

time between 10:30 a.m. and 1:30 p.m. on Wednesdays. Flotilla size was specified.

Discussion of Comments and Changes

At the end of the comment period for the temporary deviation to regulations, the Coast Guard received twenty-one comments. One comment letter, from the City of Chicago, expressed opposition to any permanent regulation for the Spring Breakout in 1995. In response to a request for data, the City stated the data would be provided to the Coast Guard on June 15, 1995. In addition, they proposed one weekday daylight opening and weekend openings. Thirteen of the other twenty comment letters favored not effecting any change to the regulations that are in place now and expressed opposition to establishing minimums and maximums for recreational vessel flotilla sizes that would be allowed to pass through the bridges. Other commenters indicated that if a change is necessary, there should be daylight openings during the weekdays and not restrict openings to strictly nighttime hours from Monday through Friday. These commenters also expressed opposition to establishing a minimum and maximum of boats that would be required for the bridges to be opened. Representatives from the Chicago River boat yards in their comments stated they did not favor a permanent regulation for the Spring Breakout in 1995, but favor the existing regulatory structure.

The District Commander has authorized the temporary deviation to commence on April 15, 1995, and remain in effect for a period of ninety (90) days. This deviation would require that the City open their bridges seven days a week for the passage of recreational vessels only when notice is given twenty-four hours in advance of a vessel's time of intended passage through the draws. However, the bridges subject to this deviation need not open for the passage of recreational vessels from 7:30 a.m. to 10 a.m. and 4 p.m. to 6:30 p.m., Mondays through Fridays. No requirement as to minimum or maximum flotilla size will be imposed. This deviation will facilitate data gathering and scheduling and will support safety while addressing concerns of all parties during the Spring period when most recreational vessels traditionally return to Lake Michigan from winter storage at the Chicago River boat yards. The temporary deviation from the operating requirements at 33 CFR 117.391 governing bridges owned by the City of Chicago over the Chicago River would read as follows:

The bridges affected by this deviation are listed below:

Main Branch

Lake Shore Drive
Columbus Drive
Michigan Avenue
Wabash Avenue
State Street
Dearborn Street
Clark Street
LaSalle Street
Wells Street
Franklin-Orleans Street

South Branch

Lake Street
Randolph Street
Washington Street
Monroe Street
Madison Street
Adams Street
Jackson Boulevard
Van Buren Street
Eisenhower Expressway
Harrison Street
Roosevelt Road
18th Street
Canal Street
South Halsted Street
South Loomis Street
South Ashland Avenue

North Branch

Grand Avenue
Ohio Street
Chicago Avenue
N Halsted Street

This deviation from normal operating regulations is authorized in accordance with the provisions of title 33 of the Code of Federal Regulations, § 117.43, and applies only to the passage of recreational vessels. Under this deviation the bridges listed above operated by the City of Chicago shall operate as follows:

(a) The bridges covered by this deviation need not open for the passage of vessels Mondays through Fridays from 7:30 a.m. to 10 a.m. and 4 p.m. to 6:30 p.m.

(b) At all other times the draws shall open on signal if notice is given twenty-four hours in advance of a vessel's time of intended passage through the draws.

(c) This period of deviation is effective from April 15, 1995 through July 14, 1995.

Dated: February 10, 1995.

Paul J. Pluta,

Captain, U.S. Coast Guard, Commander,
Ninth Coast Guard District, Acting.
[FR Doc. 95-3952 Filed 2-15-95; 8:45 am]
BILLING CODE 4910-14-M

33 CFR Part 161

[CGD09-94-036]

RIN 2115-AF01

Temporary Speed Limits for the St. Marys River; Correction

AGENCY: Coast Guard, DOT.

ACTION: Final rules.

SUMMARY: This document corrects the temporary final regulations [CGD09-94-036] which were published on Monday, January 23, 1995, (60 FR 4378) concerning the Speed Limits for the St. Marys River.

EFFECTIVE DATE: February 16, 1995.

FOR FURTHER INFORMATION CONTACT: Ms. Irene Hoffman, Project Manager, Vessel Traffic Services Division (G-NVT), at (202) 267-6277.

SUPPLEMENTARY INFORMATION:

Background

In accordance with an agreement reached on June 29, 1993, with the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service and the Michigan Department of Natural Resources, the Coast Guard may make temporary changes to the speed regulations for periods during the winter season when icebreaking is being conducted in the vicinity of Neebish Island, St. Marys River, Michigan, as a precautionary measure to minimize any possible damage to the environment.

In 59 FR 36324 of July 15, 1994; sections 161.1 through 161.60 of 33 CFR Part 161 were revised. In this document revising Part 161, speed limit regulations for the St. Marys River were placed in 33 CFR Part 162.

On January 23, 1995, a document was published at page 4378 to amend 33 CFR Part 161. This document, intended to address temporary speed limits in the St. Marys River, amended Part 161 by suspending § 161.880 and adding § 161.881. The suspension and addition were effective from December 29, 1994 through April 15, 1995.

