

with the requirement for an occupational hazard assessment.

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[FR Doc. 96-15052 Filed 6-12-96; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 3

[CGD 96-025]

RIN 2115-AF32

Reorganization of Coast Guard Areas, Districts, and Marine Inspection and Captain of the Port Zones

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: To conform with an internal reorganization of its field command structure, the Coast Guard is amending the descriptions of the Second and Eighth Coast Guard District boundaries and redesignating several Marine Inspection and Captain of the Port Zones. In addition, the Coast Guard is amending the description of the location of the Atlantic Area, Pacific Area, and Eleventh Coast Guard District offices. These changes are administrative and will not impact the type or level of Coast Guard services performed.

EFFECTIVE DATE: This rule is effective June 13, 1996, except for § 3.04-1(a) which is effective June 14, 1996, and § 3.04-3(a) which is effective June 28, 1996.

ADDRESSES: Unless otherwise indicated, documents referred to in the preamble are available for inspection or copying at the Office of the Executive Secretary, Marine Safety Council (G-LRS/3406), U.S. Coast Guard Headquarters, 2100 Second Street SW., Room 3406, Washington, DC 20593-0001 between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 267-1477.

FOR FURTHER INFORMATION CONTACT: Ms. Maureen Melton, Plans and Policy Division (G-CPP), U.S. Coast Guard Headquarters, between 8 a.m. and 4 p.m. Monday through Friday, except Federal holidays. The telephone Number is (202) 267-2299.

SUPPLEMENTARY INFORMATION:

Background and Purpose

Atlantic Area and Pacific Area

During 1996, the Coast Guard reorganized the Area field command and control structures and relocated the Atlantic Area office from New York

City, to Portsmouth, VA, and relocated the Eleventh District office from Long Beach, CA, to Alameda, CA. The Atlantic and Pacific Area Commanders also serve as the Fifth and Eleventh District Commanders, respectively. The separate authorities and responsibilities of the Area Commanders and District Commanders are unaffected by the consolidated of their command staffs.

Second District—Merger Into the Eighth District

Previously, the Second Coast Guard District and Eighth District exercised jurisdiction in their respective regions. In 1996, the Coast Guard realigned its field command and control structure in the Gulf of Mexico and Midwestern regions through the merger of the Second District into the Eighth District. The Second District has been disestablished and the Eighth District boundaries have been expanded to include the prior Second District area of responsibilities. This realignment enables more efficient internal management and enhances mission performance in the affected region. The merger streamlined command and control of activities within the combined Second and Eighth District regions. The Eighth District Commander now exercises authority over the combined geographic region. The merger will not adversely affect the public, since there will be no change in Coast Guard operational assets or Coast Guard services in the respective regions. The descriptions of Marine Inspection and Captain of the Port Zones which belonged to the Second District are being renumbered to reflect their realignment with the Eighth District.

Discussion of Changes

§ 3.01-1. This section, describing generally the Area Commanders' responsibilities, is revised to reflect the fact that the Atlantic Area Commander also serves as Fifth District Commander and the Pacific Area Commander also serves as the Eleventh District Commander.

§ 3.04-1. This section, describing the Area offices and jurisdictions, is revised to reflect the relocation of the Atlantic Area office from New York, NY to Portsmouth, VA and eliminates reference to the Second Coast Guard District which was disestablished with its merger into the Eighth District. The section is also revised to correctly reflect the location of the Pacific Area office as Alameda, CA and to reflect relocation of Eleventh District office from Long Beach, CA to Alameda, CA.

§ 3.10-1. This section, describing the Second District, is removed to conform

with the disestablishment of the Second District as a result of its merger into the Eighth District.

§ 3.10-10 through 03.10-50. These sections, describing the six Marine Inspection and Captain of the Port Zones within the prior Second District, are redesignated under Subpart 3.40 to conform with the reassignment of these MI and COTP zones to Eighth District as a result of the merger of the Second District into the Eighth District.

§ 3.40-1. This section, describing the Eighth District, is revised to describe its new boundaries which incorporate the prior Second District boundaries as a result of the merger of the Second District into the Eighth District.

The current CFR descriptions do not reflect the reorganizations in the Coast Guard Areas, affected Coast Guard District, and the realignment of Marine Inspection (MI) and Captain of the Port (COTP) Zones. Since this is a matter relating to agency organization, procedure, and management, it is excluded from the requirements of section 553(b)(3)(A) of the Administrative Procedure Act (5 U.S.C. 551 *et seq.*) for a notice of proposed rulemaking and public comment. These changes are administrative and will not impact the type of level of Coast Guard services performed. Further, since the rule has no substantial effect on service to the public, good cause exists under 5 U.S.C. 553(d) to make the rule effective less than 30 days after publication.

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 rule 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 merely implements administrative changes within the Coast Guard structure. Coast Guard services to the public will not be changed.

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 paragraph 2.B.2 of Commandant Instruction M16475.1B, as revised by 59 FR 38654, July 29, 1994, this rule is categorically excluded from further environmental documentation. This rule is an administrative change under paragraph 2.B.2.1, and will not impact the environment. A "Categorical Exclusion Determination" is available in the docket for inspection or copying where indicated under ADDRESSES.

List of Subjects in 33 CFR Part 3

Organization and functions
(Government Agencies).

