

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 USC 106(g), 40101, 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

McDonnell Douglas: Docket 95–NM–177–AD.

Applicability: Model DC–10–10, –15, –30, –40, and KC–10A (military) series airplanes, as listed in McDonnell Douglas Service Bulletin DC10–24–111 RO1, Revision 1, dated August 14, 1995; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (b) of this AD to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent an overfrequency condition of the generator, which could result in loss of all electrical power of the airplane, accomplish the following:

(a) Within 2 years after the effective date of this AD, modify the AC generator control units (GCU) in accordance with McDonnell Douglas Service Bulletin DC10–24–111 RO1, Revision 1, dated August 14, 1995.

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Los Angeles Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Los Angeles ACO.

Note 2: Information concerning the existence of approved alternative methods of

compliance with this AD, if any, may be obtained from the Los Angeles ACO.

(c) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on December 27, 1995.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

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Coast Guard

33 CFR Part 165

[CGD07–95–062]

RIN 2115–AA97

Safety/Security Zone Regulations; Savannah, GA

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to establish five safety/security zones and two safety zones to protect life, property, and the environment in the Savannah River and Wassaw Sound in preparation for, and during the 1996 Olympic Sailing Competition.

The anticipated concentration of spectator and participant vessels associated with these races pose safety and security concerns for the well-being of the Olympic participants and spectators. The proposed regulations are intended to provide security for the Olympic participants and to promote safe navigation on the waters in the vicinity of the Olympic activities, as detailed in the following text, by controlling the traffic entering, exiting and traveling within these waters, and are necessary to minimize the problems associated with crowded conditions in the area during the Olympic event.

DATES: Comments must be received on or before March 4, 1996.

ADDRESSES: Comments may be mailed to the Captain of the Port Savannah, P.O. Box 8191, Marine Safety Office, Savannah, Georgia, 31412–8191. The comments will be available for inspection and copying at 222 W. Oglethorpe Avenue, Suite 402, Savannah, Georgia between 9 a.m. and 3 p.m., Monday through Friday, except federal holidays. Comments may also be hand delivered to this address. A copy of the draft environmental assessment is available from CEU Miami, 909 S.E. 1st Ave., Miami, Florida 33131. The draft

environmental assessment is available for inspection and copying at Coast Guard Marine Safety Office Savannah, 222 W. Oglethorpe Avenue, Suite 402, Savannah, Georgia between 9 a.m. and 3 p.m., Monday through Friday, except federal holidays.

FOR FURTHER INFORMATION CONTACT: LT J. A. Simmerman, Marine Safety Office, Savannah at (912) 652–4353, between the hours of 7:30 a.m. and 4 p.m., Monday through Friday, except holidays.

SUPPLEMENTARY INFORMATION: The Coast Guard encourages interested persons to participate in this rulemaking by submitting written views, data, or arguments. Persons submitting comments should include their names, addresses, identify the notice (CGD07–95–062) and the specific section of this proposal to which their comments apply, and give reasons for each comment. The Coast Guard will consider all comments received during the comment period. The regulations may be changed in view of the comments received. All comments received before the expiration of the comment period will be considered before final action is taken on this proposal.

No public hearing is planned, but one may be held if the written requests for a hearing are received, and it is determined that the opportunity to make oral presentations will add to the rulemaking process.

Drafting Information

The drafters of this document are LT J.A. Simmerman, Project Officer for the Captain of the Port, Savannah, Georgia, and LTJG J. Diaz, Project Attorney, Seventh Coast Guard District Legal Office.

Discussion of Proposed Regulations

Approximately 1,000 to 5,000 spectator vessels are expected to arrive and participate in the festivities of the 1996 Olympic sailing competition. The anticipated concentration of spectator and participant vessels associated with these races poses safety and security concerns for the well-being of the Olympic participants and spectators, which is addressed in these proposed regulations.

The Coast Guard proposes to establish five safety/security zones and two safety zones to provide for the safety and security of the Olympic participants and spectators. These regulations are intended to promote safe navigation on the waters in the vicinity of Olympic activities, as detailed in the following text, by controlling the traffic entering,

exiting and traveling within these waters.

There will be Coast Guard and State Law Enforcement patrol vessels on scene to enforce the zones and monitor traffic. No persons or vessels will be allowed to enter or operate within these zones, except as may be authorized by the Captain of the Port. These regulations would be issued pursuant to 33 U.S.C. 1231, 50 U.S.C. 191, as set out in the authority citation of all of Part 165. The effective dates of these regulations would be from July 2, 1996 until August 5, 1996.

