

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 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 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 sufficient implications for federalism 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 the reason discussed 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 1.05-1(g), 6.04-1, 6.04-6, and 160.5; 49 CFR 1.46.

2. Add temporary § 165.T01-113 to read as follows:

#### § 165.T01-113 Safety Zone: Kennedy Fireworks, New York Harbor, Upper Bay.

(a) *Location.* The following area is a safety zone: all waters of New York Harbor, Upper Bay within a 300 yard radius of the fireworks barge in approximate position 40°41'24.5" N 074°02'25" W (NAD 1983),

approximately 300 yards northeast of Liberty Island, New York.

(b) *Effective period.* This section is effective from 9 p.m. until 10:30 p.m. on Friday, September 11, 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: August 13, 1998.

**R.E. Bennis,**

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

[FR Doc. 98-23223 Filed 8-27-98; 8:45 am]

BILLING CODE 4910-15-M

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 165

[COTP Western Alaska-98-003]

RIN 2115-AA97

#### Safety Zone; Gulf of Alaska, Southeast of Narrow Cape, Kodiak Island, Alaska

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard has established a temporary safety zone in the Gulf of Alaska, southeast of narrow Cape, Kodiak Island, Alaska. The zone is needed to protect the safety of persons and vessels operating in the vicinity of the safety zone during a rocket launch from the Alaska Aerospace Development Corporation, Narrow Cape, Kodiak Island facility. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Commander, Seventeenth Coast Guard District, the Coast Guard Captain of the Port, Western Alaska, or his on scene representative. The affect of the safety zone is to ensure the safety of human life and property during the rocket launch.

**DATES:** The safety zone becomes effective at 6 a.m. October 6, 1998, and terminates at 10 p.m. October 20, 1998, Alaska local time.

**ADDRESSES:** Documents as indicated in this preamble are available for inspection and copying at the following

address: LCDR Rick Rodriguez, Chief of Port Operations, Coast Guard Captain of the Port Western Alaska, 510 L Street, Suite 100, Anchorage, Alaska, 99501.

**FOR FURTHER INFORMATION CONTACT:** LCDR Rick Rodriguez at Chief of Port Operations, Coast Guard Captain of the Port Western Alaska, 510 L Street, Suite 100, Anchorage, Alaska, 99501, (907) 271-6700.

### SUPPLEMENTARY INFORMATION:

#### Background and Purpose

The Alaska Aerospace Development Corporation (AADC), in conjunction with the United States Air Force, will be launching unmanned rockets from their facility at Narrow Cape, Kodiak Island, Alaska beginning in September 1998. The safety zone is necessary to protect spectators and transiting vessels from the potential hazards associated with the launch.

The launch time is scheduled to take place sometime between October 6, 1998 and October 20, 1998. The Coast Guard will announce via Broadcast notice to Mariners the anticipated date and time of the launch and will grant general permission to enter the safety zone during those times in which the launch does not pose a hazard to mariners. Because the hazardous condition is expected to last for approximately 4 hours of one day, and because general permission to enter the safety zone will be given during non-hazardous times, the impact of this rule on commercial and recreational traffic is expected to be minimal.

#### Discussion of the Regulation

The safety zone will include an area approximately 57 square nautical miles in the Gulf of Alaska, southeast of Narrow Cape, Kodiak Island, Alaska. Specifically, the zone includes the waters of the Gulf of Alaska that are within the area bounded by a line drawn from a point located at 57°29.7' North, 152°18.9' West, thence southeast to a point located at 57°22.3' North, 152°07.7' West, thence southwest to a point located at 57° 18.5' North, 152°16.3' West, and thence northwest to a point located at 57°26.0' North, 152°27.7' West, and thence northeast to the point located at 57°29.7' North, 152°18.9' West. All coordinates reference Datum: NAD 1983. This safety zone is necessary to protect spectators and transiting vessels from the potential hazards associated with the launch of the Alaskan Aerospace rocket. The safety zone will become effective at 6 a.m. September 26, 1998, and terminates at 10 p.m. October 8, 1998, Alaska local time.

## 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 cost 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 proposal to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary.

## Collection of Information

This rule contains no information collection 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 Figure 2-1, paragraph 34(g) of Commandant Instruction M16475.1C, this rule is categorically excluded from further environmental documentation.

