

revised on September 27, 1995, are approved effective February 28, 1996: 15 OAC 1501:13-4-15(D)(2)—

Authorization to Conduct Coal Mining on Previously Mined Areas Policy/Procedure Directive 93-4—  
Remining Enforcement Procedure Policy/Procedure Directive 92-3—  
Remining Process

[FR Doc. 96-4429 Filed 2-27-96; 8:45 am]

BILLING CODE 4310-05-M

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 165

[CGD02-96-077]

RIN 2115-AA97

#### Safety Zone; Lower Mississippi River, Mile 528.0 to Mile 532.0

AGENCY: Coast Guard, DOT.

ACTION: Temporary rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone on the Lower Mississippi River between mile 528.0 and mile 532.0. This regulation is needed to restrict vessel traffic in the regulated area to prevent a collision with sunken barges, surveying and salvage equipment and to provide a safe work area for survey and salvage personnel. The regulation restricts navigation in the regulated area and may have a significant effect on commercial traffic.

**DATES:** This regulation becomes effective at 10:02 p.m. on February 3, 1996, and terminates at 8 a.m. on August 31, 1996.

**FOR FURTHER INFORMATION CONTACT:** Lt. Byron Black, Chief, Port Operations, Captain of the Port, 200 Jefferson Avenue, Suite 1301, Memphis, TN 38103, (901) 544-3941.

#### SUPPLEMENTARY INFORMATION:

##### Background and Purpose

At approximately 10 p.m. on February 3, 1996, the M/V SCAUP collided with the Greenville, MS bridge sinking rock barges at approximate mile 531.3 on the Lower Mississippi River. The sunken barges' exact location remains unknown and survey operations at Lower Mississippi River mile 531.3 will commence shortly. The navigable channel will be blocked during survey and salvage operations. A safety zone has been established on the Lower Mississippi River from mile 528.0 to mile 532.0 in order to facilitate safe vessel passage. Entry of vessels or

persons into this zone is prohibited unless specifically authorized by the Captain of the Port.

In accordance with 5 U.S.C. 553, a notice of proposed rulemaking was not published for this regulation and good cause exists for making it effective in less than 30 days after Federal Register publication. Publication of a notice of proposed rulemaking and delay of effective date would be contrary to the public interest because immediate action is necessary. Specifically, immediate action is necessary to facilitate the survey for the sunken barges' exact location. Harm to the public or environment may result if vessel traffic is not controlled during the operations. As a result, the Coast Guard deems it to be in the public's best interest to issue a regulation immediately.

#### 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 not been reviewed 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 rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary.

#### Collection of Information

This rule contains no information collection 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 rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

#### Environment

The Coast Guard considered the environmental impact of this rule and concluded that, under paragraph 2.B.2 of Commandant Instruction M16475.1B (as revised by 59 FR 38654; July 29, 1994), this rule 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, Vessels, Waterways.

For the reasons set out in the preamble, the Coast Guard amends 33 CFR part 165 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 temporary § 165.T02-077 is added to read as follows:

#### § 165.T02-077 Safety Zone; Lower Mississippi River.

(a) *Location.* The following area is a Safety Zone: Lower Mississippi River mile 528.0 to mile 532.0.

(b) *Effective dates.* This section is effective at 10:02 p.m. on February 3, 1996, and terminates at 8 a.m. on August 31, 1996.

(c) *Regulations.* In accordance with the general regulations in § 165.23, entry into this zone is prohibited except as authorized by the Captain of the Port. The Captain of the Port, Memphis, Tennessee, will notify the maritime community of conditions affecting the area covered by this safety zone by Marine Safety Information Radio Broadcast on VHF Marine Band Radio, Channel 22 (157.1 MHz).

Dated: February 3, 1996.

P.L. Mountcastle,

Lieutenant Commander, USCG, Acting Captain of the Port.

[FR Doc. 96-4535 Filed 2-27-96; 8:45 am]

BILLING CODE 4910-14-M

#### 33 CFR Part 165

[CGD02-96-076]

RIN 2115-AA97

#### Safety Zone; Lower Mississippi River, Mile 538.0 to Mile 542.0

AGENCY: Coast Guard, DOT.

ACTION: Temporary rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone on the Lower Mississippi River between mile 538.0 and mile 542.0. This regulation is needed to restrict vessel traffic in the regulated area to prevent a collision with a sunken deck barge, surveying and salvage equipment and to provide a safe work area for survey and salvage personnel. The regulation restricts navigation in the regulated area and may have a significant effect on commercial traffic.