

. . . EFFECTIVE UPON PUBLICATION—Continued

FDC Date	State	City	Airport	FDC Number	SIAP
05/21/96 ...	OH	Wilmington	Airborne Airpark	FDC 6/3147	VOR/ OR GPS RWY 4L AMDT 5B...
05/24/96 ...	NY	Olean	Cattaraugus County-Olean	FDC 6/3245	LOC RWY 22 AMDT 4...
05/24/96 ...	NY	Olean	Cattaraugus County-Olean	FDC 6/3247	RNAV OR GPS RWY 22 AMDT 4...
05/24/96 ...	NY	Olean	Cattaraugus County-Olean	FDC 6/3248	NDB RWY 22 AMDT 11...
05/24/96 ...	NY	Wellsville	Wellsville Muni-Tarantine Field	FDC 6/3239	LOC RWY 28 AMDT 3...
05/24/96 ...	NY	Wellsville	Wellsville Muni-Tarantine Field	FDC 6/3243	VOR-A AMDT 5...
05/24/96 ...	NY	Wellsville	Wellsville Muni-Tarantine Field	FDC 6/3244	NDB RWY 28 AMDT 6...
05/28/96 ...	FL	Miami	Miami Intl	FDC 6/3287	ILS RWY 9R, AMDT 8A...
05/29/96 ...	NY	Westhampton Beach	The Francis S. Gabreski	FDC 6/3315	ILS RWY 24 AMDT 8A...
05/29/96 ...	NY	Westhampton Beach	The Francis S. Gabreski	FDC 6/3316	NDB OR GPS RWY 24 AMDT 3...
05/29/96 ...	TX	Brenham	Brenham Muni	FDC 6/3306	VOR/DME RWY 16, AMDT 1...
05/29/96 ...	TX	Caldwell	Caldwell Muni	FDC 6/3304	VOR/DME OR GPS- A, AMDT 2...
05/29/96 ...	VA	Manassas	Manassas Regional/Harry P. Davis Field.	FDC 6/3310	NDB OR GPS-A AMDT 8...

[FR Doc. 96-14444 Filed 6-6-96; 8:45 am]

BILLING CODE 4910-13-M

Office of the Secretary**14 CFR Part 399****[Docket No. OST-96-1429]****RIN 2105-AC55****Policies Relating to Rulemaking Proceedings****AGENCY:** Office of the Secretary, DOT.**ACTION:** Final rule.

SUMMARY: The Office of the Secretary (OST) is amending an outdated policy statement of the Civil Aeronautics Board on rulemaking proceedings to remove obsolete provisions and to cross-reference the Department of Transportation's rulemaking procedures in another part. This action is in response to the President's Regulatory Reinvention Initiative.

EFFECTIVE DATE: This rule is effective June 7, 1996.

ADDRESSES: Docket Management Facility, U.S. Department of Transportation, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001.

FOR FURTHER INFORMATION CONTACT: Gwyneth Radloff, Office of the Assistant General Counsel for Regulation and Enforcement, U.S. Department of Transportation, 400 Seventh Street,

SW., Washington, DC 20590-0001, Telephone: (202) 366-9305.

SUPPLEMENTARY INFORMATION: In his Regulatory Reinvention Initiative Memorandum of March 4, 1995, President Clinton directed Federal agencies to conduct a page-by-page review of all of their regulations and to "eliminate or revise those that are outdated or otherwise in need of reform." In response to that directive, the Department has reviewed its aviation economic regulations contained in 14 CFR Chapter II.

This rule is one of several that address reinvention of these regulations. It eliminates obsolete language on rulemaking petitions that changed with the sunset of the Civil Aeronautics Board and the transfer of its remaining functions to the Department of Transportation and replaces it with a cross-reference to the Department's procedural rules. This rule also replaces the reference to the Board in the section 399.73 definition of small business.

This rule is being issued as a final rule because it concerns agency practice and procedure and, therefore, is exempt from prior notice and comment requirements under section 553 (b) (3) (A) of the Administrative Procedure Act (APA). The Department has determined that notice and an opportunity for public comment are impracticable, unnecessary, and contrary to the public interest. These changes are ministerial, removing obsolete and redundant material or making minor technical and

terminology changes. These changes will not have substantive impact, and the Department does not anticipate receiving meaningful comments on them. Comment is therefore unnecessary, and it would be contrary to the public interest to delay unnecessarily this effort to eliminate or revise outdated rules. For these reasons, the Department has determined that there is good cause under section 553 (d) (3) of the APA to make this rule effective immediately upon publication.

Regulatory Process Matters

This final rule is not considered a significant regulatory action under section 3(f) of Executive Order 12866, and therefore it was not reviewed by the Office of Management and Budget. This rule is not considered significant under the Department's regulatory policies and procedures. The changes are being made solely for the purposes of eliminating obsolete requirements and correcting out-of-date references.

The Department also has determined that the economic impact of this rule is so minimal that further economic analysis is unnecessary. This rule does not impose unfunded mandates or requirements that will have any impact on the quality of the human environment.

