

from further environmental documentation because promulgation of changes to drawbridge regulations have been found not to have a significant effect on the environment. A written "Categorical Exclusion Determination" is not required for this final rule.

List of Subjects in 33 CFR Part 117

Bridges.

Regulations

For the reasons set out in the preamble, the Coast Guard amends 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATIONS 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.

2. Section 117.799(d) is revised to read as follows:

§ 117.799 Long Island, New York Inland Waterway from East Rockaway Inlet to Shinnecock Canal.

* * * * *

(d) The draws of the West Bay Bridge, mile 0.1, across Quantuck Canal, Beach Lane Bridge, mile 1.1, across Quantuck Canal, Quoque Bridge, mile 1.1, across Quoque Canal, and the Smith Point Bridge, mile 6.1, across Narrow Bay, shall open on signal, from October 1 through April 30, from 8 a.m. to 4 p.m., and from May 1 through September 30, from 6 a.m. to 10 p.m. At all other times during these periods, the draws shall open as soon as possible but no more than one hour after a request to open is received.

* * * * *

Dated: August 11, 1999.

R.M. Larrabee,

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

[FR Doc. 99–22054 Filed 8–24–99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD01 99–145]

RIN 2115–AA97

Safety Zone: Salvage of Sunken Fishing Vessel CAPE FEAR, Buzzards Bay, MA

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a safety zone within a five hundred (500) yard radius of the site of the sunken fishing vessel CAPE FEAR in the entrance to Buzzards Bay, Massachusetts during oil removal and salvage operations. Once the vessel is salvaged and brought to the surface, a temporary moving safety zone extending 1,000 yards ahead and astern, and 500 yards on either side is established around the fishing vessel CAPE FEAR while it is towed into and safely moored in the port of Fairhaven, MA. This safety zone is needed to protect personnel and their resources on-scene during oil pollution abatement and salvage operations, the maritime community from hazards associated with ongoing oil pollution abatement and salvage operations, any spectators or vessels in the vicinity, and to ensure the safe transit and mooring of the fishing vessel CAPE FEAR as it is towed into the port of Fairhaven, Ma. Entry into this zone is prohibited unless authorized by the Captain of the Port (COTP), Providence, RI.

EFFECTIVE DATE: This rule is effective from 12 midnight on Saturday, July 31, 1999, until 12 midnight on Tuesday, August 31, 1999.

FOR FURTHER INFORMATION CONTACT: LT David C. Barata, Waterways Management, Coast Guard Marine Safety Office, Providence, RI, at (401) 435–2300.

SUPPLEMENTARY INFORMATION:

Regulatory History

Pursuant to 5 U.S.C. 553, a notice of proposed rulemaking (NPRM) was not published for this regulation and good cause exists for making it effective less than 30 days after **Federal Register** publication. Due to the date that conclusive information for this event 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 since immediate action is needed to close a portion of Buzzards Bay to protect personnel and their resources on-scene during oil pollution abatement and the salvage operations, the maritime community from hazards associated with ongoing oil pollution abatement and salvage operations, any spectators or vessels in the vicinity, and to ensure the safe transit and mooring of the fishing vessel CAPE FEAR as it is towed into the port of Fairhaven, Ma.

Background and Purpose

This regulation established a safety zone in all waters within a five hundred (500) yard radius of the site of the

sunken fishing vessel CAPE FEAR (O.N. D655734) in the entrance to Buzzards Bay at approximate position 41°23' N, 071°01' W during oil pollution abatement and salvage operations. After the vessel is salvaged and brought to the surface, a temporary moving safety zone will immediately be established on all waters extending 1,000 yards ahead and astern, and 500 yards on either side of the fishing vessel CAPE FEAR until it is towed into and safely moored in the port of Fairhaven, MA. This safety zone is needed to protect personnel and their resources on-scene during oil pollution abatement and salvage operations, the maritime community from hazards associated with ongoing oil pollution abatement and salvage operations, any spectators or vessels in the vicinity, and to ensure the safe transit and mooring of the fishing vessel CAPE FEAR as it is towed into the port of Fairhaven, MA. The public will be made aware of the change from a stationary to moving safety zone through a Broadcast Notice to Mariners made from U.S. Coast Guard Group Woods Hole. Entry into this zone is prohibited unless authorized by the Captain of the Port (COTP), Providence, RI.

