

From	To	MEA	MAA
<b>§ 95.7146 Jet Route No. 146 is Amended To Read in Part</b>			
Allentown, PA VORTAC ..... #COP OVERLIES FJC VORTAC	Kennedy, NY VOR/DME .....	#18000	45000
Airway segment		Changeover points	
	To	Distance	From
<b>§ 95.8003 VOR Federal Airways Changeover Points V-119 is Amended To Delete</b>			
Clarion, PA VOR/DME ..... #BFD R-232 UNUSEABLE. USE CIP R-050	Bradford, PA VOR/DME .....	#40	Clarion
<b>V-428 is Amended To Read in Part</b>			
Ithaca, NY VOR/DME .....	Georgetown, NY VORTAC .....	20	Ithaca.
<b>§ 95.8005 Jet routes Changeover Points J-42 is Amended To Read in Part</b>			
Memphis, TN VORTAC .....	Nashville, TN .....	119	Memphis.

[FR Doc. 98-23663 Filed 9-1-98; 8:45 am]  
BILLING CODE 4910-13-M

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 520

#### Oral Dosage Form New Animal Drugs; Clenbuterol; Correction

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule; correction.

**SUMMARY:** The Food and Drug Administration is correcting a final rule that appeared in the **Federal Register** of August 4, 1998 (63 FR 41419). The document amended the animal drug regulations to reflect approval of a new animal drug application filed by Boehringer Ingelheim Animal Health, Inc. The document published with an incorrect address. This document corrects that error.

**EFFECTIVE DATE:** September 2, 1998.

**FOR FURTHER INFORMATION CONTACT:** Carolyn C. Harris, Office of Policy (HF-27), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-2994.

**SUPPLEMENTARY INFORMATION:** In FR Doc. 98-20699, appearing on page 41419, in the **Federal Register** of August 4, 1998, the following correction is made: On page 41419, in the first column, in the second paragraph under **SUPPLEMENTARY INFORMATION**, beginning in the ninth line, "12420 Parklawn Dr., rm. 1-23, Rockville, MD 20857" is corrected to read "5630 Fishers Lane, rm. 1061, Rockville, MD 20852".

Dated: August 26, 1998.

**William K. Hubbard,**  
*Associate Commissioner for Policy Coordination.*

[FR Doc. 98-23582 Filed 9-1-98; 8:45 am]  
BILLING CODE 4160-01-F

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 522

#### Implantation or Injectable Dosage Form New Animal Drugs; Ampicillin Trihydrate For Sterile Suspension; Correction

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule; correction.

**SUMMARY:** The Food and Drug Administration (FDA) is correcting a final rule that appeared in the **Federal Register** of August 4, 1998 (63 FR 41419). The document amended the animal drug regulations to reflect approval of an abbreviated new animal drug application (ANADA) filed by G. C. Hanford Manufacturing Co. The document published with an incorrect address. This document corrects that error.

**EFFECTIVE DATE:** September 2, 1998.

**FOR FURTHER INFORMATION CONTACT:** Carolyn C. Harris, Office of Policy (HF-27), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-2994.

**SUPPLEMENTARY INFORMATION:** In FR Doc. 98-20698, appearing on page 41419, in the **Federal Register** of August 4, 1998, the following correction is made: On page 41420, in the first column, in the first complete paragraph, beginning in the ninth line, "12420 Parklawn Dr., rm.

1-23, Rockville, MD 20857" is corrected to read "5630 Fishers Lane, rm. 1061, Rockville, MD 20852".

Dated: August 26, 1998.

**William K. Hubbard,**  
*Associate Commissioner for Policy Coordination.*

[FR Doc. 98-23583 Filed 9-1-98; 8:45 am]  
BILLING CODE 4160-01-F

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 165

[COTP San Francisco Bay; 98-021]

RIN 2115-AA97

#### Safety Zone; Suisun Bay, Sacramento River, San Joaquin River, San Francisco, CA

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone in parts of Suisun Bay, the Sacramento River, and the San Joaquin River, during a powerboat race on September 13, 1998. The safety zone will encompass all waters within the area bounded by the line segments drawn as follows: commencing at a point located at latitude 38°02'55" N, longitude 121°53'30" W; thence to 38°03'50" N, 121°51'15" W; thence to 38°01'40" N, 121°49'55" W; thence to 38°01'38" N, 121°50'40" W; thence to 38°01'48" N, 121°51'08" W; thence to 38°01'54" N, 121°52'07" W; thence to 38°02'15" N, 121°52'55" W; thence returning to the point of origin.

This safety zone is necessary to provide for the safety of participants,

spectators, and property during the event. Persons and vessels are prohibited from entering into, transiting through, or anchoring within this safety zone unless authorized by the Captain of the Port, or a designated representative thereof. Commercial vessels may request authorization to transit this safety zone by contacting Vessel Traffic Service on Channel 14 VHF-FM.