Need for Correction

The January 23, 1995, amendments did not make the needed temporary changes to the St. Marys River speed limits. That publication, therefore, needs to be revoked. A new temporary rulemaking addressing the St. Marys River speed limits in 33 CFR 162.117 will be prepared for publication.

For this reason, under the authority of 33 U.S.C. 1231 and 49 CFR 1.46, the suspension of § 161.880 is terminated and § 161.881 is removed.

Dated: February 8, 1995.

G.A. Penington,

Rear Admiral, U.S. Coast Guard, Chief, Office of Navigation, Safety and Waterways Services.
[FR Doc. 95-3833 Filed 2-15-95; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 165

[COTP Memphis 95-001]

RIN 2115-AA97

Safety Zone; Lower Mississippi River, Mile 579.0 to mile 581.0

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a safety zone on the Lower Mississippi River mile 579.0 to mile 581.0. This regulation is needed to restrict vessel traffic in the regulated area to prevent a collision with vessel salvage equipment and to provide a safe work area for salvage personnel. The regulation restricts navigation in the regulated area and may have an effect on commercial traffic.

EFFECTIVE DATES: This regulation is effective on January 7, 1995, and will terminate on December 31, 1995.

FOR FURTHER INFORMATION CONTACT: LT Byron Black, Chief, Port Operations, Captain of the Port, Memphis, Tennessee at (901) 544-3941.

SUPPLEMENTARY INFORMATION:

Drafting Information

The drafters of this regulation are LT Byron Black, Project Officer, Marine Safety Office, Memphis, Tennessee and LCDR A. O. Denny, Project Attorney, Second Coast Guard District Legal Office.

Regulatory History

In accordance with 5 U.S.C. 553, a notice of proposed rulemaking has not been published for this regulation and good cause exists for making it effective in less than 30 days from the date of publication. Following normal rulemaking procedures would have been impracticable. Specifically, river conditions are now favorable to salvage three sunken barges located mid-channel at mile 580.0 in the Lower Mississippi River. Traffic restrictions are required for salvage personnel to safely conduct salvage operations during windows of favorable conditions. As a result, the Coast Guard deems it to be in the public's best interest to issue a regulation immediately.

Background and Purpose

On November 8, 1994, the Coast Guard was notified of three sunken barges in the vicinity of Lower Mississippi River mile 580. The salvage of the sunken barges located mid-channel will pose a substantial threat to safe navigation. After an investigation by Marine Safety Office Memphis, it was recommended that a safety zone be issued in order to safely salvage the barges and to limit access to unauthorized vessels as a safety precaution. The safety zone will be limited to the Lower Mississippi River mile 579.0 to mile 581.0.

Regulatory Evaluation

This 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 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 regulatory policies and procedures of DOT is unnecessary.

To avoid any unnecessary adverse impact on businesses which use the river for commercial purposes, Captain of the Port, Memphis, Tennessee will monitor river conditions and salvage operations and will authorize unrestricted entry into the zone as conditions permit. Changes will be announced by Marine Safety Information Radio broadcast (Broadcast Notice to Mariners) on VHF marine band radio, channel 22 (157.1 MHz). Mariners may also call the Port Operations Officer, Captain of the Port, Memphis, Tennessee at (901) 544-3941.

Small Entities

The Coast Guard finds that the impact on small entities, if any, is not substantial. Therefore, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq*) that this temporary rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

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

Federalism Assessment

The Coast Guard has analyzed this regulation under the principles and

criteria contained in Executive Order 12612 and has determined that it does not raise sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environmental Assessment

The Coast Guard considered the environmental impact of this regulation and concluded that, under section 2.B.2 of Commandant Instruction M16475.1B, this regulation is categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 165

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

Temporary Regulation

In consideration of the foregoing, Subpart C 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 1.051(g), 604-1, 6.04-6, and 160.5; 49 CFR 1.46.

2. A temporary section 165.T02-001 is added to read as follows:

§ 165-T02-001 Safety Zone: Lower Mississippi River.

(a) *Location.* The Lower Mississippi River mile 579.0 to mile 581.0 is established as a safety zone.

(b) *Effective date.* This section becomes effective on January 7, 1995 and will terminate on December 31, 1995.

(c) *Regulations.* Under the general regulations of 165.23 of this part, entry into this zone is prohibited unless authorized by the Captain of the Port.

Dated: January 6, 1995.

A.L. Thompson, Jr.,

Commander, U.S. Coast Guard, Captain of the Port.

[FR Doc. 95-3832 Filed 2-15-95; 8:45 am]

BILLING CODE 4910-14-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[AK6-1-6587a; AK5-1-6437a; AK3-1-5851a; FRL-5147-8]

Approval and Promulgation of Implementation Plans: Alaska

AGENCY: Environmental Protection Agency.