

regulations in 33 CFR 100.114 (62 FR 30988; June 6, 1997). All vessels are prohibited from entering a 500-yard radius of navigable water surrounding the launch platform used in each fireworks display listed below.

#### Table 1—Fireworks Displays

##### May

1. Hull Memorial Day Festival, Date: May 30, 1998, Time: 8 p.m. to 10 p.m. Location: Off Nantasket Beach, Lat: 42°16.6' N., Long: 070°51.5' W. (NAD 1983)

##### June

2. Barnum Festival Fireworks, Date: June 26, 1998, Time: 9 p.m. to 9:30 p.m., Location: Seaside Park, Bridgeport Harbor, Lat: 43°11.5' N., Long: 073°09.5' W. (NAD 1983)

Dated: May 24, 1998.

**James D. Garrison,**

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

[FR Doc. 98-14703 Filed 6-2-98; 8:45 am]

BILLING CODE 4910-15-M

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 165

[CGD01-98-009]

RIN 2121-AA97

#### Safety Zone; Coney Island Air Show Days, Coney Island Channel, Brooklyn, New York

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone in the vicinity of Coney Island Channel for the Coney Island Air Show Days. The safety zone is in effect from 10:30 a.m. until 2:00 p.m. on June 5, 6, and 7, 1998. This action is necessary to provide for the safety of life on navigable waters during the event. It is intended to restrict vessel traffic approximately 1/2 mile from the beach at Coney Island, NY.

**DATES:** This rule is effective from 10:30 a.m. until 2:00 p.m. on June 5, 6, and 7, 1998.

**ADDRESSES:** Comments may be mailed to Commander (wob) (CGD01-98-009), Coast Guard Activities New York, 212 Coast Guard Drive, Staten Island, New York 10305-5005, or deliver them to room 205 at the same address between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

The Waterways Oversight Branch of Coast Guard Activities New York maintains the public docket for this rulemaking. Comments, and documents as indicated in this preamble, will become part of this docket and will be available for inspection or copying in room 205 at the same address between 8 a.m. and 3 p.m., Monday through Friday, except federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant (Junior Grade) A. Kenneally, Waterways Oversight Branch, Coast Guard Activities New York, at (718) 354-4195.

#### SUPPLEMENTARY INFORMATION:

##### Regulatory History

Pursuant to 5 U.S.C. 553, a notice of proposed rulemaking (NPRM) was not published for this regulation. Good cause exists for not publishing an NPRM and for making this regulation effective less than 30 days after **Federal Register** publication. Due to the date this application was received, there was insufficient time to draft and publish an NPRM. Any delay encountered in this regulation's effective date would be contrary to public interest. Immediate action is needed to close a portion of the waterway and protect the maritime public from the hazards associated with this airshow, which is intended for public entertainment.

##### Background and Purpose

Astroland Amusement Park has submitted an Application for Approval of Marine Event to hold the Coney Island Air Show Days over the waters in the vicinity of Coney Island Channel. This regulation establishes a safety zone, rectangular in shape; the borders of which are marked by buoys in the following positions:

Latitude	Longitude
40° 34.03' N	073° 59.81' W, then south to
40° 33.69' N	073° 59.75' W, then east to
40° 33.94' N	073° 57.19' W, then north to
40° 34.30' N	073° 57.25' W, then west to the starting point.

The safety zone is in effect from 10:30 a.m. until 2 p.m. June 5, 6, and 7, 1998. The safety zone prevents vessels from transiting an area adjacent to Coney Island. This safety zone is needed to provide unobstructed flight lines for the U.S. Navy Blue Angels Jet Demonstration Team and to protect mariners from the hazards associated with military aircraft flying high speed maneuvers at low altitudes. No more

than 100 spectator crafts are expected for the event.

##### Regulatory Evaluation

This 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 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 final rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This finding is based on the following: pleasure craft desiring to view the event will be able to do so outside the safety zone; commercial and recreational vessels navigating Coney Island Channel can alter their route south of the affected area; the minimal time that vessels will be restricted from the zone, and the extensive advance notifications which will be made.

##### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard considered whether this rule will have a significant economic impact on a substantial number of small entities. "Small entities" include small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

For the reasons discussed in the Regulatory Evaluation section above, 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 economic impact on a substantial number of small entities.

