

DEPARTMENT OF DEFENSE**Department of the Navy****32 CFR Part 706****Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea, 1972; Amendment**

AGENCY: Department of the Navy, DOD.
ACTION: Final rule.

SUMMARY: The Department of the Navy is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS). The Deputy Assistant Judge Advocate General (Admiralty) of the Navy has determined that a prior certification of noncompliance for USS CONSTELLATION (CV 64) should be amended to reflect compliance with 72 COLREGS. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

EFFECTIVE DATE: June 15, 1998.

FOR FURTHER INFORMATION CONTACT:
 Captain R.R. Pixa, JAGC, U.S. Navy

Admiralty Counsel, Office of the Judge Advocate General Navy Department, 200 Stovall Street, Alexandria, VA 22332-2400 Telephone number: (703) 325-9744.

SUPPLEMENTARY INFORMATION: Pursuant to the authority granted in 33 U.S.C. 1605, the Department of the Navy amends 32 CFR Part 706. This amendment provides notice that the Deputy Assistant Judge Advocate General (Admiralty) of the Navy, under authority delegated by the Secretary of the Navy, has determined that certain navigation lights on USS CONSTELLATION (CV 64), previously certified as not in compliance with 72 COLREGS, now comply with the applicable 72 COLREGS requirements. Specifically, the ship now has a single forward anchor light and a single aft anchor light, as required by Rule 30(a)(i). Furthermore, the forward anchor light and the aft anchor light have been relocated to comply with Annex I, paragraph 2(k), and Rule 30(a)(ii).

Moreover, it has been determined, in accordance with 32 CFR Parts 296 and 701, that publication of this amendment

for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on this vessel in a manner differently from that prescribed herein will adversely affect the vessel's ability to perform its military functions.

List of Subjects in 32 CFR Part 706

Marine safety, Navigation (water), Vessels.

PART 706—[AMENDED]

Accordingly, 32 CFR Part 706 is amended as follows:

1. The authority citation for 32 CFR Part 706 continues to read:

Authority: 33 U.S.C. 1605.

2. Table Two of 706.2 is amended by revising the entry for USS CONSTELLATION as follows:

§ 706.2 Certifications of the Secretary of the Navy under Executive Order 11964 and 33 U.S.C. 1605.

* * * * *

TABLE TWO

Vessel	Number	Masthead lights, distance to stbd of keel in meters; rule 21(a)	Forward anchor light, distance below flight dk in meters; § 2(K), annex I	Forward anchor light, number of; rule 30(a) (i)	AFT anchor light, distance below flight dk in meters; rule 21(e), rule 30(a)(ii)	AFT anchor light, number of; rule 30(a) (ii)	Side lights, distance below flight dk in meters; § 2(g), annex I	Side lights, distance forward of forward masthead light in meters; § 3(b), annex I	Side lights, distance inboard of ship's sides in meters; § 3(b), annex I
USS CONSTELLATION	CV-64	28.2	1	1	0.4

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 Approved: June 15, 1998.

W.T. Storz,
Commander, JAGC, U.S. Navy, Acting Deputy Assistant Judge Advocate General (Admiralty).

[FR Doc. 98-17017 Filed 6-25-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION**Coast Guard****33 CFR Part 100**

[CGD08-98-025]

RIN 2115-AE46

**Special Local Regulations;
 Independence Day Celebration
 Cumberland River Miles 190-191,
 Nashville, TN**

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: Special local regulations are being adopted for the Independence Day Celebration. This event will be held on July 4, 1998 from 12 p.m. until 11 p.m. at the Riverfront in Nashville, Tennessee along the Cumberland River, miles 190.0 to 191.0. The event will include a boat parade beginning at 5 p.m. and a fireworks display beginning at 8:45 p.m. These regulations are needed to provide for the safety of life on navigable waters during the boat parade and fireworks display that will be part of the event.

DATES: These regulations are effective from 4 p.m. until 10 p.m. on July 4, 1998.

ADDRESSES: Unless otherwise indicated, documents referred to in this notice are available for inspection and copying at Marine Safety Office, Paducah, 225 Tully Street, Paducah, Kentucky, 42003

between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: BM2 Stephen L. Jones, Marine Safety Office, Paducah, KY., Tel: (502) 442-1621.

SUPPLEMENTARY INFORMATION:**Regulatory History**

In accordance with 5 U.S.C. 553, a notice of proposed rule making for these regulations has not been published, and good cause exists for making them effective in less than 30 days from the date of publication. Following normal rule making procedures would be impracticable. The details of the event were not finalized in sufficient time to publish proposed rules in advance of the event or so provide for a delayed effective date.

