

must consider whether this rule will have a significant economic impact on a substantial number of small entities. "Small entities" may include (1) small businesses and not-for-profit organizations that are independently owned and operated and are not dominant in their fields and (2) governmental jurisdictions with populations of less than 50,000. The estimated cost to each recreational mariner affected by this regulation is less than \$100. The estimated cost per "small business" towing company for personnel hours and fuel consumption during detours is less than \$100,000. Because the impact of this proposal is expected to be limited and of relatively short duration, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this rule will not have a significant impact on a substantial number of small entities.

Collection of Information

This rule contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this proposal under the principles and criteria contained in Executive Order 12612 and has determined that this rule does not raise sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard has considered the environmental impact of this rule. The Coast Guard prepared an Environmental Impact Statement (EIS) for the replacement of this historic bridge. The EIS analyzed the environmental and economic impact of this 5 month bridge closure. The draft Environmental Assessment published with the NPRM has been superseded by the more detailed environmental analysis in the EIS, which is available in the docket for inspection or copying where indicated under ADDRESSES.

List of Subjects in 33 CFR Part 117

Bridges.

Regulation

For the reasons set out in the preamble, the Coast Guard is amending 33 CFR Part 117 as follows:

PART 117—[AMENDED]

1. The authority citation for Part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; AND 33 CFR 1.05–1(g); section 117.255 also

issued under the authority of Pub. 102–587, 106 Stat. 5039.

§ 117.147 [Amended]

2. Effective February 1, 1997 through June 30, 1997, § 117.147 is amended by suspending paragraph (b) and adding a new paragraph (c) to read as follows:

§ 117.147 Cerritos Channel

* * * * *

(c) During the period February 1, 1997 through June 30, 1997, the bridge will be undergoing reconstruction and the draw need not open for the passage of vessels.

Dated: October 28, 1996.

R.T. Rufe, Jr.,

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

[FR Doc. 96–29690 Filed 11–19–96; 8:45 am]

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33 CFR Part 165

[COTP Morgan City, LA 96–002]

RIN 2115–AA97

Safety zone; Gulf Intracoastal Waterway, Houma, LA

AGENCY: Coast Guard, DOT.

ACTION: Temporary rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone on the GIWW from Mile Marker 54 WHL to Mile Marker 59 WHL, at its intersection with Bayou Terrebonne In Houma, LA. The zone is needed to protect workers engaged in the dismantling of the East Park Avenue bridge from the hazard created by vessel traffic. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port. The East Park Avenue Bridge will be closed to vehicular traffic during the times specified below. However, the new twin bridges will remain open to vehicular traffic.

DATES: This regulation is effective at 6:00 a.m. on December 2, 1996 and terminates at 6:00 p.m. on December 6, 1996.

FOR FURTHER INFORMATION CONTACT:

LTJG Carlos Gavilanes, Chief of Port Safety and Security, Coast Guard Captain of the Port Morgan City, 800 David Drive Rm 232, Morgan City, LA 70380, (054) 385–2936.

SUPPLEMENTARY INFORMATION:

Background and Purpose

Shappert Engineering Company will begin to dismantle the East Park Bridge at 6:00 a.m. on December 2, 1996. In order to facilitate the removal of the lift

span, a blockage of the GIWW for daylight hours will be required over a five day period. The operation will utilize a barge-mounted crane positioned in the Intracoastal Waterway adjacent to the bridge. The existing steel beams and girders will be removed and loaded on to a deck barge to be transported offsite.

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. Publication of a notice of proposed rulemaking and delay of effective date would be contrary to the public interest because immediate action is necessary to protect personnel engaged in the dismantling operation.

Regulatory Evaluation

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has not been reviewed 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 proposal to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary.

Collection of Information

This rule contains no information collection requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this rule under the principles and criteria contained in Executive Order 12612 and has determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard considered the environmental impact of this rule and concluded that, under paragraph 2.B.2 of Commandant Instruction M16475.1B, this rule is categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Vessels, Waterways.

For the reasons set out in the preamble, the Coast Guard amends 33 CFR Part 165 as follows:

The authority citation for part 165 continues to read as follows:

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

2. A new temporary section § 165.T08–066 is added to read as follows:

§ 165.T08–066 Safety Zone; GIWW, Houma, LA.

(a) *Location.* The following area is a Safety Zone: GIWW from Mile Marker 54 WHL to Mile Marker 59 WHL.

(b) *Effective dates.* This section becomes effective at 6:00 a.m. on December 2, 1996 and terminates at 6:00 p.m. on December 6, 1996.

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

Dated: October 28, 1996.

M. B. Slack,

Captain, U.S. Coast Guard, Captain of the Port.