Executive Order 12612

The Department has analyzed this rule under the principles and criteria contained in Executive Order 12612 ("Federalism") and has determined that

the rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Regulatory Flexibility Act

The Department has evaluated the effects of this rule on small entities. I certify this rule will not have a significant economic impact on a substantial number of small entities, because we are merely removing obsolete provisions and are cross-referencing the Department's rulemaking procedures in another part. The substantive procedural requirements are not changed.

Paperwork Reduction Act

This rule contains no reporting or recordkeeping requirements.

List of Subjects in 14 CFR Part 399

Administrative practice and procedure, Air carriers.

For the reasons set forth above, 14 CFR part 399 is amended as follows.

PART 399—POLICIES RELATING TO RULEMAKING PROCEEDINGS

1. The authority citation for part 399 is revised to read as follows:

Authority: 5 U.S.C. 551 *et seq.*, 49 U.S.C. 40101 *et seq.*

2. Section 399, Subpart F is amended by revising §§ 399.70 and 399.73, and removing §§ 399.71, and 399.72, to read as follows:

Subpart F—Policies Relating to Rulemaking Proceedings

§ 399.70 Cross-references to the Office of the Secretary's Rulemaking Procedures.

The rules and policies relating to the disposition of rulemaking petitions by the Department of Transportation Office of the Secretary are located in its rulemaking procedures contained in 49 CFR Part 5. The criteria for identifying significant rules and determining whether a regulatory analysis will be performed are set forth in the Department's Regulatory Policies and Procedures, 44 FR 11034, February 26, 1979, and Executive Order 12866.

§§ 399.71 and 399.72 [Removed]

§ 399.73 Definition of small business for Regulatory Flexibility Act

For the purposes of the Department's implementation of chapter 6 of title 5, United States Code (Regulatory Flexibility Act), a direct air carrier or foreign air carrier is a small business if it provides air transportation only with small aircraft as defined in § 298.3 of this chapter (up to 60 seats/18,000 pound payload capacity).

Issued in Washington, D.C. on May 31, 1996, under the authority of 49 CFR part 1. Charles A. Hunnicutt, Assistant Secretary for Aviation and International Affairs.

[FR Doc. 96-14396 Filed 6-6-96; 8:45 am]

BILLING CODE 49107-62-P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD07-96-015]

RIN 2115-AE46

Special Local Regulations: Harborwalk Boat Race; Sampit River, Georgetown, SC

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is establishing permanent special local regulations for the Harborwalk Boat Race. This event will be held annually on the last Sunday of June, between 12 p.m. and 5:30 p.m. EDT (Eastern Daylight Time). Historically, there have been approximately sixty participants racing 14 to 20 foot outboard power boats on a prescribed course on a portion of the Sampit River, Georgetown, South Carolina. The nature of the event and the closure of the Sampit River creates an extra or unusual hazard in the navigable waters. These regulations are necessary to provide for the safety of life on the navigable waters during the event.

DATES: July 8, 1996.

FOR FURTHER INFORMATION CONTACT: ENS M. J. DaPonte, project officer, Coast Guard Group Charleston at (803) 724-7621.

SUPPLEMENTARY INFORMATION:

Regulatory History

On March 26, 1996, the Coast Guard published a notice of proposed rulemaking entitled "Harborwalk Boat Race, Sampit River, Georgetown, SC" in the Federal Register (61 FR 13119). The comment period ended May 28, 1996. The Coast Guard received no comments during the notice of proposed rulemaking comment period. A public hearing was not requested and one was not held.

Discussion of Regulations

These regulations are needed to provide for the safety of life during the Harborwalk Boat Race. The rules are intended to promote safe navigation on the waters off East Bay Park on the

Sampit River during the race by controlling the traffic entering, exiting, and traveling within these waters. Historically, the anticipated concentration of spectator and participant vessels associated with the Harborwalk Boat Race has posed a safety concern, which is addressed in these special local regulations.

These regulations will not permit movement of spectator vessels and other nonparticipating vessel traffic within the regulated area, bounded by a line drawn from:

33° 21.5' N, 079° 17.10' W, thence to 33° 21.7' N, 079° 16.8' W, thence along the shore to 33° 21.1' N, 079° 16.7' W, thence to 33° 21.1' N, 079° 16.9' W thence back to 33° 21.5' N, 079° 17.10' W

From 12 p.m. to 5:30 p.m. EDT annually during the last Sunday of June. All coordinates use datum: NAD 83. These regulations will permit the movement of spectator vessels and other nonparticipants after the termination of race, and during intervals between scheduled events at the discretion of the Coast Guard Patrol Commander.

Regulatory Evaluation

This rule is not a significant regulatory action under Section 3(f) of the Executive Order 12866 and does not require an assessment of the potential costs and benefits under Section 6(a)(3) of that Order. It has been exempted from review by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. These regulations will last for only 5 and a half hours each day of the event. No public comments were received during the notice of proposed rulemaking comment period.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this action will have a significant economic impact on a substantial number of small entities. "Small entities" include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as "small business concerns" under Section 3 of the Small Business Act (15 U.S.C. 632).

For reasons set forth in the above Regulatory Evaluation, the Coast Guard certifies that this action will not have a