

Federal Register (63 FR 9979). The Coast Guard received no comments on the proposed rulemaking. No public hearing was requested, and none was held.

Background and Purpose

33 CFR 100.505 established special local regulations for the New Jersey Offshore Grand Prix, a marine event held annually in the Atlantic Ocean along the coast of New Jersey between Asbury Park and Seaside Park. The purpose of these regulations is to control vessel traffic during the event to enhance the safety of participants, spectators, and transiting vessels. In the past, these regulations were implemented by publishing a notice in the **Federal Register**.

Discussion of Comments and Charges

The Coast Guard received no comments on the proposed rulemaking.

Good Cause Statement

This final rule is effective in less than 30 days because it is contrary to the public interest to delay the effective date because timely action is required to protect participants and other vessel traffic during the event.

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 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 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 rule merely identifies the effective period of an existing regulation and does not impose any new restrictions on vessel traffic.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–602), 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 does not impose any new

restrictions on vessel traffic, but merely identifies the effective period of the regulation. Therefore, the Coast Guard certifies under Section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601–602) that this final rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This final rule contains no collection of information requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

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 figure 2–1, paragraph (34) (h) of COMDTINST M16475.1C, this rule is categorically excluded from further environmental documentation. Special local regulations issued in conjunction with a regatta or marine parade are excluded under that authority.

List of Subjects in 33 CFR Part 100

Marine Safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

For the reasons set out in the preamble, the Coast Guard amends 33 CFR Part 100 as follows:

PART 100—[AMENDED]

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

Authority: 33 U.S.C. 1233; 49 CFR 1.46 and 33 CFR 100.35.

2. Section 100.505 is amended by revising paragraph (b) to read as follows:

§ 100.505 New Jersey Offshore Grand Prix.

* * * * *

(b) *Effective Period:* This section is effective annually on the third Wednesday in July. If the event is canceled due to weather, this section is effective the following day. The Coast Guard Patrol Commander will announce by Broadcast Notice to Mariners the specific time periods during which the regulations will be enforced.

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Dated: July 8, 1998.

Rogert T. Rufe, Jr.,

*Vice Admiral, U.S. Coast Guard Commander,
Fifth Coast Guard District.*

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD01–98–083]

RIN 2115–AA97

Safety Zone: Parade of Lights Fireworks Display, Boston Harbor, Boston, MA

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for the Parade of Lights Fireworks Display in Boston Inner Harbor, Boston, MA. The safety zone is in effect from 9 p.m. until 11 p.m. on July 25, 1998. The safety zone temporarily closes all waters of Boston Harbor within four hundred (400) yards of the fireworks barge moored in approximate position 42°22'07" N, 071°02'49" W, approximately 400 yards east of the Coast Guard Integrated Support Command Boston. The safety zone is needed to protect vessels from the hazards posed by a fireworks display.

DATES: This rule is effective from 9 p.m. until 11 p.m. on Saturday July 25, 1998.

FOR FURTHER INFORMATION CONTACT: LT Mike Day, Waterways Management Division, Coast Guard Marine Safety Office Boston, (617) 223–3002.

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 in less than 30 days after **Federal Register** publication. Any delay encountered in this regulation's effective date would be contrary to the public interest since immediate action is needed to close a portion of the waterway and protect the maritime public from the hazards associated with this fireworks display, which is intended for public entertainment.

Background and Purpose

On June 11, 1998 Conventures Incorporated filed a marine event permit with the Coast Guard to hold a fireworks program on Boston Harbor. This

regulation establishes a safety zone in all waters of Boston Harbor within four hundred (400) yards of the fireworks barge moored approximately 400 yards east of the Coast Guard Integrated Support Command, Boston. This safety zone is in effect from 9 p.m. until 11 p.m. on Saturday July 25, 1998. This safety zone prevents movement within the zone and is needed to protect the boating public viewing this display from the dangers posed by the fireworks display.

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 rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. Deep draft vessel traffic, fishing vessels and tour boats may experience minor delays in departures or arrivals due to the safety zone. Costs to the shipping industry from these regulations, if any, will be minor and have no significant adverse financial effect on vessel operators. In addition, due to the limited number and duration of the arrivals, departures and harbor transits, the Coast Guard expects the economic impact of this regulation to be so minimal that a Regulatory Evaluation is unnecessary.

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 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 discussed 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 impact on a substantial number of small entities.

Collection of Information

This proposal contains no collection of information requirements 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 federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard has considered the environmental impact of this final 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 reasons set out in the preamble, the Coast Guard amends 33 CFR Part 165 as follows:

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.T01-083 to read as follows:

§ 165.T01-083 Safety Zone: Parade of Lights Fireworks Display, Boston Harbor, Boston, MA.

(a) *Location.* The following area is a safety zone:

All waters of Boston Harbor within four hundred (400) yards of the fireworks barge moored in approximate position 42°22'07"N, 071°02'49"W, approximately 400 yards east of the Coast Guard Integrated Support Command Boston.

(b) *Effective date.* This section is effective from 9 p.m. until 11 p.m. on Saturday July 25, 1998.

(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 Captain of the Port, Boston.

(2) All persons and vessels shall comply with the instructions of the

Captain of the Port 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 2, 1998.

J. L. Grenier,

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

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD01-98-082]

RIN 2115-AA97

Safety Zone: Beverly Homecoming Fireworks Display, Beverly Harbor, Beverly, MA

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for the Beverly Homecoming Fireworks Display off Woodbury Point in Beverly Harbor, Beverly, MA. The safety zone is in effect from 9 p.m. until 11:45 p.m. on Sunday, August 9, 1998. The safety zone temporarily closes all waters of Beverly Harbor within four hundred (400) yards of a fireworks barge moored in approximate position 42°32.4' N, 070°51.5' W. The safety zone is needed to prevent vessels from the hazards posed by a fireworks display.

DATES: This rule is effective from 9 p.m. until 11:45 p.m. on Sunday August 9, 1998.

FOR FURTHER INFORMATION CONTACT: Lt Mike Day, Waterways Management Division, Coast Guard Marine Safety Office Boston, (617) 223-3002.

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 in less than 30 days after Federal Register publication. Any delay encountered in this regulation's effective date would be contrary to the public interest since immediate action is needed to close a portion of the waterway and protect the maritime public from the hazards associated with this fireworks display,