

(6) If the agricultural trade option merchant's net worth falls below the level prescribed in § 3.13(d)(1)(i) of this chapter, it must immediately cease offering or entering into new option transactions and must notify customers having premiums which the agricultural trade option merchant is holding under paragraph (a)(4) of this section that such customers can obtain an immediate refund of that premium amount, thereby closing the option position.

(g) *Exemption.* (1) The provisions of §§ 3.13, 32.2, 32.11 and this section shall not apply to a commodity option offered by a person which has a reasonable basis to believe that:

(i) The option is offered to a producer, processor, or commercial user of, or a merchant handling, the commodity which is the subject of the commodity option transaction, or the products or byproducts thereof;

(ii) Such producer, processor, commercial user or merchant is offered or enters into the commodity option transaction solely for purposes related to its business as such; and

(iii) Each party to the option contract has a net worth of not less than \$10 million or the party's obligations on the option are guaranteed by a person which has a net worth of \$10 million and has a majority ownership interest in, is owned by, or is under common ownership with, the party to the option.

(2) Provided, however, that § 32.9 continues to apply to such option transactions.

Issued this 25th day of August, 1999, in Washington, DC, by the Commodity Futures Trading Commission.

Catherine D. Dixon,

Assistant Secretary of the Commission.

[FR Doc. 99-22555 Filed 8-30-99; 8:45 am]

BILLING CODE 6351-01-M

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Part 1926

[Docket No. S-206C]

RIN 1218-AB62

Safety Standards for Fall Protection in the Construction Industry; Correction

AGENCY: Occupational Safety and Health Administration, U.S. Department of Labor.

ACTION: Advance notice of proposed rulemaking; correction.

SUMMARY: On July 14, 1999, OSHA published an Advanced Notice of

Proposed Rulemaking (ANPR) titled, "Safety Standards for Fall Protection in the Construction Industry." The ANPR was published with an incorrect Regulation Identifier Number (RIN). This document corrects that error.

FOR FURTHER INFORMATION CONTACT: Ms. Bonnie Friedman, Occupational Safety and Health Administration, Office of Public Affairs, Room N3647, U.S. Department of Labor, 200 Constitution Avenue, NW, Washington, DC 20210, Telephone: (202) 693-1999. Anyone with questions regarding this correction or the July 14 ANPR, should contact Ms. Jule Jones at (202) 693-2345.

SUPPLEMENTARY INFORMATION: On July 14, 1999, at 64 FR 38078, OSHA published an Advanced Notice of Proposed Rulemaking (ANPR) titled "Safety Standards for Fall Protection in the Construction Industry." In that document, OSHA requested comments and information on fall protection for workers engaged in certain construction activities currently covered by OSHA's standards. The ANPR was published with an incorrect RIN. The correct RIN, as printed in the Semiannual Regulatory Agenda, is 1218-AB62.

Authority: This document was prepared under the direction of Charles N. Jeffress, Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Avenue, NW, Washington, DC 20210.

Signed at Washington, DC this 23rd day of August, 1999.

Charles N. Jeffress,

Assistant Secretary.

[FR Doc. 99-22422 Filed 8-30-99; 8:45 am]

BILLING CODE 4510-26-M

DEPARTMENT OF TRANSPORTATION

33 CFR Part 100

[CGD07-99-057]

RIN 2115-AE46

Special Local Regulations: Puerto Rico International Cup, Fajardo, Puerto Rico

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: Temporary special local regulations are being proposed for the Puerto Rico International Cup, in Fajardo, Puerto Rico. The event will be held from 1 p.m. to 2:30 p.m. Atlantic Standard Time (AST) on December 5, 1999 in Fajardo, Puerto Rico. These regulations are needed to provide for the safety of life on navigable waters during the event.

DATES: Comments must be received on or before November 1, 1999.

ADDRESSES: Comments may be mailed to Commander, U.S. Coast Guard Greater Antilles Section (aton), P.O. Box S-3666, San Juan, Puerto Rico 00902, or may be delivered to the Aids to Navigation Office at the Coast Guard Base in Old San Juan between 7:30 a.m. and 3:30 p.m. Monday through Friday, except federal holidays. The telephone number is (787) 729-5381.

FOR FURTHER INFORMATION CONTACT: Mr. John Reyes at (787) 729-5381.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views, or arguments. Persons submitting comments should include their name and address, identify this rulemaking (CGD07-99-057) and the specific section of this proposal to which each comment applies, and give a reason for each comment.

The Coast Guard will consider all comments received during the comment period. It may change this proposal in the view of the comments. The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the address under **ADDRESSES**. The request should include the reasons why a hearing would be beneficial. If the Coast Guard determines that the opportunity for oral presentations will aid this rulemaking, it will hold a public hearing at the time and place announced by a notice in the **Federal Register**.

Background and Purpose

These proposed regulations would create a regulated area offshore Fajardo, that would prohibit entry to non-participating vessels during the race. The participating race boats will be competing at high speeds with numerous spectator craft in the area, thus creating an extra or unusual hazard on the navigable waterways. These regulations are required to provide for the safety of life on navigable waters during the Puerto Rico International Cup, Fajardo, Puerto Rico.

