.gov).
  - *Fax:* (312) 886–5824.
  - *Mail:* John M. Mooney, Chief, Criteria Pollutant Section, (AR–18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.
  - *Hand Delivery:* John M. Mooney, Chief, Criteria Pollutant Section, (AR–18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604. Such deliveries are only accepted during the Regional Office’s normal hours of operation, and special arrangements should be made for deliveries of boxed information. The Regional Office’s official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m. excluding Federal holidays.
- Instructions:* Direct your comments to Docket ID No. EPA–R05–OAR–2006–0004. EPA’s policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov> or e-mail. The <http://www.regulations.gov> Web site is an “anonymous access” system, which means EPA will not know your identity or contact information unless you

provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through <http://www.regulations.gov> your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional instructions on submitting comments, go to Section I of the **SUPPLEMENTARY INFORMATION** section of this document.

*Docket:* All documents in the docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy at the Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. This Facility is open from 8:30 a.m. to 4:30 p.m., Monday