

significant economic impact on a substantial number of small entities.

#### Collection of Information

These regulations contain no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

#### Federalism

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that the rulemaking does not have sufficient Federalism implications to warrant the preparation of a Federalism Assessment.

#### Environmental Assessment

The Coast Guard has considered the environmental impact of this rule consistent with Section 2.B.2. of Commandant Instruction M16475.1B. In accordance with that section, this action has been environmentally assessed (EA completed), and the Coast Guard has concluded that it will not significantly affect the quality of the human environment. An environmental assessment and a finding of no significant impact have been prepared and are available in the docket for inspection or copying.

#### List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

#### Final Regulations

In consideration of the foregoing, Part 100 of Title 33, Code of Federal Regulations, the Coast Guard amends as follows:

1. The authority citation for Part 100 continues to read as follows:

#### **PART 100—[AMENDED]**

Authority: 33 U.S.C. 1233; 49 CFR 1.46 and 33 CFR 100.35.

2. A new section 100.713 is added to read as follows:

#### **§ 100.713 Annual Harborwalk Boat Race; Sampit River, Georgetown, SC.**

(a) *Definitions.* (1) *Regulated Area.* The regulated area is formed by a line 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.

All coordinates referenced use datum: NAD 83.

(2) *Coast Guard Patrol Commander.* The Coast Guard Patrol Commander is a commissioned, warrant, or petty

officer of the United States Coast Guard who has been designated by the Commander, Coast Guard Group Charleston, Charleston, South Carolina.

(b) *Special local regulations.* (1) Entry into the regulated area is prohibited to all nonparticipants.

(2) After the termination of the Harborwalk Boat Race, and during intervals between scheduled events, at the discretion of the Coast Guard Patrol Commander all vessels may resume normal operations.

(c) *Effective Dates.* This section is in effect from 12 p.m. and terminates at 5:30 p.m. EDT annually during the last Sunday of June.

Dated: May 31, 1996.

J.W. Lockwood,

Rear Admiral, U.S. Coast Guard Commander, Seventh Coast Guard District.

[FR Doc. 96-14421 Filed 6-6-96; 8:45 am]

BILLING CODE 4910-14-M

#### **33 CFR Part 165**

[CGD09-96-002]

RIN 2115-AA97

#### **Safety Zone: Lake Erie, Detroit to Cleveland**

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

**SUMMARY:** The Coast Guard is establishing a moving safety zone around the M/V AMERICAN REPUBLIC on Sunday, June 9, 1996, as it transits Lake Erie from Detroit to Cleveland. During this time, the M/V AMERICAN REPUBLIC will be transporting the 1996 Summer Olympics Torch Runner on the Detroit to Cleveland leg of the cross-country relay. This safety zone is necessary to protect the vessel and its passengers from vessels which may impede its passage.

**EFFECTIVE DATES:** This rule is effective at 8 a.m. on June 9, 1996, and terminates at 11 p.m. on June 9, 1996, unless terminated earlier by the Coast Guard Captain of the Port Detroit or Cleveland.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant Commander Rhae Giacoma, Assistant Chief, Marine Port and Environmental Safety Branch, Ninth Coast Guard District, Room 2069, 1240 E. Ninth Street, Cleveland, Ohio, 44199-2060, (216) 522-3994.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background and Purpose**

Prior to the opening of the 1996 Summer Olympics in Atlanta, GA, the Olympic Torch will be carried cross country by way of relay. The relay will

begin in Los Angeles, CA and terminate in Atlanta, GA. Part of the relay includes an over-water leg from Detroit, MI to Cleveland, OH. For this leg, the Olympic Torch and Runner will be transported across Lake Erie onboard the Great Lakes cargo vessel M/V AMERICAN REPUBLIC. The Torch Runner will arrive in Detroit Hart Plaza on the morning of June 9, 1996, where he will board the M/V AMERICAN REPUBLIC for transit to Cleveland. The vessel is expected to arrive at Cleveland City Dock the evening of June 9, 1996.

The M/V AMERICAN REPUBLIC will be taking the following route: From Detroit, the transit will follow the shipping channel down the Detroit River, then 095 degrees true across northern Lake Erie (transiting north of Pelee Island) to Pelee Passage Light, through Pelee Passage, then 111 degrees true to Cleveland.

A 200-yard moving safety zone will be in place around the M/V AMERICAN REPUBLIC during its entire voyage from Detroit to Cleveland. The U.S. Coast Guard Cutter BRISTOL BAY will escort the M/V AMERICAN REPUBLIC throughout the voyage. Other Coast Guard vessels (including Coast Guard Auxiliary) will join in escorting the M/V AMERICAN REPUBLIC at various locations where vessel congestion is expected to be heavy.

The safety zone is being established for the protection of the M/V AMERICAN REPUBLIC and all personnel onboard, as well as for the protection of vessels and personnel operating in the vicinity of the vessel during its voyage. The M/V AMERICAN REPUBLIC is a 634 foot vessel. Because of its size, it is restricted in its ability to maneuver. Since the transit from Detroit to Cleveland will be taking place on a Sunday, media and public interest is expected to be high. Boating traffic on Lake Erie is anticipated to be heavy, particularly in the areas close to the ports of Detroit and Cleveland. The safety zone is essential to ensure vessels and personnel do not interfere with the safe transit of the vessel throughout its voyage and to protect the safety of spectator craft. However, the Captain of the Port may reduce the size of the safety zone within the outer limits prescribed in the regulation whenever it appears to the Captain of the Port that this may be done so with due regard for safety.

This regulation is issued pursuant to 33 U.S.C. 1225 and 1231, as set out in the authority section for all of Part 165.