Regulatory Evaluation

This proposed 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)(f) of that order. The Office of Management and Budget has excepted it from review 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 10e of the regulated policies and procedures of DOT is unnecessary. The regulated area encompasses Rada Fajardo, Puerto Rico, entry into which is only prohibited for 3½ hours on the day of the event.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.) the Coast Guard must consider whether this proposed rulemaking will have a significant economic impact on a substantial number of small entities. Small entities include small business, not-for-profit organizations that are independently owned and operated and are not dominant under their fields, and governmental jurisdictions with populations of less than 50,000.

Therefore, the Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule will not have a significant economic impact on a substantial number of small entities, as the regulations will only be in effect for approximately 3½ hours in a limited area off Fajardo.

If, however, you think that your business or organization qualifies as a small entity and that this proposed rule will have a significant economic impact on your business or organization, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and in what way and to what degree this proposed rule will economically affect it.

Collection of Information

This proposed rule contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 et seq.).

Federalism

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that this proposed rulemaking does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environmental Assessment

The Coast Guard considered the environmental impact of this proposed rule consistent with Figure 2-1, paragraph 34(h) of Commandant Instruction M16475.1C, and has determined that this action is categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 100

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

Proposed Regulations

In consideration of the foregoing, the Coast Guard proposes to amend part 100 of Title 33, Code of Federal Regulations 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. Add temporary § 100.35T-07-057 to read as follows:

§ 100.35T-07-057 Puerto Rico International Offshore Cup, Fajardo, Puerto Rico.

(a) *Regulated area:* A regulated area is established for the waters in Rada Fajardo, encompassing an area bounded by point 1 in position 18°21'12"N, 065°36'51"W, thence to point 2 in position 18°19'48"N, 065°34'34"W, thence to point 3 in position 18°19'50"N, 065°34'26"W, thence to point 4 in position 18°22'22"N, 065°35'19"W, thence to point 5 in position 18°23'08"N, 065°36'00"W, thence to point 6 in position 18°23'08"N, 065°36'09"W, thence to point 7 in position 18°22'40"N, 065°36'28"W, thence to point 8 in position 18°21'20"N, 065°36'55"W, thence return to point 1. All coordinates referenced use Datum: NAD 1983.

(b) *Coast Guard Patrol Commander.* The Coast Guard Patrol Commander is a commissioned, warrant, or petty officer of the Coast Guard who has been designated by Commanding Officer, Greater Antilles Section, San Juan, Puerto Rico.

(c) *Regulations:* Entry into the regulated area by other than event participants is prohibited, unless otherwise authorized by the Patrol Commander. Spectator craft are required to remain in a spectator area to be established by the event sponsor, the Puerto Rico Offshore Association.

(d) *Dates:* This section is effective at 12 p.m. and terminates at 3:30 p.m. AST on December 5, 1999.

Dated: August 11, 1999.

G.W. Sutton,

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

[FR Doc. 99-22655 Filed 8-30-99; 8:45 am]

BILLING CODE 4910-15-P

DEPARTMENT OF DEFENSE

Corps of Engineers; Department of the Army

33 CFR Part 207

St. Marys Falls Canal and Locks, MI; Use, Administration and Navigation

AGENCY: Army Corps of Engineers, DoD.

ACTION: Notice of proposed rulemaking and request for comments.

SUMMARY: The Corps of Engineers proposes to amend its regulations on procedures to navigate the St. Marys Falls Canal and Soo Locks at Sault St. Marie, Michigan to incorporate changes in navigation procedures published in Notice to Navigation Interests over the last three years. We propose to change the location where up bound vessels seeking passage through the Soo Locks request lock dispatch. We also propose to establish the minimum number of line handlers that vessels should have while locking through the Soo Locks, place a restriction on the use of bow/stern thrusters while transiting through the Soo Locks, add a procedure for vessels departing from the MacArthur and Poe Locks simultaneously or at approximately the same time, and add a tug assist procedure for self-powered vessels.

DATES: Written comments must be received by October 15, 1999.

ADDRESSES: Army Corps of Engineers, ATTN: CECW-OD, 20 Massachusetts Avenue, NW, Washington, DC 20314-1000. Comments may also be faxed to (202) 761-1685 or e-mail to james.d.hilton@usace.army.mil.

FOR FURTHER INFORMATION CONTACT: Mr. Jim Hilton, Dredging and Navigation Branch (CECW-OD) at (202) 761-8830 or Mr. Michael O'Bryan, Assistant Chief, Construction-Operations Division, Detroit District at (313) 226-6444.

SUPPLEMENTARY INFORMATION: Pursuant to its authority in section 4 of the Rivers and Harbors Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 1), the Corps is proposing to amend the regulations in 33 CFR part 207.440(c), (e), (f), (h), and (r). The regulation governing the operation of the St. Marys Falls Canal and locks, 33 CFR 207.440 was adopted on November 27, 1945 (10 F.R. 14451) and has been amended at various times.

Paragraph (c) is being amended to formally establish the call-in location and change in call sign currently being utilized by vessel owners. The current call-in location was published in the Notice to Navigation Interests on September 13, 1990. The call sign was changed due to the realignment of the