Five safety/security zones would be established in the following areas: (1) Savannah River (Olympic Village area), all the waters around the Marriott Hotel Olympic Village; (2) Wilmington River and Turners Creek area (Olympic Marina area); (3) Wilmington River and Wassaw Sound, moving safety/security zones placed 75 yards around all Olympic Athlete shuttle vessels, with athletes onboard, while transiting in the Wilmington River and Wassaw Sound area; (4) Bull River and/or Tybee Cut; the entrance and exit of Tybee Cut will be closed during foul/heavy weather to allow for athlete shuttles to transit the area; (5) and the Atlantic Ocean and Wassaw Sound offshore racing areas, which includes the area from Myrtle Island until the Wilmington River and the area from Wilmington Island until the junction of the Half Moon and Bull Rivers.

The proposed regulations for the offshore racing areas (as defined in proposed new section 165.T07-062(a)(5)) will be enforced for that portion of the race venue which is located within the navigable waters of the United States to minimize navigational dangers and to ensure the safety of vessels in the area of the Olympic venue. Non-obligatory guidelines are included for that portion of the venue which falls outside the navigable waters of the United States. Entry into this safety/security zone will be prohibited without permission of the Captain of the Port.

The Coast Guard also proposes to establish a moving safety zone for the vessel which will carry the Olympic torch to the commencement of the 1996 Olympic Games. The zone will commence in the Savannah River in the vicinity of Coast Guard Station Tybee and continue west up river to the Highway 17 bridge. The safety zone is needed for the protection of the vessel carrying the Olympic torch. The zone will restrict vessel operations in the safety zone.

Finally, the Coast Guard proposes to establish a safety zone for a fireworks display in connection with Olympic festivities, on the Savannah River in the vicinity of Rousakis Plaza. The safety zone is needed to protect vessels, facilities, and personnel from safety hazards associated with the storage, preparation, and launching of fireworks. The zone will restrict vessel operations in the safety zone.

All safety/security and safety zones will contain protective and mitigating measures to minimize potential impacts on Protected and/or Endangered Species: Florida Manatee, Sea Turtles and Bottlenose Dolphin.

All vessels which fail to comply with these regulations while operating within the regulated areas during the regulatory periods are subject to the penalties in 33 U.S.C. 1232.

Federalism

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

Environmental Assessment

This proposal has been included in the draft environmental assessment prepared to cover all of the Olympic activities. A preliminary finding of no significant environmental impact has been made based on the draft environmental assessment. A copy of the draft environmental assessment is available where stated in the ADDRESSES section.

Regulatory Evaluation

These proposed regulations are not a significant regulatory action under section 3(f) of Executive Order 12866 and do 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 proposal to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary.

Since the impact of this proposal 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.

List of Subjects in 33 CFR Part 165

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

Proposed Regulations

In consideration of the foregoing, Subpart C of Part 165 of Title 33, Code of Federal Regulations is proposed to be 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 1.05-1(g), 6.04-1, 6.04-6, and 160.5; 49 CFR 1.46.

2. A new § 165.T07-062 is added to read as follows:

§ 165.T07-062 Safety/security zones: Savannah River, Wilmington River and Turners Creek, Bull River, and Wassaw Sound, GA.

(a) *Safety/security zones.* The following areas are safety/security zones:

(1) *Marriott Hotel/Olympic Village.* In the vicinity of the Marriott Hotel, in position 32°04'45" N, 081°05'52" W, with the following boundaries:

West Boundaries

32°04'56" N, 081°05'05" W; to
32°04'50" N, 081°05'08" W

East Boundaries

32°04'50" N, 081°04'33" W; to
32°04'40" N, 081°04'34" W

This zone includes all waters within the above noted area in the Savannah River from the shore to shore. This zone will be extended 500 yards to the west, and 500 yards to the east, from the Marriott Hotel for opening and closing ceremonies and for award ceremonies.

Datum: NAD 83

(2) *Olympic Marina; Wilmington River and Turners Creek.* The safety/security zone begins in the Wilmington River at position:

32°00'45" N, 081°00'24" W; then south to 31°59'53" N, 081°00'11" W; then northeast to 31°00'29" N, 080°59'17" W

The zone extends approximately 300 yards towards the center of the Wilmington River from its eastern bank. Included is a portion of Turners Creek extending east from its entrance at the Wilmington River.