##### **Notice and Comment**

A notice of proposed rulemaking was published on April 18, 1996 (61 FR

16886), inviting comments on this rulemaking. The deadline for comments passed on May 20, 1996, with no objections or other comments received. In accordance with 5 U.S.C. 553, good cause exists for making the rule effective less than 30 days after Federal Register publication. Delay in the effective date would be contrary to the public interest because immediate action is necessary to prevent possible loss of life, injury, or damage to property or the environment at the time of the scheduled event.

#### Environment

The Coast Guard has considered the environmental impact of this regulation and concluded that, under section 2.B.2.c of the Coast Guard Commandant Instruction M16475.1B, it is categorically excluded from further environmental documentation, and has so certified in the docket file.

#### Federalism

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that this regulation does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

#### Regulatory Evaluation

This regulation is considered to be nonsignificant under Executive Order 12866 on Regulatory Planning and Review and nonsignificant under Department of Transportation regulatory policies and procedures (44 FR 11034 of February 26, 1979).

#### Small Entities

The economic impact of this regulation is expected to be so minimal that a full regulatory evaluation is unnecessary. Since the impact of this regulation is expected to be minimal, the Coast Guard certifies that, it will not have a significant economic impact on a substantial number of small entities.

#### Collection of Information

This regulation will impose no collection of information requirements under the Paperwork Reduction Act, 44 U.S.C. 3501 et seq.

#### List of Subjects in 33 CFR Part 165

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

**Regulations:** In consideration of the foregoing, the Coast Guard amends Subpart C of Part 165 of title 33, Code of Federal Regulations as follows:

1. The authority citation for Part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05-1(g), 6.04-6, and 160.5; and 49 CFR 1.46.

2. A new temporary regulation is added to read as follows:

#### **§ 165.T09-002 Safety Zone: Lake Erie, From Detroit, MI to Cleveland, OH.**

(a) Location. The following area is a moving safety zone: Within 200 yards of the M/V AMERICAN REPUBLIC as it transits Lake Erie from Detroit, MI to Cleveland, OH.

(b) Effective Date. This section is effective at 8 a.m. on June 9, 1996, and terminates at 11 p.m. on June 9, 1996, unless terminated earlier by the Coast Guard Captain of the Port Detroit or Cleveland.

(c) Regulations. In accordance with the general regulations in § 165.23 of this part, entry into this zone is prohibited unless authorized by the Captain of the Port.

Dated: 29 May 1996.

Paul J. Pluta,

*Captain, U.S. Coast Guard, Commander, Ninth Coast Guard District, Acting.*

[FR Doc. 96-14423 Filed 6-6-96; 8:45 am]

BILLING CODE 4910-14-M

#### **33 CFR Part 165**

**[COTP Huntington 96-008]**

**RIN 2115-AA97**

#### **Safety Zone; Ohio River, miles 309.0 to 312.5; Vicinity of the Huntington West End Bridge, Huntington, WV**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard has established an emergency safety zone on the Ohio River, miles 309.0 to 312.5, in the vicinity of the Huntington West End Bridge, Huntington, WV. This regulation is needed to control vessel traffic in the regulated area to prevent potential safety hazards for transiting vessels and the general public resulting from a sunken hopper barge located approximately 300 feet downstream from the West End Bridge and subsequent salvage operations. The barge extends from the center line of the channel towards the left descending bank and is at a depth of 9 feet at normal pool of 24.7 feet on the Huntington gauge. The barge is marked with two lighted buoys and attended during periods of darkness and inclement weather by the M/V BUNKER BEAVER, monitoring marine radio channels 13 and 16. This regulation prohibits navigation in the regulated area during periods of periodic navigation in the

regulated area during periods of periodic closure without the express permission of the Captain of the Port for the safety of vessel traffic and the protection of life and property along the river. Periods of closure will be announced via normally scheduled Coast Guard Broadcast Notice to Mariners or by Coast Guard personnel onscene.

**EFFECTIVE DATES:** This regulation is effective 7 p.m. EST on May 24, 1996. It terminates on June 12, 1996 at 7 a.m. EST, unless terminated sooner by the Captain of the Port Huntington, WV.

**FOR FURTHER INFORMATION CONTACT:** LTJG Todd A. Childers, Assistant Chief of the Port Operations Department, Captain of the Port, Huntington, West Virginia at (304) 529-5524.

#### **SUPPLEMENTARY INFORMATION:**

##### **Regulatory History**

In accordance with 5 U.S.C. 553, a notice of proposed rulemaking was not published for this regulation and good cause exists for making it effective in less than 30 days after Federal Register publication. Following normal rulemaking procedures will be impracticable. Specifically, a sunken barge at mile 310.8, Ohio River, has created a situation which presents an immediate hazard to navigation, life, and property. The Coast Guard deems it to be in the public's best interest to issue a regulation immediately.

##### **Background and Purpose**

The activities requiring this regulation are the hazards posed by the sunken hopper barge and salvage operations that will be conducted for the recovery of the sunken barge at mile 310.8, Ohio River. The barge sank after taking on water following an allision with the Huntington West End Bridge while being pushed by the M/V E.W. THOMPSON on May 14, 1996. Due to river conditions salvage operations will not begin until on or about May 29, 1996. During salvage operations, the designated area will be subject to periodic closure and to traffic restrictions as deemed necessary by on scene Coast Guard representatives. This regulation is also required by falling water conditions on the Ohio River which are resulting in reduced water clearance over the sunken barge, making passage over the barge by transiting vessels extremely hazardous. The Captain of the Port, Huntington, WV will monitor the water conditions and the salvage operations once initiated. In order to provide for the safety of vessel traffic, the Captain of the Port Huntington intends to regulate vessel