

Paperwork Reduction Act

This rule does not contain information collection requirements that require approval by OMB under the Paperwork Reduction Act (44 U.S.C. 3507 *et seq.*).

Regulatory Flexibility Act

The Department of the Interior has determined that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The submittal which is the subject of this rule is based upon corresponding Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. Accordingly, this rule will ensure that existing requirements previously promulgated by OSM will be implemented. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions in the analyses for the corresponding Federal regulations.

List of Subjects in 30 CFR Part 913

Intergovernmental relations, Surface mining, Underground mining.

Dated: June 30, 1995.

Ronald C. Recker,

Acting Regional Director, Appalachian Regional Coordinating Center.

For the reasons set out in the preamble, title 30, chapter VII, subchapter T of the Code of Federal Regulations is amended as set forth below:

PART 913—ILLINOIS

1. The authority citation for part 913 continues to read as follows:

Authority: 30 U.S.C. *et seq.*

2. Section 913.25 is amended by adding paragraph (f) to read as follows:

§ 913.25 Approval of Abandoned Mine Land Reclamation Plan Amendments.

* * * * *

(f) The Illinois Abandoned Mine Land Reclamation Plan, as submitted on April 10, 1995 is approved effective July 11, 1995.

[FR Doc. 95-16888 Filed 7-10-95; 8:45 am]

BILLING CODE 4310-05-M

DEPARTMENT OF DEFENSE**Office of the Secretary****32 CFR Part 290**

[DCAA Reg. 5410.8]

Defense Contract Audit Agency (DCAA) Freedom of Information Act Program

AGENCY: Department of Defense.

ACTION: Final rule.

SUMMARY: The Headquarters for the Defense Contract Audit Agency of the Department of Defense is moving from its present location on Cameron Station, Alexandria, Virginia to Fort Belvoir, Virginia due to the closure of Cameron Station. This administrative amendment necessitates revisions to the Cameron Station addresses in the Freedom of Information Act regulation to reflect the new Fort Belvoir address.

EFFECTIVE DATE: July 24, 1995.

FOR FURTHER INFORMATION CONTACT: Mr. D. Henshall 703-274-4400.

SUPPLEMENTARY INFORMATION: The Defense Contract Audit Agency published the Freedom of Information rule on October 1, 1991 (56 FR 49685), November 7, 1991 (56 FR 56932), April 27, 1992 (57 FR 15254), July 13, 1992 (57 FR 30904), and November 30, 1993 (58 FR 63084).

List of Subjects in 32 CFR Part 290

Freedom of information.

Accordingly, 32 CFR part 290 is amended to read as follows:

PART 290—[AMENDED]

1. The authority citation for part 290 continues to read as follows:

Authority: 5 U.S.C. 552.

§ 290.4 [Amended]

2. Section 290.4 is amended by revising footnote 3 to read as follows:

³Copies may be obtained from the Defense Contract Audit Agency, Attn: CMO, 8725 John J. Kingman Road, Suite 2135, Fort Belvoir, VA 22060-6219.

§ 290.7 [Amended]

3. Section 290.7 is amended in paragraph (e), last sentence, by removing "Headquarters, DCAA, Attn: CMR, Cameron Station, Alexandria, Virginia 22304-6178" and adding in its place "Defense Contract Audit Agency, Attn: CMO, 8725 John J. Kingman Road, Suite 2135, Fort Belvoir, VA 22060-6219." and in paragraph (f)(7)(iii), last sentence, by removing "Headquarters, DCAA, Cameron Station, Alexandria, VA 22304-6178." and adding in its

place "Defense Contract Audit Agency, 8725 John J. Kingman Road, Suite 2135, Fort Belvoir, VA 22060-6219."

