

Dated: June 19, 1997.

J.L. Linnon,

*Rear Admiral, U.S. Coast Guard Commander,
First Coast Guard District.*

[FR Doc. 97-17087 Filed 6-30-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 144

46 CFR Parts 109, 159, 160, and 199

[CGD 85-205]

RIN 2115-AC51

Inflatable Liferrafts; Correction

AGENCY: Coast Guard, DOT.

ACTION: Final rule; correction.

SUMMARY: This document contains corrections to the final regulations [CGD 85-205] which were published May 9, 1997 (62 FR 25525). The final rule completely revised Coast Guard regulations for the approval and servicing of inflatable liferafts in 46 CFR Part 160.

DATES: This rule is effective on July 1, 1997.

FOR FURTHER INFORMATION CONTACT:

Mr. Kurt J. Heinz, Lifesaving and Fire Safety Standards Division (G-MSE-4), U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593-0001, telephone 202-267-1444, fax 202-267-1069, e-mail: kheinz@comdt.uscg.mil.

SUPPLEMENTARY INFORMATION:

Need for Correction

The Coast Guard published a document in the **Federal Register** on May 9, 1997 (62 FR 25525), completely revising its regulations in 46 CFR Part 160 for the approval and servicing of inflatable liferafts. That document also made a consequential amendment to 46 CFR 199.190(g)(3)(i), to update an obsolete reference to the old regulations. However, it failed to address similar obsolete references in 33 CFR 144.01-15(d) and 46 CFR 109.301(g)(3)(ii). This document amends those paragraphs as necessary to update obsolete references to the old regulations, and to update a requirement in 33 CFR 144.01-15(d) for equipment which is no longer approved under the new regulations. It also makes one purely editorial correction to the paragraph numbering in 46 CFR 160.151-13(g).

Correction of Publication

In rule FR Doc. 97-11897 published on May 9, 1997 (62 FR 25525), make the following corrections:

1. On page 25543, second column, under Consequential Revisions, add the following before the existing paragraph: "This final rule amends 33 CFR 144.01-15(d) to replace the obsolete requirement for "Limited Service" liferafts (which will no longer be approved) with a requirement for the analogous liferafts approved under this rule, and to remove the obsolete note referencing the servicing requirements in the old regulations. This amendment will not affect existing installed liferafts, and so should not have any substantive impact on anyone.

This final rule also amends 46 CFR 109.301(g)(3)(ii) to replace the obsolete reference to servicing procedures in subpart 160.051 with a reference to subpart 106.151."

2. On page 25544, third column, under *List of Subjects*, add the following before the existing text:

33 CFR Part 144

Continental shelf, Marine safety, Occupational safety and health.

46 CFR Part 109

Marine safety, Occupational safety and health, Oil and gas exploration, Reporting and recordkeeping requirements, Vessels.

3. On page 25544, third column, replace the words of issuance with the following:

"For the reasons set out in the preamble, the Coast Guard amends 33 CFR part 144 and 46 CFR parts 109, 159, 160, and 199 as follows:"

4. On page 25544, third column, following the words of issuance, insert the following amendatory paragraphs 1 through 4 and text, and renumber existing amendatory paragraphs 1 through 12 as 5 through 17: 33 CFR Part 144.

1. The authority citation for part 144 continues to read as follows:

Authority: 43 U.S.C. 1333d; 46 U.S.C. 3102(a); 46 CFR 1.46.

2. In § 144.01-15, remove the Note following paragraph (d), and revise paragraph (d) to read as follows:

§ 144.01-15 Alternates for life floats.

* * * * *

(d) Inflatable liferafts shall be approved by the Coast Guard under approval series 160.151. An approved "Limited Service" or "Ocean Service" liferaft installed on board a platform before May 9, 1997, may continue to be used to meet the requirements of this

section provided it is maintained in good and serviceable condition.

46 CFR Part 109

3. The authority citation for part 109 continues to read as follows:

Authority: 43 U.S.C. 1333; 46 U.S.C. 3306, 5115, 6101, 10104; 49 CFR 1.46.

4. In § 109.301, revise paragraph (g)(3)(ii) to read as follows:

§ 109.301 Operational readiness, maintenance, and inspection of lifesaving equipment.

* * * * *

(g) *Servicing of inflatable lifesaving appliances, inflated rescue boats, and marine evacuation systems.*

* * * * *

(3) Each inflatable liferaft must be serviced—

* * * * *

(ii) In accordance with servicing procedures meeting the requirements of part 160, subpart 160.151 of this chapter.

* * * * *

46 CFR Part 160

§ 160.151-13 [Corrected]

5. On page 25549, top of the second column, renumber paragraphs (h) (1)-(4) of § 160.151-13 as (g)(3) (i)-(iv).

Dated: June 24, 1997.

R.C. North,

Rear Admiral, U.S. Coast Guard, Assistant Commandant for Marine Safety and Environmental Protection.