[FR Doc. 96–29689 Filed 11–19–96; 8:45 am]

BILLING CODE 4910–14–M

NATIONAL SCIENCE FOUNDATION

45 CFR Part 672

Antarctica; Adjustment of Civil Monetary Penalties

AGENCY: National Science Foundation.

ACTION: Final rule with a request for comments.

SUMMARY: The National Science Foundation (NSF) is adding a new section to its regulation on enforcement of the Antarctic Conservation Act of 1978 to adjust the civil monetary penalties that may be imposed for inadvertent and deliberate violations of that law for inflation since the date of their enactment.

DATES: This rule is effective November 20, 1996. Comments, however, are welcome at any time and will be considered in making future revisions.

ADDRESSES: All comments should be addressed to: John Chester, Assistant General Counsel, Office of the General Counsel, Room 1265, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230.

FOR FURTHER INFORMATION CONTACT: John Chester on (703) 306–1060 (voice) and (703) 306–0149 (facsimile)—those are not toll-free numbers—or by electronic mail as jchester@nsf.gov through INTERNET.

SUPPLEMENTARY INFORMATION: The Federal Civil Penalties Inflation Adjustment Act of 1990 (104 Stat. 890; 28 U.S.C. 2461 note) as amended by the Debt Collection Improvement Act of 1996 (section 31001(s)(1) of the Omnibus Consolidated Rescissions and Appropriations Act of 1996, Pub. L. 104–134, approved 4/26/96) directs each Federal agency to adjust, by regulation, each civil monetary penalty provided by law within the jurisdiction of that agency to compensate for the effects of inflation. The only civil monetary penalties within the jurisdiction of the National Science Foundation are those imposed for violations of the Antarctic Conservation Act of 1978 (16 U.S.C. 2401 et seq.). This amendment to the rules governing enforcement of that law adds a new section setting out the penalties for inadvertent and deliberate violations and adjusting those penalties for inflation as provided in the Debt Collection Improvement Act.

Because section 31001(s)(2) of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 provides that the first adjustment of a civil monetary penalty made pursuant to its amendment to the Debt Collection Improvement Act “may not exceed 10 percent of such penalty”, the Foundation is adjusting these penalties in two steps: a 10 percent increase effective on January 1, 1997 and an increase to the full amount called for in the amended Debt Collection Improvement Act on January 1, 1998. Future adjustments will be made at least once every four years as called for in the amended Debt Collection Improvement Act.

Because this action merely makes adjustments required by statute, public comments are not being solicited prior to its effective date.

Determinations

I have determined, under the criteria set forth in Executive Order 12866, that this rule is not a significant regulatory action requiring review by the Office of Information and Regulatory Affairs. I also certify, pursuant to the requirements of the Regulatory Flexibility Act, 5 U.S.C. 601–612, that none of the clerical corrections and

nomenclature and address changes made by this rule will have a significant economic impact on any small entities. Finally, I have reviewed this rule in light of section 2 of Executive Order 12778 and certify for the National Science Foundation that this rule meets the applicable standards provided in sections 2(a) and 2(b) of that order.

List of Subjects in 45 CFR Part 672

Administrative practice and procedure, Antarctica.

For the reasons set out in the preamble, 45 CFR part 672 is amended as follows:

PART 672—ENFORCEMENT AND HEARING PROCEDURES; TOURISM GUIDELINES

1. The authority citation for part 672 is revised to read as follows:

Authority: 16 U.S.C. 2401 et seq., 28 U.S.C. 2461 note.

2. After § 672.23, add the following new section:

§ 672.24 Maximum civil monetary penalties for unintentional and intentional violations.

(a) For violations occurring before January 1, 1997, the maximum civil penalty that may be assessed under §§ 672.20(b) and 672.23(a) is set by the statute at \$5,000 for unintentional violations and \$10,000 for intentional violations.

(b) For violations occurring between January 1, 1997 and December 31, 1997, the maximum civil penalty is adjusted under authority of the Federal Civil Penalties Inflation Adjustment Act of 1990 (28 U.S.C. 2461 note) as amended by the Debt Collection Improvement Act of 1996 (Pub. L. 104–134, approved 4/26/96) to \$5,500 for unintentional violations and \$11,000 for intentional violations.

(c) For violations occurring after December 31, 1997, the maximum civil penalty is adjusted under authority of the Federal Civil Penalties Inflation Adjustment Act of 1990 (28 U.S.C. 2461 note) as amended by the Debt Collection Improvement Act of 1996 (Pub. L. 104–134, approved 4/26/96) to \$12,000 for unintentional violations and \$23,000 for intentional violations.

Dated: November 12, 1996.

National Science Foundation

Lawrence Rudolph,

General Counsel.

[FR Doc. 96–29603 Filed 11–19–96; 8:45 am]

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