Appendix A to Part 290—[Amended]

4. Appendix A to part 290, paragraph (e)(2) is amended by removing "Cameron Station, Alexandria," and adding in its place "Fort Belvoir,"

Appendix B to Part 290—[Amended]

5. Appendix B to Part 290, under VIRGINIA, the introductory text is amended by removing "Cameron Station, Alexandria, VA 22304-6178, (703) 274-4400" and adding in its place "8725 John J. Kingman Road, Suite 2135, Fort Belvoir, VA 22060-6219, (703) 767-1244" and in paragraph (a)(1) by removing "CMR, Cameron Station, Alexandria, VA 22304-6178, (703) 274-4400" and adding in its place "CMO, 8725 John J. Kingman Road, Suite 2135, Fort Belvoir, VA 22060-6219, (703) 767-1244."

Appendix C to Part 290—[Amended]

6. Appendix C to Part 290 is amended by revising footnote 2 to read as follows:

²Copies may be obtained from the Defense Contract Audit Agency, Attn: CMO, 8725 John J. Kingman Road, Suite 2135, Fort Belvoir, VA 22060-6219.

Dated: June 27, 1995.

L. M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 95-16650 Filed 7-10-95; 8:45 am]

BILLING CODE 5000-04-M

DEPARTMENT OF TRANSPORTATION**Coast Guard****33 CFR Part 100**

[CGD 09-95-015]

Special Local Regulation; Start of the Port Huron, MI to Mackinac Island Sailboat Race

AGENCY: Coast Guard, DOT.

ACTION: Temporary rule.

SUMMARY: A special local regulation is being adopted for portions of lower Lake Huron, St. Clair River and Black River during the festivities surrounding the beginning of the annual Port Huron to Mackinac Island Race on July 22, 1995. This regulation establishes a "Caution Area" from the lower part of the Black River to the International Boundary in the St. Clair River northward to the Lake Huron Cut Buoys 5 and 6, Lake Huron in United States Waters. Due to a dramatic increase in boating traffic, which could pose hazards to navigation

in the area, this regulation is needed to provide for the safety of life, limb, and property on navigable waters during the event.

EFFECTIVE DATE: This regulation is effective from 10 P.M. on July 21, 1995, through 4 P.M. July 22, 1995, unless extended or terminated sooner by the Coast Guard Patrol Commander, (Officer in Charge, U.S. Coast Guard Station Port Huron, MI).

FOR FURTHER INFORMATION CONTACT: Marine Science Technician Second Class Jeffrey M. Yunker, Ninth Coast Guard District, Aids to Navigation and Waterways Management Branch, Room 2083, 1240 East Ninth Street, Cleveland, Ohio, 44199-2060, (216) 522-3990.

SUPPLEMENTARY INFORMATION: 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. The application to hold this event was not received by the Commander, Ninth Coast Guard District, until June 9, 1995, and there was not sufficient time remaining to publish a proposed final rule in advance of the event or provide for a delayed effective date. The Coast Guard has decided to proceed with a temporary rule for this year's event and publish a NPRM, as part of the Great Lakes annual marine events list, prior to next year's event.

Drafting Information

The drafters of this notice are Lieutenant Junior Grade Byron D. Willeford, Project Officer, Ninth Coast Guard District, Aids to Navigation and Waterways Management Branch, and Lieutenant Charles D. Dahill, Project Attorney, Ninth Coast Guard District Legal Office.

Discussion of Regulation

The circumstances requiring this regulation result from past experiences with congestion and confrontations before, during, and after the start of the annual Port Huron to Mackinac Island Race. This event, based on past records, has drawn in excess of 100,000 people and dramatically increased boating traffic in the general vicinity. This regulation requires that all vessels in the designated "Caution Area" from the lower part of the Black River to the International Boundary in the St. Clair River northward to the Lake Huron Cut Buoys 5 and 6, Lake Huron, in United States waters, be operated at NO-WAKE speed meaning that all vessels transiting the area be operated at bare steerageway, keeping the vessel's wake at a minimum, and exercise a high degree of

caution in the area. This regulation is necessary to ensure the protection of life, limb, and property prior to and until approximately six hours after the start of the race.

This regulation is issued pursuant to 33 U.S.C. 1233 as set out in the authority citation for all of part 100.

Federalism Implications

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

Environment

The Coast Guard is conducting an environmental analysis for this event pursuant to section 2.B.2.c of Coast Guard Commandant Instruction M16475.1B, and the Coast Guard Notice of final agency procedures and policy for categorical exclusions found at (59 FR 38654; July 29, 1994).

