

Global Position Satellite (GPS) standard instrument approach procedure (SIAP) to Runway (RWY) 21 at Artesia Municipal Airport has made this proposal necessary. The intended effect of this proposal is to provide adequate controlled airspace for aircraft executing the GPS SIAP to RWY 21 at Artesia, NM.

DATES: Comments must be received on or before September 1, 1995.

ADDRESSES: Send comments on the proposal in triplicate to Manager, System Management Branch, Air Traffic Division, Federal Aviation Administration, Southwest Region, Docket No. 95-ASW-08, Fort Worth, TX 76193-0530.

The official docket may be examined in the Office of the Assistant Chief Counsel, Federal Aviation Administration, Southwest Region, 2601 Meacham Boulevard, Fort Worth, TX, between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the System Management Branch, Air Traffic Division, Federal Aviation Administration, Southwest Region, 2601 Meacham Boulevard, Fort Worth, TX.

FOR FURTHER INFORMATION CONTACT: Donald J. Day, System Management Branch, Federal Aviation Administration, Southwest Region, Fort Worth, TX 76193-0530; telephone: (817) 222-5593.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed under the caption **ADDRESSES**. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit, with those comments, a self-addressed, stamped, postcard containing the following statement: "Comments to Airspace Docket No. 95-ASW-08." The postcard will be date and time stamped and returned to the commenter. All communications received on or before

the specified closing date for comments will be considered before may be changed in the light of comments received. All comments submitted will be available for examination in the Office of the Assistant Chief Counsel, Federal Aviation Administration, Southwest Region, 2601 Meacham Boulevard, Fort Worth, TX, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the System Management Branch, Air Traffic Division, Federal Aviation Administration, Southwest Region, Fort Worth, TX 76193-0530. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2A that describes the application procedure.

The Proposal

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to revise the Class E airspace, controlled airspace extending upward from 700 feet AGL, at Guymon Municipal Airport, Guymon, OK. A new GPS SIAP to RWY 21 has made this proposal to amend the controlled airspace necessary. The intended effect of this proposal is to provide adequate Class E airspace for aircraft executing the SIAP.

The coordinates for this airspace docket are based on North American Datum 83. Designated Class E airspace areas extending upward from 700 feet or more above ground level are published in Paragraph 6005 of FAA Order 7400.9B, dated July 18, 1994, and effective September 16, 1994, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in the order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations that need frequent and routine amendments to keep them operationally current. It, therefore—(1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated

impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—[AMENDED]

1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 40103, 40113, 40120; E.O. 10854; 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9B, *Airspace Designations and Reporting Points*, dated July 18, 1994, and effective September 16, 1994, is amended as follows:

Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth

* * * * *

ASW NM E5 Artesia, NM [Revised]

Artesia Municipal Airport, NM
(Lat. 32°51'09"N, long. 104°28'04"W)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Artesia Municipal Airport and within 1.8 miles each side of the 035° bearing from the Artesia Municipal Airport extending from the 7-mile radius to 8.1 miles northeast of the airport.

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Issued in Fort Worth, TX on July 5, 1995.

Albert L. Viselli,

Manager, Air Traffic Division, Southwest Region.

[FR Doc. 95-17399 Filed 7-14-95; 8:45 am]

BILLING CODE 4910-13-M

Coast Guard

33 CFR Part 165

[CGD09-95-018]

Safety Zone; Cuyahoga River, Cleveland, OH

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to add a new permanent safety zone in the Cuyahoga River in Cleveland, Ohio. The new safety zone near the mouth of the river, would restrict the mooring of boats in the area from the Conrail No. 1 railroad bridge south for six hundred feet to the end of the parking lot adjacent Fagan's Restaurant.

DATES: Comments must be received on or before September 15, 1995.

ADDRESSES: Comments and supporting materials should be mailed or delivered to Lieutenant (junior grade) Nathan Knapp, Project Officer and Assistant Chief of the Port Operations Department, Coast Guard Captain of the Port Cleveland, 1055 E. Ninth Street, Cleveland, Ohio, 44114. Please reference the name of the proposal and the docket number in heading above. If you wish receipt of your mailed comment to be acknowledged, please include a stamped self-addressed envelope or postcard for that purpose. Comments and materials received will be available for public inspection at the above location from 8 a.m. to 3 p.m. Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Lieutenant (junior grade) Nathan Knapp, Project Officer and Assistant Chief of the Port Operations Department, Coast Guard Captain of the Port Cleveland, 1055 E. Ninth Street, Cleveland, Ohio 44114, (216) 522-4405.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting comments which may consist of data, views, arguments, or proposals for amendments to the proposed regulations. The Coast Guard does not currently plan to have a public hearing. However, consideration will be given to holding a public hearing if it is requested. Such a request should indicate how a public hearing would contribute substantial information or views which cannot be received in written form. If it appears that a public hearing would substantially contribute to this rulemaking and there is sufficient time to publish a notice, the Coast Guard will announce such a hearing by a later notice in the **Federal Register**. The Coast Guard will consider all comments received before the closing date indicated above, and may amend or revoke this proposal in response to such comments.