**DATES:** This safety zone will be in effect on September 13, 1998 from 11:30 a.m. until 3 p.m. (PDT). If the event concludes prior to the scheduled termination time, the Captain of the Port will cease enforcement of this safety zone and will announce that fact via Broadcast Notice to mariners.

**ADDRESSES:** Documents pertaining to this regulation are available for inspection and copying at U.S. Coast Guard Marine Safety Office San Francisco Bay, Building 14, Coast Guard Island, Alameda, CA 94501-5100.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant Andrew B. Cheney, U.S. Coast Guard Marine Safety Office San Francisco Bay; (510) 437-3073.

**SUPPLEMENTARY INFORMATION:**

**Regulatory Information**

In accordance with 5 U.S.C. 553, a Notice of Proposed Rule (NPRM) was not published for this temporary regulation and good cause exists for making it effective prior to, or less than 30 days after, **Federal Register** publication. The precise location of the event necessitating the promulgation of this safety zone, and other logistical details surrounding the event, were not finalized until a date fewer than 30 days prior to the event date. Publication of an NPRM and delay of its effective date would be contrary to the public interest since the event would occur before the rulemaking process was complete, jeopardizing the safety of the lives and property of event participants and spectators.

**Discussion of Regulation**

The Pacific Offshore Powerboat Racing Association has been granted a permit by Commander, Coast Guard Group San Francisco to sponsor a powerboat race on the navigable waters of Suisun Bay, and the Sacramento and San Joaquin Rivers. The contestants will take multiple laps of the planned course of the race. From the starting point near the western end of Suisun Bay in the vicinity of Buoy #28, contestants will travel at high speed in a clock-wise direction around Winter Island and Browns Island and then return to the vicinity of Buoy #28. This safety zone is

necessary to protect participants, spectators, and property from hazards associated with this race. Entry into, transit through, or anchoring within this zone by all vessels is prohibited, unless authorized by the Captain of the Port, or a designated representative thereof. Commercial vessels may request authorization to transit the regulated area by contacting the Vessel Traffic Service on Channel 14 VHF-FM. For purposes of this temporary regulation, "commercial vessels" are defined as all vessels other than those used and registered/documented exclusively for recreational purposes.

**Regulatory Evaluation**

This temporary regulation 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). Due to the short duration and limited geographic scope of the safety zone, and because commercial traffic will have an opportunity to request authorization to transit, the Coast Guard expects the economic impact of this rule to be so minimal that full regulatory evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary.

**Collection of Information**

This regulation 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 temporary regulation under the principles and criteria contained in Executive Order 12612 and has determined that this regulation does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

**Environmental Assessment**

The Coast Guard has considered the environmental impact of this temporary regulation and concluded that under Chapter 2.B.2. of Commandant Instruction M16475.1C, Figure 2-1, paragraph (34)(g), it will have no significant environmental impact and it is categorically excluded from further environmental documentation. An environmental analysis checklist has

been completed and a Marine Event permit has been issued.

**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 the 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 costs of \$100 million or more. Therefore, the Coast Guard is exempt from any further regulatory requirements under the Unfunded Mandates Act.

**List of Subjects in 33 CFR Part 165**

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

**Regulation**

In consideration of the foregoing, Subpart F of Part 165 of Title 33, Code of Federal Regulations, is amended 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. A new section 165.T11-089 is added to read as follows:

**§ 165.T11-089 Safety Zone: Suisun Bay, Sacramento River, San Joaquin River, San Francisco, CA**

(a) *Location.* The following area constitutes a safety zone in the navigable waters of the United States within Suisun Bay and the Sacramento and San Joaquin Rivers: all waters within the area bounded by the line segments drawn as follows: commencing at a point located at latitude 38°02'55"N, longitude 121°53'30"W; thence to 38°03'50"N, 121°51'15"W; thence to 38°01'40"N, 121°49'55"W; thence to 38°01'38"N, 121°50'40"; thence to 38°01'48"N, 121°51'08"W; thence to 38°01'54"N, 121°52'07"; thence to 38°02'15"N, 121°52'55"W; thence returning to the point of origin. All coordinates referred use Datum: NAD 83.

(b) *Effective Dates.* This safety zone becomes effective at 11:30 a.m. (PDT) and terminates at 3 p.m. (PDT) on September 13, 1998. If the event concludes prior to the scheduled termination time, the Captain of the Port will cease enforcement of this safety zone and will announce that fact via Broadcast Notice to Mariners.

(c) *Regulations.* The general regulations governing safety zones contained in 33 CFR 165.23 apply. Entry into, transit through, or anchoring within this zone is prohibited unless authorized by the Captain of the Port, or a designated representative thereof. Commercial vessels may request authorization to transit the safety zone by contacting Vessel Traffic Service on Channel 14 VHF-FM.