Economic Assessment and Certification

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 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 regulation to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of the DOT is unnecessary.

Collection of Information

This regulation will impose no collection of information requirements under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

List of Subjects in 33 CFR Part 100

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

Temporary Regulation

In consideration of the foregoing, Part 100 of Title 33, Code of Federal Regulations, is amended 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. A temporary § 100.35-T09-015 is added to read as follows:

§ 100.35-T09-015 Start of the Port Huron, MI to Mackinac Island Sailboat Race.

(a) *Regulated area.* That portion of the Black River, St. Clair River, and Lower Lake Huron from:

<i>Latitude</i>	<i>Longitude</i>
42°58.8' N	082°26.0' W, to
42°58.4' N	082°24.8' W, thence northward along the International Boundary to
43°02.8' N	082°23.8' W, to
43°02.8' N	082°26.8' W, thence southward along the U.S. shoreline to
42°58.9' N	082°26.0' W, thence to
42°58.8' N	082°26.0' W.

(b) *(NAD 83) Special local regulation.* The regulation area in paragraph (a) of this section is designated as a "Caution Area." All vessels transiting the regulated area will operate at bare steerageway, keeping the vessel's wake at a minimum, and exercise a high degree of caution in the area. (c) *Patrol Commander.* (1) The Coast Guard will patrol the regulated area under the direction of a designated Coast Guard Patrol Commander (Officer in Charge, U.S. Coast Guard Station Port Huron, MI). The Patrol Commander may be contacted on channel 16 (156.8 MHZ) by the call sign "Coast Guard Patrol Commander."

(2) The Patrol Commander may direct the anchoring, mooring, or movement of any boat or vessel within the regulated area.

A succession of sharp, short signals by whistle or horn from vessels patrolling the area under the direction of the U.S. Coast Guard Patrol Commander shall serve as a signal to stop. Any vessel so signaled shall stop and shall comply with the orders of the Patrol Commander. Failure to do so may result in expulsion from the area, citation for failure to comply, or both.

(3) The Patrol Commander may establish vessel size and speed limitations and operating conditions.

(4) The Patrol Commander may restrict vessel operation within the regulated area to vessels having particular operating characteristics.

(5) The Patrol Commander may terminate the marine event or the operation of any vessel at any time it is deemed necessary for the protection of life, limb, or property.

(6) All persons in the area shall comply with the orders of the Coast Guard Patrol Commander.

(d) *Effective date.* This section is effective from 10 p.m. on July 21, 1995, through 4 p.m. on July 22, 1995, unless extended or terminated sooner by the

Coast Guard Patrol Commander, (Officer in Charge, U.S. Coast Guard Station Port Huron, MI).

Dated: June 20, 1995.

Rudy K. Peschel,

Rear Admiral, U.S. Coast Guard, Commander, Ninth Coast Guard District.

[FR Doc. 95-16958 Filed 7-10-95; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 162

[CGD-09-95-002]

RIN 2115-AF04

Amendment to Inland Waterways Navigation Regulations Establishing Speed Limits on Connecting Waters From Lake Huron to Lake Erie

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: This final rule amends the existing speed limits for vessels, less than 100 gross tons, operating in the nondisplacement mode on connecting waters from Lake Huron to Lake Erie. The normal speed limits in this area are determined in large part by concerns about wake damage. However, lesser wakes are created by nondisplacement vessels. The Coast Guard allowed nondisplacement vessels to operate at higher speeds during two temporary test periods from April 1, 1993 to November 30, 1994, with satisfactory results.

EFFECTIVE DATE: This rule is effective July 11, 1995.

FOR FURTHER INFORMATION CONTACT:

Lieutenant Dave Sprunt, Chief, Case Management Section, Ninth Coast Guard District, Room 2069, 1240 E. Ninth Street, Cleveland, Ohio, 44199-2060, (216) 522-3994.