Datum: NAD 83

(3) *Wilmington River and Wassaw Sound.* A moving safety/security zone will be established in all waters within a 75 yard radius around all Olympic

Athlete shuttle vessels transporting Olympic athletes, and transiting to and from the Olympic Marine (Sheraton Hotel) and the Day Marina (Beach Hammock) via either Tybee Cut or the Wilmington River.

Datum: NAD 83

(4)(i) *Bull River*. This safety/security zone closes the Southern entrance to the Bull River at:

31°57'24" N, 080°56'41" W; east to
31°57'24" N, 080°55'53" W

(ii) *Bull River (Adverse weather alternative)*. This safety/security zone closes Tybee Cut:

31°57'53" N, 080°56'29" W; southwest
to 31°57'05" N, 080°59'06" W

This zone includes all of Tybee Cut within the closed area.

Datum: NAD 83

(5) *Atlantic Ocean and Wassaw Sound*. (i) The following area is a safety/security zone: From Olympic Security Zone Daybeacon "BR" in position:

31°57'32" N, 080°56'31" W; east to
Olympic Security Zone Daybeacon

"A" in position:

31°58'00" N, 080°50'48" W; southeast to
Olympic Security Zone Daybeacon

"AA" in position:

31°57'45" N, 080°50'08" W; southeast to
Olympic Security Zone Light "B" in

approximate position:

31°57'27" N, 080°49'21" W; south to
Olympic Security Zone Lighted Buoy

"C" in approximate position:

31°56'21" N, 080°48'48" W; southwest
to Olympic Security Zone Lighted

Buoy "CC" in approximate position:

31°55'34" N, 080°49'11" W; southwest
to Olympic Security Zone Lighted

Buoy "D" in approximate position:

31°54'45" N, 080°49'34" W; southwest
to Olympic Security Zone Lighted

Buoy "DD" in approximate position:

31°53'58" N, 080°49'55" W; southwest
to Olympic Security Zone Lighted

Buoy "E" in approximate position:

31°53'09" N, 080°50'19" W; west to
Olympic Security Zone Lighted Buoy

"F" in approximate position:

31°52'45" N, 080°52'00" W; northwest
to Olympic Security Zone Daybeacon

"G" in position:

31°53'06" N, 080°52'30" W; northwest
to Olympic Security Zone Light "H"

in approximate position:

31°53'36" N, 080°53'15" W; northwest
to Olympic Security Zone Lighted

Buoy "I" in approximate position:

31°54'32" N, 080°54'27" W; northwest
to Olympic Security Zone Lighted

Buoy "J" in approximate position:

31°54'48" N, 080°54'55" W; west to
Olympic Security Zone Lighted Buoy

"K" in approximate position:

31°55'02" N, 080°56'20" W; then a
curved line following the outer edge
of Race Course Circle A to Cabbage
Patch Island Daybeacon "20" in
position:

31°56'11" N, 080°58'14" W

(ii) In Wassaw Sound from the
southern tip of Wilmington Island at the
junction of the Half Moon and Bull
Rivers at position:

31°57'56" N, 080°56'25" W; southeast to
31°57'33" N, 080°55'55" W

Datum: NAD 83

(b) *Definitions—Captain of the Port*
means the Captain of the Port
designated by the Commander, Seventh
Coast Guard District. The Captain of the
Port has the authority to control the
movement of all vessels operating in the
regulated areas and may suspend the
races at any time it is deemed necessary
for the protection of life and property.

Note: The Captain of the Port may be
contacted during the regulatory periods on
VHF/FM Channel 16 (156.8 MHz) or Channel
22 (157.1 MHz) by calling "Coast Guard
Captain of the Port" or "Coast Guard Marine
Safety Office Savannah".

Competition Vessels means any vessel
approved and designated by Atlanta
Committee for the Olympic Games
(ACOG) for participation in sanctioned
racing.

Official Vessels means all U.S. Coast
Guard, U.S. Coast Guard Auxiliary, state
and local law enforcement vessels, and
civilian vessels designated by the Coast
Guard Captain of the Port.

Participant means any competition
vessel or vessel directly supporting
competition that is registered with
ACOG while in performance of its
official function relative to a given race.

Unaffiliated vessels means all vessels
that are not registered with ACOG or
designated as an Official Vessel by the
Coast Guard Captain of the Port are
unaffiliated vessels.

(c) *Effective dates*.

(1) *Marriott Hotel/Olympic Village*.

The safety/security zone will become
effective at 8 a.m. EDT July 2, 1996, and
terminates at 12:30 p.m. EDT August 5,
1996.