Dated: August 24, 1998.

**R.C. Lorigan,**

*Commander, U.S. Coast Guard, Acting Captain of the Port, San Francisco Bay.*

[FR Doc. 98-23444 Filed 9-1-98; 8:45 am]

BILLING CODE 4910-15-M

## POSTAL SERVICE

### 39 CFR Part 241

#### Expansion, Relocation, Construction of New Post Offices

**AGENCY:** Postal Service.

**ACTION:** Final rule.

**SUMMARY:** This final rule establishes procedures by which the Postal Service notifies local citizens and public officials of facility projects, and solicits and considers the community's input before making a final decision to expand an existing facility, relocate to a new building, or start new construction. The purpose of the rule is to build into the facility project planning process specific opportunities and adequate time for the community to be an active participant in the decision making process and to have its views heard and considered.

**DATE:** Effective October 5, 1998.

**FOR FURTHER INFORMATION CONTACT:** John Sorenson, U.S. Postal Service, Facilities, 4301 Wilson Boulevard, Suite 300, Arlington, VA 22203-1861. Phone (703) 526-2782.

**SUPPLEMENTARY INFORMATION:** On May 7, 1998, the Postal Service published an interim rule (63 FR 25166) that added a new section 241.4 to 39 CFR Part 241 to require that local citizens and public officials be notified and invited to comment at critical stages of the planning to enlarge, relocate, or construct a postal customer service facility. In addition, the interim rule

required postal officials to take into account community input, including alternative recommendations. Although the interim rule took effect immediately, the Postal Service established a 30-day comment period and invited comments from interested persons and organizations. Nine responses were received.

The respondents generally supported the intent of the interim rule— involvement of local communities in facility decisions by the Postal Service—but differed as to whether and how the rule would accomplish that intent. Following is a summary of the comments received, in order of the specific sections of the interim rule to which they relate.

#### General Comments and Application; 241.4(a)

One respondent's letter noted that "the changes proposed fail to provide assurance that citizens and postal customers will have any voice at all in the decisions impacting their communities." A state agency is concerned that the rule does not suggest any significant changes in USPS policies and urges a greater emphasis on a clear protocol for dialog between the Postal Service and the public. Another state agency opposes the rule generally as not giving full consideration of alternatives or of community preferences as a top priority. On the other hand, another state agency approved of the interim rule's clear statement of priorities for facilities projects, which establish the right context for public participation and the consideration of alternatives.

We disagree with the respondents who doubt that the interim rule sets out effective means to ensure community participation in facility project decisions. The final rule published today, like the interim rule, states the Postal Service's priorities for facility projects: the first consideration is expansion of the present facility; next is relocation to another building; and last is new construction. The rule requires and sets time tables for pre-decisional in-person discussion and formal written notices to elected local officials of the affected community. It also requires press releases to the local media and posting in the local post office, as well as an opportunity for a minimum of one public hearing or meeting (and more as needed), followed by a comment period for receipt and consideration of additional comments before a decision is made to expand, relocate, or construct a post office.

The question of whether the interim rule is a statement of existing policies

was mentioned by several respondents. The interim rule, and this final rule, clarify, expand, and formalize, through the Federal Regulation process, the opportunities for public participation in facility project decisions that are already embodied in postal policy.

The views, ideas, and proposals of local citizens and postal customers are an important part of the process of making facility project decisions. However, many other factors must also be considered. Among them are whether an expiring lease can be renegotiated at a reasonable rent, and operational requirements including access to transportation, local population growth, and the availability of buildings that are safe and environmentally healthful for both customers and employees. The Postal Service agrees that the community's voice must be heard and its views considered in facility projects that affect them; however, the final decision remains the responsibility of the Postal Service.

One state governmental office expressed concern that the interim rule does not address the consolidation or closing (i.e., the "discontinuance") of post offices. In fact, this facility project rule is independent of the criteria and requirements for closing or consolidating post offices. It is not intended to broaden, reduce, or otherwise modify the scope of the rules related to the discontinuance of post offices—prescribed by U.S.C. 404(b) and 39 CFR 241.3. Those requirements and criteria are unchanged by this rule and will continue in full effect.

There may be instances where the facility project rule issued today governs a project that is also covered by the discontinuance rules. For example, if two post offices are both housed in substandard buildings in a rural area that has experienced significant population loss, the Postal Service may consider consolidating the post offices and relocating all operations to a single new building convenient to both affected areas. In that situation, the Postal Service would comply both with the discontinuance rules at 39 CFR 243.1 with respect to the closing/consolidation decision and with this facility project rule with respect to the decisions about selecting or building a new facility. Where the rules prescribe different notice requirements or comment or waiting periods for a particular action, the longer one, resulting in greater public participation, would be used. Similarly, as discussed below, the requirements of section 106 of the National Historic Preservation Act (NHPA) would also continue to be applicable independently of this facility