Background and Purpose

The section of the Cuyahoga River in which these safety zones are located is

a section of river heavily used by both large commercial vessels and small recreational traffic. Use of the river by large commercial vessels continues to increase, rising from 770 transits in 1982, 1,264 transits in 1987, to 1,624 transits in 1994. At the same time, businesses along the river continue to attract an increasing number of recreational vessels. During the boating season, large numbers of recreational vessels tend to raft together into the river near the many entertainment establishments and restaurants, thereby creating a hazard to themselves and to the large commercial vessels which also use this waterway, and creating an obstruction to the use of the river as a navigable channel. In 1987, a serious collision between a commercial and a recreational vessel highlighted the need to establish some rules for the protection of safe navigation in this increasingly congested waterway. After some experimentation with temporary safety zones and an extensive process of comment and consultation with the public, including a public hearing and a study by a local workgroup made up of representatives of both the commercial and recreational interests in the local area, along with representatives of the City of Cleveland and the State of Ohio, whose comments were incorporated in the formal regulatory comment process, the Coast Guard Captain of the Port in Cleveland, Ohio, established a set of ten permanent safety zones under the standing regulation at 33 CFR 165.903. (See the previous Notice of Proposed Rulemaking at 52 FR 45973, December 3, 1987, and the previous Notice of Final Rule at 54 FR 9776, March 8, 1989.) Since that time, it appears that the safety zones have been effective in protecting the safety of navigation without causing hardship to the local businesses along the river which serve customers from recreational vessels. However, continuing commercial development and use of the area has led to the same problem of recreational vessels rafted out into the channel and obstructing navigation in a location near the mouth of the river, around Fagan's Restaurant not previously covered by a safety zone. Using the same process of informal consultation with local interests and civic groups which contributed to the consideration of the prior regulations, the local Coast Guard Captain of the Port in Cleveland, Ohio, invited comments from an autonomous ad hoc working group, the Cuyahoga River Task Force 1995, which included representatives of the Flats Oxbow Association, a local civic group

representing businesses in the area. The Cuyahoga River Task Force 1995 and the Flats Oxbow Association have also performed a valuable service in helping to coordinate markings, signs, and operational procedures used by the local businesses and the Coast Guard in order to make the existing regulations work in a safe, effective, and economical manner. The general consensus of the Cuyahoga River Task Force 1995 is that congestion of recreational vessels experienced around the area of Fagan's restaurant near the mouth of the river calls for the inclusion of this area in the standing regulations as an additional safety zone, under the same terms and conditions, including provisions for conditional waivers of the restrictions, as the other zones established for other businesses further up the river.

Although the recent study of the problem by the Cuyahoga River Task Force 1995 has provided valuable information for the use of the Coast Guard, this local group does not constitute a formal advisory committee to the Coast Guard, and the Coast Guard will independently review all public comment on the issue, through the formal process instituted by this notice, before deciding on a course of action. Therefore, the Coast Guard now invites formal comment from all members of the public, including participants in the Cuyahoga River Task Force 1995.

Drafting Information: The drafters of this regulation are, Lieutenant (junior grade) Nathan Knapp, Project Officer and Assistant Chief of the Port Operations Department, Coast Guard Captain of the Port Cleveland, and, Commander Eric Reeves, Chief of the Port & Environmental Safety Branch, Ninth Coast Guard District.

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. All of the area included in the proposed safety zones is developed property, with hard seawalls, and commercial construction, and does not include environmentally sensitive areas. There are other parts of the Cuyahoga and Old Rivers which do include environmentally sensitive areas, and which could be affected by a marine accident in the river. However, the sole purpose and effect of this regulation is to reduce the probability of such an accident occurring.

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. Safety of navigation is a matter of long-standing and well accepted Federal regulation. In addition, the Coast Guard has actively consulted with city and state officers with concurrent responsibilities for safety in this area in formulating this proposal.

