

or more, or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities, (2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency, (3) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof, or (4) raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in Executive Order 12866.

B. Regulatory Flexibility Act

Because a notice of proposed rulemaking is not required for this rule under 5 U.S.C. 553(b), the requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, pertaining to regulatory flexibility analysis do not apply. See 5 U.S.C. 601(2). Therefore, a regulatory flexibility analysis is not required.

C. Paperwork Reduction Act

This rule contains no additional information collection requirements. The information collection requirements in the regulations to which this rule makes technical amendments have been approved by the Office of Management and Budget (OMB control number 1215-0188).

D. Small Business Regulatory Enforcement Fairness Act

The Department has determined that this final rule is not a "major rule" requiring prior approval by the Congress and the President pursuant to the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 804), because it is not likely to result in (1) an annual effect on the economy of \$100 million or more, (2) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions, or (3) significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.

Further, since the Department has determined, for good cause, that publication of a proposed rule and solicitation of comments on this rule is not necessary, under 5 U.S.C. 808(2), this final rule is effective immediately upon publication as stated previously in this notice.

E. Unfunded Mandates Reform Act

For purposes of Section 2 of the Unfunded Mandates Reform Act of 1995, 2 U.S.C. 1532, as well as Executive Order 12875 (58 FR 58093, October 28, 1993), this rule does not include any federal mandate that may result in increased expenditures by State, local and tribal governments, or increased expenditures by the private sector of more than \$100 million.

List of Subjects

29 CFR Part 406

Labor management relations, Reporting and recordkeeping requirements.

29 CFR Part 408

Labor unions, Reporting and recordkeeping requirements.

Adoption of Amendments of Regulations

In consideration of the foregoing, the Office of Labor-Management Standards, Employment Standards Administration, Department of Labor hereby amends Parts 406 and 408 of title 29 of the Code of Federal Regulations as set forth below.

PART 406—REPORTING BY LABOR RELATIONS CONSULTANTS AND OTHER PERSONS, CERTAIN AGREEMENTS WITH EMPLOYERS

1. The authority citation for part 406 continues to read as follows:

Authority: Secs. 203, 207, 208, 73 Stat. 526, 529 (29 U.S.C. 433, 437, 438); Secretary's Order No. 5-96 (62 FR 107, January 2, 1997).

§ 406.10 [Corrected]

2. Section 406.10 is corrected by changing the OMB control number at the end of the section to "1215-0188."

PART 408—LABOR ORGANIZATION TRUSTEESHIP REPORTS

3. The authority citation for part 408 continues to read as follows:

Authority: Secs. 201, 207, 208, 301, 73 Stat. 524, 529, 530 (29 U.S.C. 431, 437, 438, 461); Secretary's Order No. 5-96 (62 FR 107, January 2, 1997).

§ 408.13 [Corrected]

4. Section 408.13 is amended by changing the OMB control number at the end of the section to "1215-0188."

Signed in Washington, D.C. this 24th day of August, 1998.

Bernard E. Anderson,

Assistant Secretary for Employment Standards.

[FR Doc. 98-23826 Filed 9-2-98; 8:45 am]

BILLING CODE 4510-86-P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD01-98-130]

RIN 2115-AA97

Safety Zone: Gloucester Schooner Festival Fireworks Display, Gloucester Harbor, Gloucester, MA

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for the Gloucester Schooner Festival Fireworks Display around Stage Fort Park in Gloucester Harbor, Gloucester, MA. The safety zone is in effect from 8 p.m. until 10:30 p.m. on September 5, 1998. The safety zone temporarily closes all waters within four hundred (400) yards of the easternmost tip of Stage Head at Stage Head Fort Park in Gloucester Harbor, Gloucester, MA. The safety zone is needed to protect vessels from the hazards posed by a fireworks display.

EFFECTIVE DATE: This rule is effective from 8 p.m. until 10:30 p.m. on Saturday, September 5, 1998.

FOR FURTHER INFORMATION CONTACT: LT Dennis O'Mara, Waterways Management Division, Coast Guard Marine Safety Office Boston, (617) 223-3000.

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. Publishing a NPRM and delaying its 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 August 11, 1998 the Gloucester Fireworks Fund filed a marine event

permit with the Coast Guard to hold a fireworks program on the waters of Gloucester Harbor, Gloucester, MA. This regulation establishes a safety zone in all waters within four hundred (400) yards of the easternmost tip of Stage Head at Stage Fort Park in Gloucester Harbor, Gloucester, MA. This safety zone is in effect from 8 p.m. to 10:30 p.m. on September 5, 1998. This safety zone prevents entry into or movement within this portion of Gloucester Harbor, and it is needed to protect the boating public viewing this display from the dangers posed by the fireworks display.

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 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, are expected to 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 considered whether this rule would have a significant economic impact on a substantial number of small entities. "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 on the Regulatory Evaluation section above, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this 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 (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 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 § 165.T01-130 to read as follows:

§ 165.T01-130 Safety Zone: Gloucester Schooner Festival Fireworks Display, Gloucester Harbor, Gloucester, MA.

(a) *Location.* The following area is a safety zone: All waters of Gloucester Harbor within four hundred (400) yards of the easternmost tip of Stage Head at Stage Fort Park in Gloucester Harbor, Gloucester, MA.

(b) *Effective Date.* This section is effective from 8 p.m. until 10:30 p.m. on Saturday September 5, 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 section 165.23 of this part apply.

Dated: August 21, 1998.

J.L. Grenier,

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

[FR Doc. 98-23700 Filed 9-2-98; 8:45 am]

BILLING CODE 4910-15-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD11-97-010]

Regulated Navigation Area: Copper Canyon, Lake Havasu, Colorado River; Correction

AGENCY: Coast Guard, DOT.

ACTION: Final rule; correction.

SUMMARY: This document contains a correction to the final rule (CGD11-97-010) which was published on page 38307 of the Thursday, July 16, 1998 issue of the **Federal Register**. The rule established a regulated navigation area intended to improve access for emergency response officials. The new section to be added was incorrectly designated as § 165.1115. The correct section number designation for this rule is § 165.1116. This document corrects that error by designating a different section number to the final rule.

DATES: This correction is effective on September 3, 1998.

ADDRESSES: Documents pertaining to this rulemaking are available for inspection and copying at Coast Guard Marine Safety Office, 2716 North Harbor Drive, San Diego, CA 92101-1064.

FOR FURTHER INFORMATION CONTACT: Petty Officer Greg Nelson, U.S. Coast Guard Marine Safety Office; telephone number (619) 683-6492.

Correction

In the final rule FR Doc. 98-18948 (CGD11-97-010), published July 16, 1998, in the second column of page 38308, in amendatory instruction 2, and in the heading to the regulatory text, correct "§ 165.1115" to read "§ 165.1116."

Dated: August 20, 1998.

R.D. Sirois,

Captain, U.S. Coast Guard, Commander, Eleventh Coast Guard District, Acting.

[FR Doc. 98-23699 Filed 9-2-98; 8:45 am]

BILLING CODE 4910-15-M