For the reasons set out in the preamble, the Coast Guard amends 33 CFR part 3 as follows:

PART 3—COAST GUARD AREAS, DISTRICTS, MARINE INSPECTION ZONES, AND CAPTAIN OF THE PORT ZONES

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

Authority: 14 U.S.C. 633; 49 CFR 1.45, 1.46.

2. In § 3.01–1, paragraph (b) is revised to read as follows:

§ 3.01–1 General description.

* * * * *

(b) The two Coast Guard Areas are the Atlantic Area (see § 3.04–1) and the Pacific Area (see § 3.04–3). The Coast Guard Area Commander is in command of a Coast Guard Area; the offices are referred to as a Coast Guard Area Office. The office of the Commander, Atlantic Area, is located in the Fifth Coast Guard District and the Commander, Atlantic Area, also serves as the Fifth District Commander. The office of the Commander, Pacific Area, is located in the Eleventh Coast Guard District and the Commander, Pacific Area, also serves as the Eleventh District Commander. Area Commanders have the responsibility of determining when operational matters require the coordination of forces and facilities of more than one district.

* * * * *

3. In § 3.04–1, paragraph (a) is revised, and in paragraph (b), the word "Second" is removed to read as follows:

§ 3.04–1 Atlantic Area.

(a) The Area Office is in Portsmouth, VA.

* * * * *

4. In § 3.04–3, paragraph (a) is revised to read as follows:

§ 3.04–3 Pacific Area.

(a) The Area Office is in Alameda, CA.

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Subpart 3.10—Second Coast Guard District [Heading Removed]

§ 3.10–1 [Removed]; § 3.10–10

[Redesignated as § 3.40–40]; § 3.10–5

[Redesignated as § 3.40–45]; § 3.10–30

[Redesignated as § 3.40–50]; § 3.10–35

[Redesignated as § 3.40–55]; § 3.10–40

[Redesignated as § 3.40–60]; and § 3.10–50

[Redesignated as § 3.40–65]

5. In Subpart 3.10, the subpart heading and § 3.10–1 are removed; § 3.10–10 is redesignated as § 3.40–40; § 3.10–15 is redesignated as § 3.40–45; § 3.10–30 is redesignated as § 3.40–50; § 3.10–35 is redesignated as § 3.40–55; § 3.10–40 is redesignated as § 3.40–60; and § 3.10–50 is redesignated as § 3.40–65.

6. In § 3.40–1, paragraph (b) is revised to read as follows:

§ 3.40–1 Eighth district.

* * * * *

(b) The Eighth Coast Guard District is comprised of North Dakota, South Dakota, Wyoming, Nebraska, Iowa, Colorado, Kansas, Missouri, Kentucky, West Virginia, Tennessee, Arkansas, Oklahoma, New Mexico, Texas, Louisiana, Mississippi, and Alabama; that part of Pennsylvania south of 41° N. latitude and west of 79° W. longitude; those parts of Ohio and Indiana south of 41° N. latitude; Illinois, except that part north of 41° N. latitude and east of 90° W. longitude; that part of Wisconsin south of 46°20' N. latitude and west of 90° W. longitude; that part of Minnesota south of 46°20' N. latitude; those parts of Florida and Georgia west of a line starting at the Florida coast at 83°50' W. longitude; thence northerly to 30°15' N. latitude, 83°50' W. longitude; thence due west to 30°15' N. latitude, 84°45' W. longitude; thence due north to the southern bank of the Jim Woodruff Reservoir at 84°45' W. longitude; thence northeasterly along the eastern bank of the Jim Woodruff Reservoir and northerly along the eastern bank of the Flint River to Montezuma, GA.; thence northwesterly to West Point, GA.; and the Gulf of Mexico area west of a line bearing 199 T. from the intersection of

the Florida coast at 83°50' W. longitude (the coastal end of the Seventh and Eighth Coast Guard District land boundary.) [DATUM NAD83]

13. In § 3.55–1, paragraph (a) is revised to read as follows:

3.55–1 Eleventh District.

(a) The District Office is in Alameda, California.

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Dated: May 28, 1996.

Kent H. Williams,
Vice Admiral, U.S. Coast Guard Chief of Staff.
[FR Doc. 96–15046 Filed 6–12–96; 8:45 am]

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33 CFR Part 117

[CGD05–94–065]

RIN 2115–AE47

Drawbridge Operation Regulations; Nacote Creek, NJ

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: At the request of the New Jersey Department of Transportation (NJDOT), the Coast Guard is changing the regulations governing the operation of the Route 9 Bridge across Nacote Creek, mile 1.5, in Smithville, Atlantic County, New Jersey. The change will require the Route 9 Bridge to open on signal except from 11 p.m. to 7 a.m., when a two hour advance notice for openings will be required. This change should help relieve the bridge owner of the burden of having a bridge tender constantly available at times when there are few or no requests for openings, while still providing for the needs of navigation.

EFFECTIVE DATE: This rule is effective on July 15, 1996.

FOR FURTHER INFORMATION CONTACT: Ann B. Deaton, Bridge Administrator, Fifth Coast Guard District, at (804) 398–6222.

SUPPLEMENTARY INFORMATION: Regulatory History

On December 20, 1995, the Coast Guard published a notice of proposed rulemaking entitled "Drawbridge Operation Regulations, Nacote Creek, New Jersey" in the Federal Register (60 FR 65613). The Coast Guard received one letter commenting on the notice of proposed rulemaking. No public hearing was requested, and none was held.

Background and Purpose

The Route 9 Bridge across Nacote Creek, mile 1.5, at Smithville, Atlantic