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). This is a matter of local concern, with no implications for national policy or economics.

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 new safety zone will have a minimal effect on three local businesses, none of which have so far entered objections to the proposal. The previous experience with the other safety zones and the local procedures worked out by local business for the management of the recreational vessels along their property in cooperation with the Flats Oxbow Association and the Coast Guard, demonstrates that the restrictions imposed for the benefit of safety can be accommodated with minimal if any effect on the local businesses. Also, it should be noted that a serious accident on the waterway could have a severely adverse affect on the same businesses.

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 165

Harbors, Marine safety, Navigation (water), Security measures, Vessels, Waterways.

Proposed Regulations

In consideration of the foregoing the Coast Guard proposes to amend part 165

of Title 33, Code of Federal Regulations 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. In § 165.903, paragraphs (a)(1) through (a)(10) are redesignated as paragraphs (a)(2) through (a)(11), paragraph (a) introductory text is revised, a new paragraph (a)(1) is added to read as follows:

§ 165.903 Safety Zones: Cuyahoga River and Old River, Cleveland, Ohio.

(a) *Location:* The waters of the Cuyahoga River and the Old River extending ten feet into the river at the following eleven locations, including the adjacent shorelines, are safety zones, coordinates for which are based on NAD 83.

(1) From the point where the shoreline intersects longitude 81°42'31.5" W, which is the southern side of the Conrail No. 1 railroad bridge, southeasterly along the shore for six hundred (600) feet to the point where the shoreline intersects longitude 81°42'24.5" W, which is the end of the parking lot adjacent to Fagan's Restaurant.

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Dated: July 5, 1995.

J.J. Davin, Jr.,

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

[FR Doc. 95-17491 Filed 7-14-95; 8:45 am]

BILLING CODE 4910-14-M

POSTAL SERVICE

39 CFR Part 111

Revisions to Standards Concerning Physical Mailpiece Dimensions, Addressing, and Address Placement

AGENCY: Postal Service.

ACTION: Withdrawal of proposed rule.

SUMMARY: The Postal Service withdraws the proposed rule to change several standards in the Domestic Mail Manual related to physical mailpiece dimensions and address placement, as published in the **Federal Register** on June 17, 1994 (59 FR 31178-31183).

DATES: July 17, 1995.

FOR FURTHER INFORMATION CONTACT: Leo F. Raymond, (202) 268-5199.

SUPPLEMENTARY INFORMATION: On June 17, 1994, the Postal Service published for public comment several proposed

changes to standards in the Domestic Mail Manual (DMM) related to physical mailpiece dimensions and address placement (59 FR 31178-31183). On July 21, 1994, in order to afford more opportunity for input, the Postal Service extended the comment period through September 16, 1994 (59 FR 37190). On October 11, 1994, in response to continued interest, the Postal Service further extended the comment period through October 31, 1994, and announced a public meeting to be held in Arlington, VA, on October 20, 1994, for oral comment on the proposed rule (59 FR 51397).

The proposed rule offered revisions to DMM C010 and C050 (with lesser changes to DMM A010, A200, and E312) concerning how the physical characteristics of a mailpiece would be used to determine which dimensions are its length, height, and thickness. In turn, this information would be used to determine correct address placement and the mailpiece's mailability, susceptibility to a nonstandard surcharge, processing category, and rate eligibility. The proposed rule sought to apply a consistent definition of length, height, and thickness to all mail, except for mail eligible for and claimed at a Barcoded rate for flats.

The proposed rule included these specific changes to the DMM:

1. Amend A010.1.0 to standardize address placement on all letter-size mail claimed at other than a single-piece rate (or, for pieces within a small dimensional range, at the Barcoded rate for flats) to require that the address be oriented parallel to the length of the piece (as defined in revised C010.1.1).

2. Revise A010.1.0 and A200.1.3 to add mandatory address placement standards for other than single-piece rate flat-size mail either prepared in an unattached sleeve or partial wrapper or otherwise not prepared in an envelope, polybag, or similar enclosure.

3. Amend C010.1.0 to reduce the role of address placement for determining which of a mailpiece's physical dimensions are its length, height, and thickness by establishing consistent definitions based on the physical characteristics of the mailpiece.

4. Amend C050.1.0 to provide consistency in assigning most mailpieces to a processing category based solely on their dimensions, as determined by revised C010.1.0.

5. Revise C050.5.0 to clarify that merchandise samples are not, by definition, always irregular parcels and that such samples may be categorized as letter-size or flat-size pieces, based on the usual criteria.