

the country, local governments, rather than the federal government, are the appropriate entities to issue local mooring permits. The Coast Guard believes it is inappropriate for the Coast Guard to continue to administer the moorings and charge increased fees to compensate for the cost of administering the system.

#### Regulatory Evaluation

This proposal 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 10(e) of the regulatory policies and procedures of DOT is unnecessary. This rule does not affect the status of the special anchorage areas in Great Kills Harbor or Sheepshead Bay, but merely reflects that the Captain of the Port of New York mooring permit procedures are no longer applicable and that mooring permits will no longer be issued by the Coast Guard. This proposal will not be significant because the boating public retains the ability to use the anchorages, and will be able to do so without obtaining a Federal mooring permit. The Coast Guard expects that the New York City Parks and Recreation Department will act in the interest of the boating public and will carefully consider the economic impact of their actions on vessel owners.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider the economic impact on small entities of a rule for which a general notice of proposed rulemaking is required. "Small entities" may include (1) small business and not-for-profit organizations that are independently owned and operated and are not dominant in their field and (2) governmental jurisdictions with populations of less than 50,000.

For reasons set forth in the Regulatory Evaluation and Discussion of Comments sections, the Coast Guard certifies under 5 U.S.C. 605(b) that this regulation will not have a significant economic impact on a substantial number of small entities.

#### Collection of Information

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

#### Environment

The Coast Guard has considered the environmental impact of this regulation and concluded that it is categorically excluded from further analysis and documentation requirements under the National Environmental Policy Act (NEPA). This determination was made in accordance with agency procedures and policy for categorical exclusions published in paragraph 2.B.2.e. (34)(a) of Commandant Instruction M16475.1B (as revised by 59 FR 38654, July 29, 1994). A Categorical Exclusion Determination and Environmental Analysis Checklist are included in the docket.

#### List of Subjects in 33 CFR Part 110

Anchorage grounds.

#### Regulation

For reasons set out the preamble, the Coast Guard amends 33 CFR 110.60 as follows:

#### PART 110—[AMENDED]

1. The authority citation for Part 110 continues to read as follows:

Authority: 33 U.S.C. 471, 2071; 49 CFR 1.46 and 33 CFR 1.05–1(g). Section 110.1a and each section listed in it are also issued under 33 U.S.C. 1223 and 1231.

2. Section 110.60 is amended by revising the note following paragraph (r–1) and paragraph (x)(4) to read as follows (table 110.60(x)(4) and figure 110.60(x)(4) following paragraph (x)(4) remain unchanged):

#### § 110.60 Port of New York and vicinity.

\* \* \* \* \*

(r–1) \* \* \*

Note: The special anchorage area is principally for use by yachts and other recreational craft. A temporary float or buoy for marking the location of the anchor of a vessel at anchor may be used. Fixed mooring piles or stakes are prohibited. Vessels shall be anchored so that no part of the vessel comes within 50 feet of the marked channel.

\* \* \* \* \*

(x) \* \* \*

(4) *Captain of the Port Regulations*. In Sheepshead Bay, New York, Western,

Northern, and Southern Special Anchorage Areas, the following applies:

(i) Two anchors shall be used. The anchor minimum weight and minimum chain size shall be as shown in table 110.60(x)(4) and the anchor shall be placed as shown in figure 110.60(x)(4).

(ii) The area is principally for vessels used for a recreational purpose.

\* \* \* \* \*

Dated: February 11, 1997.

J.L. Linnon,

Commander, First Coast Guard District.

[FR Doc. 97–5065 Filed 2–28–97; 8:45 am]

BILLING CODE 4910–14–M

#### 33 CFR Part 117

[CGD8–97–001]

RIN 2115–AE47

#### Drawbridge Operation Regulations; Gulf Intracoastal Waterway, Louisiana

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

**SUMMARY:** This rule removes the regulations for the East Park Avenue and East Main Street Bridges across the Gulf Intracoastal Waterway, mile 57.6 and 57.7 at Houma, Terrebonne Parish, Louisiana. These drawbridges have been replaced by high level fixed bridges and the drawbridge regulations are no longer necessary.

**DATES:** This rule is effective on April 2, 1997.

**FOR FURTHER INFORMATION CONTACT:** Mr. David M. Frank, Bridge Administration Branch, (504) 589–2965.

#### SUPPLEMENTARY INFORMATION:

##### Drafting Information

The principal persons involved in drafting this document are Mr. David Frank, Project Officer and Lieutenant Commander J. A. Wilson, Project Attorney.