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 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 rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This safety zone involves a small area of Buzzards Bay. Although this regulation prevents traffic from transiting in the immediate area of the salvage site and prevents vessels from transiting near the fishing vessel CAPE FEAR as it is towed, the effect of this regulation will not be significant as all vessel traffic may safely pass around this safety zone and extensive maritime advisories will be made.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this proposal 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.

For the reasons addressed in the Regulatory Evaluation above, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this final rule will not have a significant economic impact on a substantial number of small entities.

Assistance for Small Entities

Under subsection 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-121), the Coast Guard wants to assist small entities in understanding this final rule so that they can better evaluate its effects on them and participate in the rulemaking. If your small business or organization would be affected by this final rule and you have questions concerning its provisions or options for compliance, please call LT D.C. Barata, telephone (401) 435-2300.

The Ombudsman of Regulatory Enforcement for Small Business and Agriculture and 10 Regional Fairness Boards were established to receive comments from small businesses about enforcement by Federal agencies. The Ombudsman will annually evaluate such enforcement and rate each agency's responsiveness to small business. If you wish to comment on enforcement by the Coast Guard, call 1-888-REG-FAIR (1-888-734-3247).

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 action in accordance with the principles and criteria contained in Executive Order 12612, and has determined that these regulations do not raise sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Unfunded Mandates

Under the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4), the Coast Guard must consider whether this rule will result in an annual expenditure by state, local, and tribal governments, in aggregate of \$100 million (adjusted annually for inflation). If so, the Act requires that a reasonable number of regulatory alternatives be considered, and that from those alternatives, the least costly, most cost-

effective, or least burdensome alternative that achieves the objective of the rule be selected. No state, local, or tribal government entities will be effected by this rule, so this rule will not result in annual or aggregate cost of \$100 million or more. Therefore, the Coast Guard is exempt from any further regulatory requirements under the Unfunded Mandates Act.

Environment

The Coast Guard has considered the environmental impact of these regulations 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 written Categorical Exclusion Determination is available in the docket for inspection or copying where indicated under Addressee.

Other Executive Orders on the Regulatory Process

In addition to the statutes and Executive Orders already addressed in this preamble, the Coast Guard considered the following executive orders in developing this final rule and reached the following conclusions:

E.O. 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights. This final rule will not effect a taking of private property or otherwise have taking implications under this Order.

E.O. 12875, Enhancing the Intergovernmental Partnership. This final rule meets applicable standards in sections 3(a) and 3(b)(2) of this Order to minimize litigation, eliminate ambiguity, and reduce burden.

E.O. 13405, Protection of Children from Environmental Health Risks and Safety Risks. This final rule is not an economically significant rule and does not concern an environmental risk to safety disproportionately affecting children.

List of Subjects in 33 CFR part 165

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

Regulation

For the reasons set out in the preamble, the Coast Guard amends 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(g), 6.04-1, 6.04-6, 160.5; 49 CFR 1.46.

2. Add temporary § 165.T01-145 to read as follows:

§ 165.T01-145 Safety Zone: Salvage of Sunken Fishing Vessel CAPE FEAR, Buzzards Bay, MA.

(a) *Location.* The following area has been declared a safety zone: All waters within five hundred (500) yard radius of the site of the sunken fishing vessel CAPE FEAR (O.N. D655634) in the entrance to Buzzards Bay at approximate position 41°-23'N, 071°-01'W during oil pollution abatement and salvage operations. After the vessel is salvaged and brought to the surface, a temporary moving safety zone will immediately be established on all waters extending 1,000 yards ahead and astern, and 500 yards on either side of the fishing vessel CAPE FEAR until is towed into and safely moored in the port of Fairhaven, MA.

(b) *Effective date.* This section is effective from 12:00 midnight on Saturday, July 31, 1999, until 12:00 midnight on Tuesday, August 31, 1999.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.23 of this part, entry into or movement within this zone is prohibited unless authorized by the COTP Providence.

(2) All persons and vessels shall comply with the instructions of the COTP or the designated on-scene U.S. Coast Guard patrol personnel. U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard.

(3) The general regulations covering safety zones in § 165.23 of this part apply.

Dated: July 29, 1999.

Peter A. Popko,

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

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POSTAL SERVICE

39 CFR Part 20

Global Direct—Canada Publications Mail

AGENCY: Postal Service.

ACTION: Interim rule and request for comment.

SUMMARY: Global Direct—Canada Publications Mail is an international mail service that is available on the basis of a service agreement between the Postal Service and a qualifying mailer. Under this service, a mailer may enter newspaper and periodical items that meet the applicable eligibility, makeup, and preparation requirements for