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Dated: June 28, 1996.

Fred R. Shank,

Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 96-18070 Filed 7-16-96; 8:45 am]

BILLING CODE 4160-01-F

DEPARTMENT OF TRANSPORTATION**Coast Guard****33 CFR Part 117**

[CGD05-96-043]

Temporary Deviation; Isle of Wight Bay Drawbridge, Ocean City, MD

AGENCY: Coast Guard, DOT.

ACTION: Notice of temporary deviation; request for comments.

SUMMARY: At the request of the Maryland Department of Transportation (MDOT), Commander, Fifth Coast Guard District has approved a temporary deviation from the regulations that govern the operation of the Route 50 drawbridge across Isle of Wight Bay, mile 0.5, located in Ocean City, Maryland. This temporary deviation will test the effects of restricted drawbridge openings for all vessels each Saturday between July 13 through August 31, 1996, between the hours of 1 p.m. to 5 p.m. During these times, the bridge need open only on the hour, and must remain in the open position until all waiting vessels pass. All other provisions of the existing regulation for the Route 50 bridge remain the same. This test is intended to help the Coast Guard determine if a permanent change to the regulations would reduce motor vehicle traffic delays and congestion related to summer traffic entering and exiting the town of Ocean City, while still providing for the reasonable needs of navigation.

EFFECTIVE DATES: This deviation is effective from July 13 through August 31, 1996. Comments must be received before September 30, 1996.

ADDRESSES: Comments should be mailed or delivered to Commander (Aowb), US Coast Guard Atlantic Area, 4th Floor Federal Bldg., 431 Crawford Street, Portsmouth, Virginia 23704-5004.

FOR FURTHER INFORMATION CONTACT: Ms. Ann B. Deaton, Bridge Administrator, Fifth Coast Guard District, at 757-398-6222.

SUPPLEMENTARY INFORMATION:**Request for Comments**

The Coast Guard encourages interested persons to comment on this temporary deviation by submitting written data, views, or arguments. Persons submitting comments should include their names and addresses, identify this notice of temporary deviation (CGD05-96-043) and the specific section of this deviation to which each comment applies, and give the reason for each comment. The Coast Guard requests that all comments and attachments be submitted in an unbound format suitable for copying and electronic filing. If not practical, a second copy of any bound material is requested. Persons wanting acknowledgment of receipt of comments should enclose a stamped self-addressed postcard or envelop.

The Coast Guard will consider all comments received during the comment period when determining whether to propose a permanent change to the regulation.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the Commander (Aowb) at the address under **ADDRESSES**. The request should include reasons why a hearing would be beneficial. If it determines that the opportunity for oral presentations will aid any future proposed rulemaking, the Coast Guard will hold a public hearing at a time and place announced by a later notice in the Federal Register.

Background and Purpose

The Maryland Department of Transportation (MDOT) has requested a deviation from the requirements of 33 CFR 117.559 to test the effects of reduced opening periods during which the Route 50 drawbridge opens for marine traffic on Saturday afternoons during the summer months. Section 117.559 requires the Isle of Wight Bay Route 50 bridge to open at 25 minutes and 55 minutes after the hour for a maximum of 5 minutes from 9:25 a.m. to 9:55 p.m. from May 25 through September 15. MDOT's request is based on a large number of vacationers traveling to and from Ocean City on Saturday afternoons during the tourist season (summer months). Vacationers check in and out of hotels on Ocean City Island every Saturday afternoon of the season. This creates a traffic surge of vehicles entering and exiting the island with only two highway bridges (Route 50 and Route 90) available for access. The Route 90 bridge is a fixed-span structure, and the Route 50 bridge is a drawbridge. Over 350 charter boats

historically pass through the Route 50 drawbridge on Saturdays from July 15 through September 15. This produces a dilemma to both waterway users and vehicular traffic trying to access the same drawbridge. MDOT proposes that, by providing only hourly openings on Saturday afternoons as opposed to the current half-hourly openings, vehicular traffic congestion on U.S. 50 will be reduced and highway safety will be increased. This test is intended to provide information needed to determine whether the Coast Guard should propose a permanent change to the regulation to better balance the needs of both waterway users and vehicular traffic.

Based on the above information, Commander, Fifth Coast Guard District has approved a temporary deviation from the requirements of 33 CFR 117.559 from July 13, 1996 through August 31, 1996. This temporary deviation will require the drawbridge to open only on the hour from 1 p.m. to 5 p.m. for waiting vessels on each Saturday from July 13 through August 31, 1996. When the bridge is opened, it will remain in the open position until all waiting vessels pass. The provisions of 33 CFR 117.31 which provide for the passage on signal for Federal, State and local government vessels used for public safety; vessels in distress where a delay would endanger life or property; commercial vessels engaged in rescue or emergency salvage operations; and vessels seeking shelter from severe weather will remain unchanged.

The terms of the approved temporary deviation are as follows:

The draw of the US 50 bridge, mile 0.5, located in Ocean City, Maryland, shall open according to 117.559 except from July 13, 1996 through August 31, 1996, on every Saturday, the bridge need open only on the hour from 1 p.m. to 5 p.m. for any waiting vessels, and shall remain in the open position until all waiting vessels pass. Vessels in an emergency involving danger to life or property shall be passed at any time.

Kent H. Williams,

Vice Admiral, U.S. Coast Guard, Commander, Fifth Coast Guard District.

[FR Doc. 96-18113 Filed 7-16-96; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 165

[COTP San Diego 96-002]

RIN 2115-AA97

Security Zone; San Diego Bay, San Diego, CA

AGENCY: Coast Guard, DOT.