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Dated: June 28, 1996.
Fred R. Shank,
Director, Center for Food Safety and Applied Nutrition.
[FR Doc. 96-18072 Filed 7-16-96; 8:45 am]
BILLING CODE 4160-01-F

21 CFR Part 177

[Docket No. 95F-0332]

Indirect Food Additives: Polymers

AGENCY: Food and Drug Administration, HHS.
ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of polymethylsilsesquioxane as a surface lubricant or anti-blocking agent in polyolefin films intended for use in contact with food. This action is in response to a petition filed by GE Silicones.

DATES: Effective July 17, 1996; written objections and requests for a hearing by August 16, 1996.

ADDRESSES: Submit written objections to the Dockets Management Branch (HFA-305), Food and Drug Administration, 12420 Parklawn Dr., rm. 1-23, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Vir D. Anand, Center for Food Safety and Applied Nutrition (HFS-216), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-418-3081.

SUPPLEMENTARY INFORMATION: In a notice published in the Federal Register of October 17, 1995 (60 FR 53789), FDA announced that a food additive petition (FAP 5B4484) had been filed by GE Silicones, c/o Hyman, Phelps & McNamara, P.C., 700 13th St. NW., suite 1200, Washington, DC 20005. The petition proposed to amend the food additive regulations in § 177.1520 *Olefin*

polymers (21 CFR 177.1520) to provide for the safe use of polymethylsilsesquioxane as a surface lubricant or anti-blocking agent in polyolefin films intended for use in contact with food.

FDA has evaluated data in the petition and other relevant material. The agency concludes that: (1) The proposed use of the additive is safe, (2) the additive will achieve its intended technical effect, and (3) the regulations in § 177.1520 should be amended as set forth below.

In accordance with § 171.1(h) (21 CFR 171.1(h)), the petition and the documents that FDA considered and relied upon in reaching its decision to approve the petition are available for inspection at the Center for Food Safety and Applied Nutrition by appointment with the information contact person listed above. As provided in § 171.1(h), the agency will delete from the documents any materials that are not available for public disclosure before making the documents available for inspection.

The agency has carefully considered the potential environmental effects of this action. FDA has concluded that the action will not have a significant impact on the human environment, and that an environmental impact statement is not required. The agency's finding of no significant impact and the evidence supporting that finding, contained in an environmental assessment, may be seen in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday.

Any person who will be adversely affected by this regulation may at any time on or before August 16, 1996, file with the Dockets Management Branch (address above) written objections thereto. Each objection shall be separately numbered, and each numbered objection shall specify with particularity the provisions of the regulation to which objection is made and the grounds for the objection. Each

numbered objection on which a hearing is requested shall specifically so state. Failure to request a hearing for any particular objection shall constitute a waiver of the right to a hearing on that objection. Each numbered objection for which a hearing is requested shall include a detailed description and analysis of the specific factual information intended to be presented in support of the objection in the event that a hearing is held. Failure to include such a description and analysis for any particular objection shall constitute a waiver of the right to a hearing on the objection. Three copies of all documents shall be submitted and shall be identified with the docket number found in brackets in the heading of this document. Any objections received in response to the regulation may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

List of Subjects in 21 CFR Part 177

Food additives, Food packaging.
Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Director, Center for Food Safety and Applied Nutrition, 21 CFR part 177 is amended as follows:

PART 177—INDIRECT FOOD ADDITIVES: POLYMERS

1. The authority citation for 21 CFR part 177 continues to read as follows:

Authority: Secs. 201, 402, 409, 721 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 342, 348, 379e).

2. Section 177.1520 is amended in the table in paragraph (b) by alphabetically adding a new entry under the headings "Substance" and "Limitations" to read as follows:

§ 177.1520 Olefin polymers.

* * * * *
(b) * * *

Substance	Limitations
* * * * *	* * * * *
Polymethylsilsesquioxane (CAS Reg. No. 68554-70-1).	For use only as a surface lubricant or anti-blocking agent in films.
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Dated: June 28, 1996.

Fred R. Shank,

Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 96-18070 Filed 7-16-96; 8:45 am]

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DEPARTMENT OF TRANSPORTATION**Coast Guard****33 CFR Part 117**

[CGD05-96-043]

Temporary Deviation; Isle of Wight Bay Drawbridge, Ocean City, MD**AGENCY:** Coast Guard, DOT.**ACTION:** Notice of temporary deviation; request for comments.