##### Background and Purpose

The East Park Avenue and East Main Street drawbridges were replaced by high level fixed bridges in November of 1996. Since the drawbridges are no longer at these locations, there is no longer a need for the drawbridge operation regulation. This rule is being published without an opportunity for notice and comment because the bridges regulated in 33 CFR 117.451(c) have been replaced and these regulations are no longer necessary. For this reason, the Coast Guard finds good cause why notice and comment are unnecessary under 5 U.S.C. § 553(b)(2)(B) and why, in accordance with 5 U.S.C. § 553(d)(3),

this rule may be made effective in less than 30 days after its publication in the Federal Register.

#### Regulatory Evaluation

This rule is not major under Executive Order 12291 and not significant under the "Department of Transportation Regulatory Policies and Procedures" (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this rule to be so minimal that a full Regulatory Evaluation is unnecessary.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C 601 et seq.), the Coast Guard must consider whether this 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). This rule will have no impact on either vehicular or navigational traffic. Because it expects the impact of this final rule to be minimal, the Coast Guard certifies under 5 U.S.C. 605(b) that it will not have a significant economic 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 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 section 2.B.2 of Commandant Instruction M16475.1 (series), this proposal is categorically excluded from further environmental documentation.

#### List of Subjects in 33 CFR Part 117

Bridges.

#### Regulation

In consideration of the foregoing, Part 117 of Title 33, Code of Federal Regulations, is amended as follows:

### PART 117—DRAWBRIDGE OPERATION REGULATIONS

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

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05–1(g); section 117.255 also issued under the authority of Pub. L. 102–587, 106 Stat. 5039.

#### § 117.451 [Amended]

2. In § 117.451, paragraph (c) is removed and paragraph (d), (e), and (f) are redesignated paragraphs (c), (d), and (e) respectively.

Dated: January 30, 1997.

T.W. Josiah,

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

[FR Doc. 97–5173 Filed 2–28–97; 8:45 am]

BILLING CODE 4910–14–M

### 33 CFR Part 117

[CGD08–97–003]

RIN 2115–AE47

#### Drawbridge Operation Regulation; Inner Harbor Navigation Canal, LA

AGENCY: Coast Guard, DOT.

ACTION: Notice of temporary deviation from regulations.

**SUMMARY:** Notice is hereby given that the Commander, Eighth Coast Guard District has issued a temporary deviation from the regulation governing the operation of the Seabrook Railroad bascule span drawbridge across the Inner Harbor Navigation Canal, mile 4.5 in New Orleans, Orleans Parish, Louisiana. This deviation requires that the draw open on signal except that between the hours of 8 a.m. and noon and between the hours of 1 p.m. and 5 p.m. on weekdays only from April 7, 1997 through May 2, 1997, the draw need not open for the passage of vessels. Presently, the draw is required to open on signal. This closure is necessary for structural repair of the roadway support which has been damaged as a result of a vessel allision. The draw of the bridge may be open between noon and 1 p.m. to pass navigation.

**DATES:** The deviation is effective from 8 a.m. on April 7, 1997 through 5 p.m. on May 2, 1997.

#### FOR FURTHER INFORMATION CONTACT:

Mr. Phil Johnson, Bridge Administration Branch, Commander (ob), Eighth Coast Guard District, 501 Magazine Street, New Orleans, Louisiana 70130–3396, telephone number (504) 589–2965.

### SUPPLEMENTARY INFORMATION:

#### Background and Purpose

The Seabrook (Southern railroad) bascule span drawbridge across the Inner Harbor Navigation Canal, mile 4.5 in New Orleans, has a vertical clearance of one foot above high tide in the closed to navigation position and unlimited clearance in the open to navigation position. Navigation on the waterway consist of tugs with tows, including crane barges, jack-up boats, oil industry crew vessels, fishing vessels, sailing vessels, and other recreational craft. The Port of New Orleans requested a temporary deviation from the normal operation of the bridge so that repairs to the concrete roadway support may be made.

Dated: January 30, 1997.

T.W. Josiah,

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

[FR Doc. 97–5175 Filed 2–28–97; 8:45 am]

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### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 300

[FRL–5696–4]

#### National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List Update

AGENCY: Environmental Protection Agency.

ACTION: Notice of deletion of the Spence Farm Site from the National Priorities List.

**SUMMARY:** The Environmental Protection Agency (EPA) Region II announces the deletion of the Spence Farm site in Ocean County, New Jersey from the National Priorities List (NPL). The NPL is Appendix B of 40 CFR Part 300, the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which EPA promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended. EPA and the State of New Jersey have determined that responsible parties have implemented all appropriate response actions required. Moreover, EPA and the State of New Jersey have determined that remedial actions conducted at the site to date remain protective of public health, welfare, and the environment.

**EFFECTIVE DATE:** March 3, 1997.

**ADDRESSES:** Comprehensive information on this site is available for viewing at