[FR Doc. 97-17067 Filed 6-30-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD13-97-003]

RIN AE94

Puget Sound and Adjacent Waters, WA—Regulated Navigation

AGENCY: Coast Guard, DOT.

ACTION: Direct final rule; confirmation of effective date.

SUMMARY: On May 1, 1997, the Coast Guard published a direct final rule (62 FR 23659). This direct final rule notified the public of the Coast Guard's intent to correct an administrative error which unintentionally omitted the District Commander's authority to grant waivers from the rule excluding tankers over 125,000 dead weight tons from operating in Puget Sound, Puget Sound

Vessel Traffic Service's (VTS) authority to grant deviations from the requirement that vessels keep the center of the precautionary areas to port, and emergency authority for masters, pilots, and others to deviate from the requirement that vessels keep the center of the precautionary areas to port. This language was inadvertently left out when the Vessel Traffic Service regulations were changed in 1994. This direct final rule merely reinstates that deviation authority originally granted to the Thirteenth Coast Guard District Commander and to the Puget Sound VTS. The Coast Guard has not received any adverse comments or any notice of an intent to submit adverse comments objecting to this rule as written. Therefore, this rule will go into effect as scheduled.

DATES: The effective date of the direct final rule is confirmed as July 30, 1997.

FOR FURTHER INFORMATION CONTACT: Lieutenant T.G. Favreau, Compliance Branch Chief, U.S. Coast Guard, Thirteenth Coast Guard District, Marine Safety Division, 915 Second Avenue, room 3506, Seattle, WA 98174-1067, telephone (206) 220-7224.

Dated: June 10, 1997.

J. David Spade,

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

[FR Doc. 97-17081 Filed 6-30-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD13-97-007]

RIN 2115-AA9

Safety Zone Regulations; City of Astoria Fourth of July Fireworks, Columbia River, Astoria OR

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a safety zone for the City of Astoria Fourth of July fireworks display to be held on the Columbia River in Astoria, Oregon. The event will be held on Friday, July 4, 1997, from 9 p.m. (PDT) to 11 p.m. (PDT). The Coast Guard, through this action, intends to protect persons, facilities, and vessels from safety hazards associated with the fireworks display. Entry into this safety zone is prohibited unless authorized by the Captain of the Port.

EFFECTIVE DATES: This regulation becomes effective on July 4, 1997, at 9

p.m. (PDT) and terminates on July 4, 1997, at 11 p.m. (PDT).

FOR FURTHER INFORMATION CONTACT:

LT T.G. Allan, c/o Captain of the Port, Portland, 6767 N. Basin Ave, Portland, Oregon 97217-3992, (503) 240-9327.

SUPPLEMENTARY INFORMATION:

Regulatory History

Pursuant to 5 U.S.C. 553, a notice of proposed rulemaking was not published for this regulation and good cause exists for making it effective less than 30 days after **Federal Register** publication. Publishing a NPRM and delaying its effective date would be contrary to the public interest since immediate action is necessary to ensure the safety of structures and vessels operating in the area of the fireworks display. Due to the complex planning and coordination involved, the event sponsor, the Astoria Chamber of Commerce and the City of Astoria, were unable to provide the Coast Guard with notice of the final details until 30 days prior to the date of the event. Therefore, sufficient time was not available to publish a proposed rule in advance of the event or to provide a delayed effective date. Following normal rulemaking procedures in this case would be impracticable.

Background and Purpose

The event requiring this regulation is a fireworks display sponsored by the Astoria Chamber of Commerce and the City of Astoria. The fireworks display is scheduled to begin on July 4, 1997, at 10 p.m. (PDT). This event may result in a large number of vessels congregating near the fireworks launching barge. To promote the safety of both the spectators and participants, a safety zone is being established on the waters of the Columbia River around the fireworks launching barge, and entry into this safety zone is prohibited unless authorized by the Captain of the Port. This action is necessary due to the possibility of debris and unexploded fireworks falling into the Columbia River in the vicinity of the launching barge. This safety zone will be enforced by representatives of the Captain of the Port, Portland, Oregon. The Captain of the Port may be assisted by other federal agencies.

Regulatory Evaluation

This temporary final 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 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 proposal to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This expectation is based on the fact that the entry into the safety zone will only be restricted for 2 hours on the day of the event, and that less than 1 mile of the waterway will be restricted. The entities most likely to be affected by this action are commercial ship, and tug and barge operators on the Columbia River. Most of these entities are aware of the fireworks display and the safety zone, and they can schedule their transits accordingly. If safe to do so, the representative of the Captain of the Port assigned to enforce this safety zone may authorize commercial vessels to pass through the safety zone on a case-by-case basis.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this final rule 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 the reasons outlined in the Regulatory Evaluation above, the Coast Guard expects the impact of this final rule to be minimal on all entities. Therefore, the Coast Guard certifies under 5 U.S.C. 605(b) that this final rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This final rule contains 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 proposed 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 final rule and has concluded that, under section