(2) *Olympic Marina; Wilmington River
and Turners Creek*. This safety/security
zone becomes effective at 8 a.m. EDT
July 2, 1996, and terminates at 12:30
p.m. EDT August 5, 1996.

(3) *Wilmington River and Wassaw
Sound*. These safety/security zones will
become effective at 8 a.m. EDT July 2,
1996, and terminates at 7:30 p.m. EDT
August 2, 1996.

(4) *Bull River*. This safety/security
zone will be effective between 9 a.m.
and 7 p.m. EDT daily from July 2, 1996
through August 2, 1996.

(5) *Atlantic Ocean and Wassaw
Sound*. The following regulations are in
effect between the hours of 10 a.m. and
7 p.m. commencing July 19, 1996 to
August 2, 1996, each race date on those
waters within the Olympic offshore race
venue which fall within the navigable
waters of the United States, i.e., those
waters within three nautical miles of the
baseline from which the territorial sea is
measured. This section will not be in
effect on those race dates when the races
are postponed or canceled.

Announcement to that effect will be
made by Broadcast Notice to Mariners.

(i) Unaffiliated vessels shall remain
outside the course perimeter, as marked
by the ACOG vessels and Official
Vessels.

(ii) All vessels shall follow the
instructions of any Coast Guard, Coast
Guard Auxiliary or state law
enforcement vessels.

Note: The regulations specified in
paragraph (5) apply only within the
navigable waters of the United States. In all
waters within the Olympic Offshore race
venue which fall outside the navigable
waters of the United States, during the
specified dates and times, the following non-
obligatory guidelines apply:

(A) All unaffiliated vessels should
remain clear of the race venue and avoid
interfering with any participant, ACOG
or Official Vessel. Interference with race
activities may constitute a safety hazard
warranting cancellation or termination
of all or part of the race activities by the
Captain of the Port.

(B) Any unauthorized entry within
the race course perimeter, as marked by
ACOG and Official Vessels, by
unaffiliated vessels constitutes a risk to
the safety of marine traffic. Such entry
will constitute a factor to be considered
in determining whether a person has
operated a vessel in a negligent manner
in violation of 46 U.S.C. 2302.

(d) *Environmental Protection
Measures*. In all waters within these
safety/security zones, mariners shall
take the protective and mitigating action
described to below to minimize
potential impacts on the listed
endangered and/or protected species. In
addition, detailed conditions will be
included in the Coast Guard Permit
authorizing the 1996 Olympic Yachting
Events.

(1) *The Florida Manatee or Sea Cow*
is a Federally Endangered species
occurring in Georgia and South Carolina
waters in the summer months.

(i) Mariners shall watch for manatees
and use slow speeds in shallow waters.

(ii) Mariners shall observe all manatee
speed zones and caution areas.

(iii) If mariners see or their vessel hits
a manatee, mariners shall immediately

notify Olympic officials and call the Georgia Department of Natural Resources (from 8 a.m. to 4:30 p.m., call 1-800-272-8363; after hours, call 1-800-241-4113), or the South Carolina Department of Natural Resources (1-800-922-5431). Reports regarding manatee sightings shall include: time of sighting, location, date, number of individual manatee, and a description of manatee activity.

(2) *Sea Turtles* such as Loggerhead sea turtle (*Caretta caretta*), Green sea turtle (*Chelonia mydas*), Leatherback sea turtle (*Dermochelys coriacea*), Hawksbill sea turtle (*Eretmochelys imbricate*) and Kemp's Ridley sea turtle (*Lepidochelys kemp*) are federally endangered species and occur in the vicinity during the period of the Olympic events. If a Sea Turtle is sighted in or within 100 yards of the Atlantic Ocean and Wassaw Sound offshore racing areas, mariners must take whatever steps are necessary to avoid collision with the turtles, including stopping the race immediately if a sea turtle strays onto or dangerously near the course.

(3) *Bottlenose Dolphin* (porpoise) are protected under the Marine Mammal Protection Act of 1972. These mammals shall be observed only at a distance. They must not be fed or harmed in any way.

(e) *Regulations.* In accordance with the general regulations in Section 165.33 of this part, entry into the zone is subject to the following requirements:

(1) Entry into these safety/security zones is prohibited unless authorized by the Captain of the Port or his representative.

(2) The representative of the Captain of the Port is any Coast Guard commissioned, warrant or petty officer who has been designated by the Captain of the Port, Savannah, GA, to act on his behalf regardless of the support platform.