SUPPLEMENTARY INFORMATION: On March 27, 1995, the Coast Guard published a Notice of Proposed Rulemaking (NPRM) regarding this regulation (60 FR 15734). A 60 day comment period was provided and interested persons were invited to submit comments during that period. No comments were received.

Background and Purpose

Current regulations in 33 CFR 162.138 which apply to connecting waters from Lake Huron to Lake Erie set the maximum speed for vessels 20 meters or more in length at limits ranging from 4 to 12 statute miles per hour in various areas. One of the primary purposes of these speed regulations is to limit wake damage, but they were not written to account for the substantially lesser wake-generating characteristics of nondisplacement vessels. During the

1993 and 1994 navigation season, the Commander of the Ninth Coast Guard District temporarily amended 33 CFR 162.138 in order to allow trial runs of these nondisplacement vessels (33 CFR 162.T139), 58 FR 17526, April 5, 1993 and 59 FR 16563 April 7, 1994). A corresponding exemption was granted by the Central Region of the Canadian Coast Guard, which has authority over the Canadian waters in the same area. The two year trial period has proven successful and the Coast Guard has therefore determined that there should now be a permanent amendment to the regulations in order to prevent an unnecessary restriction on the operation of such vessels. It should be noted that this amendment to the speed regulations for nondisplacement vessels does not in any way excuse the general obligation to exercise good seamanship when maneuvering in close quarters or the responsibility for damage which might be caused by a wake which is excessive in a location close to other vessels or shore structures.

The Coast Guard is setting an upper limit of 40 statute miles per hour for nondisplacement vessels 20 meters or more in length but less than 100 gross tons, and is allowing such nondisplacement vessels to overtake other vessels when otherwise safe. All other navigational regulations will remain in force, and the use of this special rule for nondisplacement vessels is subject to the prior approval of the Captain of the Port in order to insure that the special rule is only used by vessels which are of suitable design and which are in fact operated safely in this waterway.

Drafting Information

The principal persons involved in drafting this document are Lieutenant Katherine E. Weathers, Assistant Chief of the Port and Environmental Safety Branch, and Commander M. Eric Reeves, Chief of the Port and Environmental Safety Branch.

Environment

The Coast Guard has considered the environmental impact of this regulation and concluded that, under section 2.B.2.c of Coast Guard Commandant Instruction M16475.1B, it is categorically excluded from further environmental documentation, and has so certified in the docket file.

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 regulation does not have sufficient federalism implications to warrant the

preparation of a Federalism Assessment. This regulation is not intended to preempt any state or local regulation which may also be applicable to vessels operating in the nondisplacement mode.

Regulatory Evaluation

This regulation is considered to be nonsignificant under Executive Order 12866 on Regulatory Planning and Review and nonsignificant under Department of Transportation regulatory policies and procedures (44 FR 11034 of February 26, 1979). The Coast Guard expects the economic impact of this rule be so minimal that a full Regulatory Evaluation under paragraph 10e is unnecessary.

Small Entities

The economic impact of this regulation is expected to be so minimal that a full regulatory evaluation is unnecessary. Since the impact of this regulation is expected to be minimal, the Coast Guard certifies that, if adopted, it will not have a significant economic impact on a substantial number of small entities. The effect of this regulation is to ease what has now been determined to be an unnecessarily restrictive regulation as applied to one business developing the use of nondisplacement vessels in the area.

Collection of Information

This regulation will impose no collection of information requirements under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

List of Subjects in 33 CFR Part 162

Inland waterways, Navigation.

Regulations

In consideration of the foregoing the Coast Guard is amending Part 162 of title 33, Code of Federal Regulations as follows:

PART 162—[AMENDED]

1. The authority citation for Part 162 continues to read as follows:

Authority: 33 U.S.C. 1231; 49 CFR 1.46.

2. In § 162.134, paragraph (f) is added to read as follows:

§ 162.134 Connecting waters from Lake Huron to Lake Erie; traffic rules.

* * * * *

(f) The prohibitions in this section on overtaking in certain areas do not apply to vessels operating in the nondisplacement mode. In this section, "nondisplacement mode" means a mode of operation in which the vessel is supported by hydrodynamic forces, rather than displacement of its weight in