

waiver of the right to a hearing on the objection. Three copies of all documents shall be submitted and shall be identified with the docket number found in brackets in the heading of this document. Any objections received in response to the regulation may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

List of Subjects in 21 CFR Part 178
Food additive, Food packaging.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 178 is amended as follows:

PART 178—INDIRECT FOOD ADDITIVES: ADJUVANTS, PRODUCTION AIDS, AND SANITIZERS

1. The authority citation for 21 CFR part 178 continues to read as follows:

Authority: Secs. 201, 402, 409, 721 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 342, 348, 379e).

2. Section 178.3130 is amended in the table in paragraph (b) by alphabetically adding a new entry under the headings "Substances" and "Limitations" to read as follows:

§ 178.3130 Antistatic and/or antifogging agents in food-packaging materials.

* * * * *
(b) * * *

Substances	Limitations
* * *	* * *
<p><i>N,N</i>-Bis(2-hydroxyethyl)alkyl(C₁₃-C₁₅)amine (CAS Reg. No. 70955-14-5)..</p>	<p>For use only as an antistatic agent at levels not to exceed 0.2 percent by weight in molded or extruded high-density polyethylene (having a density ≥ 0.95 g/cm³) and polypropylene containers that contact food only of the types identified in § 176.170(c) of this chapter, Table 1, under types I, VI-B, VII-B, and VIII, under the conditions of use E through G described in Table 2 of § 176.170(c) of this chapter, provided such foods have a pH above 5.0.</p>
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Dated: October 10, 1995.
William B. Schultz,
Deputy Commissioner for Policy.
[FR Doc. 95-26359 Filed 10-23-95; 8:45 am]
BILLING CODE 4160-01-F

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD01-94-057]

Drawbridge Operation Regulations; Plum Island River, MA

AGENCY: Coast Guard, DOT.
ACTION: Final rule.

SUMMARY: The Coast Guard is changing the operating rules governing the Plum Island Bridge at mile 3.3, over the Plum Island River between Newburyport and Plum Island, Massachusetts, by requiring advance notice for openings at all times. This action is being taken because there have been increasingly fewer requests for bridge openings in recent years. This will relieve the bridge owner of the unnecessary burden of having personnel at the bridge at all times.

EFFECTIVE DATE: November 24, 1995.
ADDRESSES: Documents referred to in this preamble are available for copying and inspection at the First Coast Guard District, Bridge Branch office located in the Captain John Foster Williams

Federal Building, 408 Atlantic Ave., Boston, Massachusetts 02110-3350, room 628, between 6:30 a.m. and 3 p.m., Monday through Friday, except federal holidays. The telephone number is (617) 223-8364.

FOR FURTHER INFORMATION CONTACT: John W. McDonald, Project Manager, Bridge Branch, (617) 223-8364.

SUPPLEMENTARY INFORMATION:

Drafting Information: The principal persons involved in drafting this final rule are Mr. John W. McDonald, Project Officer, Bridge Branch, and Lieutenant Commander Samuel R. Watkins, Project Counsel, District Legal Office.

Regulatory History

On December 12, 1994, the Coast Guard published a notice of proposed rulemaking entitled "Drawbridge Operation Regulations; Plum Island River, Massachusetts" in the Federal Register (59 FR 63943). The Coast Guard received no letters commenting on the notice of proposed rulemaking. No public hearing was requested, and none was held.

Background and Purpose

The Plum Island Bridge over the Plum Island River between Newburyport and Plum Island, Massachusetts has a vertical clearance of 13' above mean high water (MHW) and 21' above mean low water (MLW). This final rule will permit the bridge to open on signal April 1 to November 30, 5 a.m. to 9 p.m., if at least one hour advance notice

is given. At all other times the draw will open on signal if at least three hours advance notice is given.

There has been a decrease in requests for bridge openings during the last several years at the Plum Island Bridge. As a result of this decreasing demand for bridge openings, the Massachusetts Highway Department asked the Coast Guard to change the operating rules to allow the bridge to operate on advance notice at all times.

Discussion of Comments and Changes

The Coast Guard received no comments on the notice of proposed rulemaking. Therefore, no changes to the proposed rule were made.

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 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 final rule to be so minimal that a full Regulatory Evaluation, under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This conclusion is based on the fact that the regulation will not prevent mariners

from passing through the Plum Island Bridge, but will only require mariners to plan their transits.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard considered whether this rule will 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. Because of the reasons discussed in the Regulatory Evaluation above, the Coast Guard certifies under 5 U.S.C. 605(b) that this 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

The Coast Guard has analyzed this rule under the principles and criteria contained in Executive Order 12612 and has determined that this final rule does not have sufficient federalism implications to warrant preparation of a Federalism Assessment.