Background and Purpose

The marine event requiring this regulation is an Independence Day

celebration including a boat parade and fireworks display. The event is sponsored by the Nashville Metropolitan Board of Parks and Recreation. Spectators will be able to view the event from areas designated by the sponsor. Non-participating vessels will be able to transit the area after the river is reopened.

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 a significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 CFR 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 because of the event's short duration.

Small Entities

The Coast Guard finds that the impact on small entities, if any is not substantial. Therefore, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this temporary rule will not have a significant economic impact on a substantial number of small entities because of the event's short duration.

Collection of Information

This rule contains no information collection requirements under the Paperwork Reduction Act (44 USC 3501 *et seq.*).

Federalism Assessment

The Coast Guard has analyzed this action in accordance with the principles and criteria of Executive Order 12612 and has determined that this rule does not raise sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environmental Assessment

The Coast Guard considered the environmental impact of this rule and concluded that under section 2-1, paragraph (34)(h) of Commandant Instruction M16475.1C, this rule is categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water), Reporting and recordkeeping requirements.

Temporary Regulations

In consideration of the foregoing, Part 100 of Title 33, Code of Federal Regulations, is amended as follows:

PART 100—[AMENDED]

1. The authority citation for part 100 continues to read as follows:

Authority: 33 USC 1233; 49 CFR 1.46 and 33 CFR 100.35.

2. A temporary § 100-T08-025 is added to read as follows:

§ 100.35-T08-025 Cumberland River at Nashville, Tennessee

(a) *Regulated Area:* Cumberland River Miles 190.0–191.0.

(b) *Special Local Regulation:* All persons and/or vessels not registered with the sponsors as participants or official patrol vessels are considered spectators. The "official patrol" consists of any Coast Guard, public, state or local law enforcement enforcement and/or sponsor provided vessels assigned to patrol the event.

(1) No spectator shall anchor, block, loiter in, or impede the through transit of participants or official patrol vessels in the regulated area during effective dates and times, unless cleared for such entry by or through an official patrol vessel.

(2) When hailed and/or signaled by an official patrol vessel, a spectator shall come to an immediate stop. Vessel shall comply with all directions given; failure to do so may result in a citation.

(3) The Patrol Commander is empowered to control the movement of all vessels in the regulated area. The Patrol Commander may terminate the event at any time it is deemed necessary for the protection of life and/or property and can be reached on VHF-FM Channel 16 by using the call signal "PATCOM".

(b) *Effective Date:* This section is effective from 4 p.m. and 10 p.m. to July 4, 1998.

Dated: June 19, 1998.

A.L. Gerfin, Jr.

Captain, U.S. Coast Guard, Acting Commander, 8th Coast Guard District.

[FR Doc. 98-17072 Filed 6-25-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD07-98-037]

RIN 2115-AE46

Special Local Regulations; Cellular One Offshore Cup; San Juan Bay and North of Old San Juan, Puerto Rico

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: Temporary special local regulations are being adopted for the 1998 Cellular One Offshore Cup. The event will be held from 1 p.m. to 2:30 p.m. Atlantic Standard Time (AST) on June 28, 1998, in San Juan Bay and North of Old San Juan, Puerto Rico. These regulations are needed to provide for the safety of life on navigable waters because of the expected number of spectator craft in the vicinity of the racecourse.

DATES: These regulations become effective at 12:30 p.m. and terminate at 3 p.m. AST on June 28, 1998.

ADDRESSES: Documents as indicated in the preamble may be made available for inspection or copying at La Puntilla Finale, San Juan, PR 00902 between 9 a.m. and 2 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: LT D.L. Garrison at (787) 729-6800, extension 227.

SUPPLEMENTARY INFORMATION:

Background and Purpose

On June 28, 1998, there will be 20 high speed offshore power boats racing on a fixed course in San Juan Bay, the bay entrance around Punta El Morro, east 2 n.m. along the coast to Penon San Jorge, then back around into the bay. The race boats will be competing at high speeds with numerous spectator craft in the area, creating an extra or unusual hazard in the navigable waterways. These regulations are required to provide for the safety of life on navigable waters during the running of the 1998 Cellular One Offshore Cup.

In accordance with 5 U.S.C. 553, a notice of proposed rulemaking has not been published for these regulations and good cause exists for making them effective in less than 30 days after **Federal Register** publication. Publishing a NPRM and delaying its effective date would be contrary to national safety interests since immediate action is needed to minimize potential danger to the public, as the exact date of the race