## Publication History

A Notice of Proposed Rulemaking regarding this Temporary Final Rule was published at 63 FR 31681, June 10, 1998. The Notice of Proposed Rulemaking provided a thirty (30) day comment period rather than the usual ninety (90) day comment period. The justification for the shortened comment period can be found at 63 FR 31681, June 10, 1998.

Since the publication of the Notice of Proposed Rulemaking at 63 FR 31681, June 10, 1998, the safety zone dates for the rocket launch at Kodiak Island has changed from 6 a.m. September 1, 1998, through 10 p.m. September 10, 1998, to 6 a.m. September 26, 1998, through 10 p.m. October 8, 1998. The change has occurred as a result of logistical delays in obtaining hardware for the launch payload.

One comment was received during the comment period. The comment concerned the time length of the safety zone indicated in the Notice of

Proposed Rulemaking. The concern was that the safety zone, as scheduled, would interfere with a commercial fishing groundfish opening in the Gulf of Alaska. However, since the safety zone has been rescheduled for October, the groundfish opening will not be affected.

## List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and record keeping requirements, Security measures, Vessels, Waterways.

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 1.05-1(g), 6.401-1, 6.04-6, and 160.5; 49 CFR 1.46.

2. Add temporary § 165.T17-003 to read as follows:

### § 165.T17-003 Alaska Aerospace Development Corporation, Narrow Cape, Kodiak Island safety zone.

(a) *Regulated Area.* A safety zone is established in the waters of the Gulf of Alaska that are within the area bounded by a line drawn from a point located 57°29.7' North, 152° 18.9' West, thence southeast to a point located at 57°22.3' North, 152°07.7' West, thence southwest to a point located at 57°18.5' North, 152°16.3' West, and thence northwest to a point located at 57°26.0' North, 152°27.7' West, and thence northeast to the point located at 57°29.7' North, 152°18.9' West. All coordinates reference Datum: NAD 1983.

(b) *Effective Dates.* This Section becomes effective at 6 a.m. October 6, 1998, and terminates at 10 p.m. October 20, 1998.

(c) *Regulations.* (1) The Captain of the Port and the Duty Officer at Marine Safety Office, Anchorage, Alaska can be contacted at telephone number (907) 271-6700 or on VHF marine channel 16.

(2) The Captain of the Port may authorize and designate any Coast Guard commissioned, warrant, or petty officer to act on his behalf in enforcing the safety zone.

(3) The general regulations governing safety zones contained in Title 33 Code of Federal Regulations, § 165.23 apply. No person or vessel may enter or remain in this safety zone, without first obtaining permission from the Captain of the Port, or his on scene representative. The Captain of the Port, Western Alaska, or his on scene representative may be contacted

onboard the U.S. Coast Guard cutter in the vicinity of Narrow Cape via marine VHF channel 16.

Dated: July 28, 1998.

**W.J. Hutmacher,**

*Captain, U.S. Coast Guard Captain of the Port, Western Alaska.*

[FR Doc. 98-23221 Filed 8-27-98; 8:45 am]

BILLING CODE 4910-15-M

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 710

[OPPTS-82051; FRL-6028-3]

### 1998 Reporting Notice and Technical Amendment; Partial Updating of TSCA Inventory Data Base; Production and Site Reports

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule; technical amendment.

**SUMMARY:** This document announces the 1998 reporting period for the Toxic Substances Control Act (TSCA) Inventory Update Rule (IUR) and contains technical amendments to the rule to update the reporting instructions. The IUR requires manufacturers and importers of certain chemical substances included on the TSCA Chemical Substance Inventory to report current data on the production volume, plant site, and site-limited status of the substances. The 1998 reporting period is from August 25, 1998 to December 23, 1998.

**DATES:** This document is effective August 28, 1998. The 1998 reporting period is from August 25, 1998 to December 23, 1998.

**FOR FURTHER INFORMATION CONTACT:** For general information contact: Susan B. Hazen, Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460; telephone: (202) 554-1404; TDD: (202) 554-0551; e-mail: TSCA-Hotline@epamail.epa.gov. For technical information contact: Scott M. Sherlock, Information Management Division (7407), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460, telephone: (202) 260-1536, fax: (202) 260-9555, e-mail: sherlock.scott@epa.gov.