##### Collection of Information

This final rule does not provide for a collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

##### Federalism

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

## Environment

The Coast Guard considered the environmental impact of this rule and concluded that under Figure 2-1, paragraph 34(g), of Commandant Instruction M16475.1C, this final rule is categorically excluded from further environmental documentation. A "Categorical Exclusion Determination" is available in the docket for inspection or copying where indicated under ADDRESSES.

### List of Subjects in 33 CFR Part 165

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

## Regulation

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR Part 165 as follows:

### PART 165—[AMENDED]

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), 6.04-1, 6.04-6, and 160.5; 49 CFR 1.46.

2. Add temporary section 165.T01-009 to read as follows:

#### § 165.T01-009 Safety Zone; Coney Island Air Show Days, Brooklyn, New York.

(a) *Location.* The following area is a safety zone: all waters in the vicinity of Coney Island Channel, approximately 1/2 mile from shore; rectangular in shape, the corners of which are marked by buoys in the following positions:

Latitude	Longitude
40° 34.03' N	073° 59.81' W, then south to
40° 33.69' N	073° 59.75' W, then east to
40° 34.94' N	073° 57.19' W, then north to
40° 34.30' N	073° 57.25' W, then west to the starting point.

(b) *Effective period.* This section is in effect from 10:30 a.m. until 2 p.m. on June 5, 6, and 7, 1998.

(c) *Regulations.* (1) The general regulations contained in 33 CFR 165.23 apply.

(2) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on scene patrol personnel. U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard. Upon being hailed by a U.S. Coast Guard vessel via siren, radio, flashing light, or

other means, the operator of a vessel shall proceed as directed.

Dated: May 7, 1998.

**Richard C. Vlaun,**

*Captain, U.S. Coast Guard, Captain of the Port, New York.*

[FR Doc. 98-14704 Filed 6-2-98; 8:45 am]

BILLING CODE 4910-15-M

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket No. 97-228; RM-9163]

#### Radio Broadcasting Services; Pima, AZ

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This document allots Channel 296A to Pima, Arizona, as that community's first local aural transmission service, in response to a petition for rule making filed on behalf of R. A. Montierth Enterprises, L.L.C. See 62 FR 61721, November 19, 1997. Coordinates used for Channel 296A at Pima, Arizona, are 32-53-36 and 109-49-42. As Pima is located within 320 kilometers (199 miles) of the U.S.-Mexico border, the Commission obtained concurrence of the Mexican government to the requested allotment of Channel 296A at that community. With this action, the proceeding is terminated.

**DATES:** Effective July 6, 1998. A filing window for Channel 296A at Pima, Arizona, will not be opened at this time. Instead, the issue of opening a filing window for this channel will be addressed by the Commission in a separate Order.

**FOR FURTHER INFORMATION CONTACT:** Nancy Joyner, Mass Media Bureau, (202) 418-2180. Questions related to the application filing process should be addressed to the Audio Services Division, (202) 418-2700.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MM Docket No. 97-228, adopted May 13, 1998, and released May 22, 1998. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., 1231 20th Street, NW., Washington, DC 20036, (202) 857-3800.

### List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

### PART 73—[AMENDED]

1. The authority citation for part 73 reads as follows:

**Authority:** 47 U.S.C. 154, 303, 334, 336.

#### § 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Arizona, is amended by adding Pima, Channel 296A.

Federal Communications Commission.

**John A. Karousos,**

*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

[FR Doc. 98-14685 Filed 6-2-98; 8:45 am]

BILLING CODE 6712-01-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket No. 97-222; RM-9180 and RM-9214]

#### Radio Broadcasting Services; McMillan and Sault Ste. Marie, MI

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This document allots Channel \*272C3 to Sault Ste. Marie, Michigan, and reserves the channel for noncommercial educational use in response to a petition filed by Northern Christian Radio, Inc. See 62 FR 17372, October 31, 1997. The coordinates for Channel \*272C3 at Sault Ste. Marie are 46-29-36 and 84-21-06. Canadian concurrence has been obtained for this allotment. In response to a counterproposal filed by Linda K. Graver, President of Black Bear Broadcasting Company of Bay City, Michigan, we will allot Channel 244C3 to McMillan, Michigan. The coordinates for Channel 244C3 are 46-20-24 and 85-41-12. Canadian concurrence has been obtained for this allotment. With this action, this proceeding is terminated. A filing window for Channel 244C3 at McMillan, Michigan, will not be opened at this time. Instead the issue of opening a filing window for this channel will be addressed by the Commission in a subsequent order.

**EFFECTIVE DATE:** July 6, 1998.

**FOR FURTHER INFORMATION CONTACT:** Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.