SUMMARY: At the request of the Maryland Department of Transportation (MDOT), Commander, Fifth Coast Guard District has approved a temporary deviation from the regulations that govern the operation of the Route 50 drawbridge across Isle of Wight Bay, mile 0.5, located in Ocean City, Maryland. This temporary deviation will test the effects of restricted drawbridge openings for all vessels each Saturday between July 13 through August 31, 1996, between the hours of 1 p.m. to 5 p.m. During these times, the bridge need open only on the hour, and must remain in the open position until all waiting vessels pass. All other provisions of the existing regulation for the Route 50 bridge remain the same. This test is intended to help the Coast Guard determine if a permanent change to the regulations would reduce motor vehicle traffic delays and congestion related to summer traffic entering and exiting the town of Ocean City, while still providing for the reasonable needs of navigation.

EFFECTIVE DATES: This deviation is effective from July 13 through August 31, 1996. Comments must be received before September 30, 1996.

ADDRESSES: Comments should be mailed or delivered to Commander (Aowb), US Coast Guard Atlantic Area, 4th Floor Federal Bldg., 431 Crawford Street, Portsmouth, Virginia 23704-5004.

FOR FURTHER INFORMATION CONTACT: Ms. Ann B. Deaton, Bridge Administrator, Fifth Coast Guard District, at 757-398-6222.

SUPPLEMENTARY INFORMATION:**Request for Comments**

The Coast Guard encourages interested persons to comment on this temporary deviation by submitting written data, views, or arguments. Persons submitting comments should include their names and addresses, identify this notice of temporary deviation (CGD05-96-043) and the specific section of this deviation to which each comment applies, and give the reason for each comment. The Coast Guard requests that all comments and attachments be submitted in an unbound format suitable for copying and electronic filing. If not practical, a second copy of any bound material is requested. Persons wanting acknowledgment of receipt of comments should enclose a stamped self-addressed postcard or envelope.

The Coast Guard will consider all comments received during the comment period when determining whether to propose a permanent change to the regulation.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the Commander (Aowb) at the address under **ADDRESSES**. The request should include reasons why a hearing would be beneficial. If it determines that the opportunity for oral presentations will aid any future proposed rulemaking, the Coast Guard will hold a public hearing at a time and place announced by a later notice in the Federal Register.

Background and Purpose

The Maryland Department of Transportation (MDOT) has requested a deviation from the requirements of 33 CFR 117.559 to test the effects of reduced opening periods during which the Route 50 drawbridge opens for marine traffic on Saturday afternoons during the summer months. Section 117.559 requires the Isle of Wight Bay Route 50 bridge to open at 25 minutes and 55 minutes after the hour for a maximum of 5 minutes from 9:25 a.m. to 9:55 p.m. from May 25 through September 15. MDOT's request is based on a large number of vacationers traveling to and from Ocean City on Saturday afternoons during the tourist season (summer months). Vacationers check in and out of hotels on Ocean City Island every Saturday afternoon of the season. This creates a traffic surge of vehicles entering and exiting the island with only two highway bridges (Route 50 and Route 90) available for access. The Route 90 bridge is a fixed-span structure, and the Route 50 bridge is a drawbridge. Over 350 charter boats

historically pass through the Route 50 drawbridge on Saturdays from July 15 through September 15. This produces a dilemma to both waterway users and vehicular traffic trying to access the same drawbridge. MDOT proposes that, by providing only hourly openings on Saturday afternoons as opposed to the current half-hourly openings, vehicular traffic congestion on U.S. 50 will be reduced and highway safety will be increased. This test is intended to provide information needed to determine whether the Coast Guard should propose a permanent change to the regulation to better balance the needs of both waterway users and vehicular traffic.

Based on the above information, Commander, Fifth Coast Guard District has approved a temporary deviation from the requirements of 33 CFR 117.559 from July 13, 1996 through August 31, 1996. This temporary deviation will require the drawbridge to open only on the hour from 1 p.m. to 5 p.m. for waiting vessels on each Saturday from July 13 through August 31, 1996. When the bridge is opened, it will remain in the open position until all waiting vessels pass. The provisions of 33 CFR 117.31 which provide for the passage on signal for Federal, State and local government vessels used for public safety; vessels in distress where a delay would endanger life or property; commercial vessels engaged in rescue or emergency salvage operations; and vessels seeking shelter from severe weather will remain unchanged.

The terms of the approved temporary deviation are as follows:

The draw of the US 50 bridge, mile 0.5, located in Ocean City, Maryland, shall open according to 117.559 except from July 13, 1996 through August 31, 1996, on every Saturday, the bridge need open only on the hour from 1 p.m. to 5 p.m. for any waiting vessels, and shall remain in the open position until all waiting vessels pass. Vessels in an emergency involving danger to life or property shall be passed at any time.

Kent H. Williams,

Vice Admiral, U.S. Coast Guard, Commander, Fifth Coast Guard District.

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33 CFR Part 165

[COTP San Diego 96-002]

RIN 2115-AA97

Security Zone; San Diego Bay, San Diego, CA**AGENCY:** Coast Guard, DOT.