Environment

The Coast Guard considered the environmental impact of this rule and concluded that, under paragraph 2.B.2.e.(32)(e) of Commandant Instruction M16475.1B, this 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 117

Bridges.

For the reasons set out in the preamble, the Coast Guard is amending 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for Part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05-1(g); section 117.255 also issued under the authority of Pub. L. 102-587, 106 Stat. 5039.

2. Section 117.615 is revised to read as follows:

§ 117.615 Plum Island River.

The draw of the Plum Island Turnpike Bridge, mile 3.3 between Newburyport and Plum Island, shall operate as follows:

(a) From April 1 through November 30, 5 a.m. to 9 p.m., the draw shall open on signal if at least one hour advance notice is given by calling the number posted at the bridge. At all other times the draw shall open on signal if at least three hours advance notice is given.

(b) The owners of this bridge shall provide and keep in good legible condition, clearance gauges for each draw with figures not less than twelve (12) inches high, designed, installed and maintained according to the provisions of § 118.160 of this chapter.

Dated: July 6, 1995.

J.L. Linnon,

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

[FR Doc. 95-26259 Filed 10-23-95; 8:45 am]

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33 CFR Part 117

[CGD01-94-087]

RIN 2115-AE47

Drawbridge Operation Regulations; Neponset River, MA

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is changing the operating rules governing the Granite Avenue Bridge at mile 2.5, over the Neponset River between Boston and Milton, Massachusetts, by authorizing the bridge to open on signal May 1 through October 31; 6 a.m. to 12 midnight and to open on signal at all other times provided at least one hour advance notice is given by calling the number posted at the bridge. This final rule will relieve the bridge owner of the unnecessary burden of having personnel at the bridge at all times during the above period and should still provide for the reasonable needs of navigation.

EFFECTIVE DATE: November 24, 1995.

ADDRESSES: Documents referred to in this preamble are available for copying and inspection at the First Coast Guard District, Bridge Branch office located in the Captain John Foster Williams Federal Building, 408 Atlantic Ave., Boston, Massachusetts 02110-3350, room 628, between 6:30 a.m. and 3 p.m., Monday through Friday, except federal holidays. The telephone number is (617) 223-8364.

FOR FURTHER INFORMATION CONTACT:

John W. McDonald, Project Manager, Bridge Branch, (617) 223-8364.

SUPPLEMENTARY INFORMATION:

Drafting Information: The principal persons involved in drafting this final rule are Mr. John W. McDonald, Project Officer, Bridge Branch, and Lieutenant Commander Samuel R. Watkins, Project Counsel, District Legal Office.

Regulatory History

On December 12, 1994, the Coast Guard published a notice of proposed rulemaking entitled "Drawbridge Operation Regulations; Neponset River, Massachusetts" in the Federal Register (59 FR 63945). The Coast Guard received one letter commenting on the proposal. No public hearing was requested, and none was held.

Background and Purpose

The Granite Avenue Bridge over the Neponset River between Boston and Milton, Massachusetts has a vertical clearance of 6' above mean high water (MHW) and 16' above mean low water (MLW). Vessels from the Milton Yacht Club are the primary users of the Granite Avenue Bridge. The yacht club is located upstream of the bridge. The yacht club docks are removed from the waterway in December of each year and there are no other waterway users that would require openings during the winter months. Because of this lack of facility, the bridge owner, the Massachusetts Highway Department (MHD), will have drawtenders on one hour recall to respond to requests for openings at all times from November 1 to April 30 and between the hours of midnight and 6 a.m. daily from May 1 through October 31.

Discussion of Comments and Changes

The Coast Guard received one comment letter on the notice of proposed rulemaking. The Neponset Valley Yacht Club requested that the draw open on signal twenty four hours a day from 1 April through 31 October.

The bridge logs for 1994 indicate that from 1 May through 31 October between 12 a.m. and 6 a.m. there were no requests in May, one request in June, two requests in July, three requests in August, two requests in September and three requests in October.

The total requests for openings between 12 a.m. and 6 a.m. have been so few that the Coast Guard believes that the proposal to require a one hour advance notice during these hours is reasonable. Therefore, no changes to the proposed rule are being made.

Regulatory Evaluation

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not