(3) Vessel operators desiring to enter or operate within the safety/security zones shall contact the Captain of the Port or his representative to obtain permission to do so. Vessel operators given permission to enter or operate in the safety zones shall comply with all directions given them by the Captain of the Port or his representative.

(4) The Captain of the Port may be contacted by telephone via the Command Duty Officer at (912) 652-4353. Vessels assisting in the enforcement of the safety/security zones may be contacted on VHF-FM channels 16 or 81, or vessel operators may determine the restrictions in effect for the safety/security zones by coming alongside a vessel patrolling the perimeter of the safety zone.

(5) The Captain of the Port will issue a Marine Safety Information Broadcast Notice to Mariners to notify the maritime community of the safety/security zones and restrictions imposed.

3. A new § 165.T07-077 is added to read as follows:

§ 165.T07-077 Safety Zone: Savannah River, Savannah, GA.

(a) *Location.* The following area is a moving safety zone: All waters within a 200 yards radius around the vessel that will carry the Olympic torch to the Savannah waterfront. The zone will commence on the Savannah River approximate position of 32° 02'.10 N, 80° 54'.16 W in the vicinity of Coast Guard Station Tybee and ending at an approximate position 32° 05'.13 N, 81° 05'.47 West at the Highway 17 bridge.

(b) *Effective dates.* This section is effective at 8 a.m. EDT and expires at 9 p.m. EDT on July 10, 1996, unless sooner terminated by the Captain of the Port, Savannah, GA.

(c) *Regulations.*

In accordance with the general regulations in Section 165.23 of this part, entry into the zone is subject to the following requirements:

(1) This safety zone is closed to all marine traffic, except as may be permitted by the Captain of the Port or his representative.

(2) The representative of the Captain of the Port is any Coast Guard commissioned, warrant or petty officer who has been designated by the Captain of the Port, Savannah, GA, to act on his behalf regardless of the support platform.

(3) Vessel operators desiring to enter or operate within the safety zone shall contact the Captain of the Port or his representative to obtain permission to do so. Vessel operators given permission to enter or operate in the safety zone shall comply with all directions given them by the Captain of the Port or his representative.

(4) The Captain of the Port may be contacted by telephone via the Command Duty Officer at (912) 652-4353. Vessels assisting in the enforcement of the safety zone may be contacted on VHF-FM channels 16 or 81, or vessel operators may determine the restrictions in effect for the safety zone by coming alongside a vessel patrolling the perimeter of the safety zone.

(5) The Captain of the Port will issue a Marine Safety Information Broadcast Notice to Mariners to notify the maritime community of the safety zone and restrictions imposed.

4. A new § 165.T07-078 is added to read as follows:

§ 165.T07-078 Safety Zone: Savannah River, Savannah, GA.

(a) *Location.* The following area is a safety zone: All waters within a 50 yards radius around a fireworks barge in the vicinity of Rousakis Plaza, Savannah River, Savannah, GA at an approximate position of 32° 04'.55 N, 81° 05'.27 W.

(b) *Effective dates.* This section is effective at 10 p.m. EDT and expires at 11 p.m. EDT on July 4, 1996, unless sooner terminated by the Captain of the Port, Savannah, GA.

(c) *Regulations.*

In accordance with the general regulations in Section 165.23 of this part, entry into the zone is subject to the following requirements:

(1) This safety zone is closed to all marine traffic, except as may be permitted by the Captain of the Port or his representative.

(2) The representative of the Captain of the Port is any Coast Guard commissioned, warrant or petty officer who has been designated by the Captain of the Port, Savannah, GA, to act on his behalf regardless of the support platform.

(3) Vessel operators desiring to enter or operate within the safety zone shall contact the Captain of the Port or his representative to obtain permission to do so. Vessel operators given permission to enter or operate in the safety zone shall comply with all directions given them by the Captain of the Port or his representative.

(4) The Captain of the Port may be contacted by telephone via the Command Duty Officer at (912) 652-4353. Vessels assisting in the enforcement of the safety zone may be contacted on VHF-FM channels 16 or 81, vessel operators may determine the restrictions in effect for the safety zone by coming alongside a vessel patrolling the perimeter of the safety zone.

(5) The Captain of the Port will issue a Marine Safety Information Broadcast Notice to Mariners to notify the maritime community of the safety zone and restrictions imposed.

Dated: December 20, 1995.

Roger T. Rufe, Jr.,

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

[FR Doc. 96-47 Filed 1-2-96; 8:45 am]

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