

Dated: January 17, 1997.

T.W. Josiah,

*Rear Admiral, U.S. Coast Guard, Commander,  
Eighth Coast Guard District.*

[FR Doc. 97-2635 Filed 2-3-97; 8:45 am]

BILLING CODE 4910-14-M

### 33 CFR Part 165

[CGD 05-96-107]

#### Regulated Navigation Area: Chesapeake Bay Ice Navigation Season

AGENCY: Coast Guard, DOT.

ACTION: Notice of implementation.

**SUMMARY:** This document implements 33 CFR 165.503 effective from January 15, 1997 to March 15, 1997. Section 165.503 establishes a Regulated Navigation Area (RNA) for the northern portion of the Chesapeake Bay and its tributaries. Operators of specified vessels are required to contact Captain of the Port (COTP) Baltimore prior to entering or getting underway within the Regulated Navigation Area to determine if operating restrictions have been imposed due to ice conditions.

**DATES:** Section 165.503 of 33 CFR is effective from 12:01 a.m., January 15, 1997 to 12:01 a.m., March 15, 1997, unless sooner terminated by the COTP Baltimore by publication of a document in the Federal Register.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant Commander Brooks Minnick, U.S. Coast Guard Activities Baltimore, 2401 Hawkins Point Road, Baltimore, MD 21226, (410) 576-2585.

**DRAFTING INFORMATION:** The drafters of this regulation are Lieutenant Commander Brooks Minnick, project officer, COTP Baltimore, Maryland, and Commander Greg Shelton, project attorney, Maintenance and Logistics Command Atlantic Legal Staff.

**SUPPLEMENTARY INFORMATION:** Ice conditions frequently exist during winter months on the northern portion of Chesapeake Bay and its tributaries. Severe ice conditions may threaten the safety of persons, vessels and the environment. COTP Baltimore may issue specific COTP orders imposing operating restrictions due to ice conditions, vessel construction, and cargo. Mariners are also encouraged to monitor Broadcast Notices to Mariners (BNTM) to determine if ice conditions exist in a specific area.

Section 165.503 of 33 CFR establishes a Regulated Navigation Area (RNA). Operators of vessels carrying oil or hazardous materials in bulk as cargo or residue, power-driven vessels of three

hundred gross tons or more, vessels of one hundred gross tons or more carrying one or more passengers for hire, and towing vessels of 26 feet or more in length must contact COTP Baltimore before entering or getting underway within the RNA to obtain current COTP orders. Section 165.503 will remain in effect from January 15, 1997 to March 15, 1997.

Dated: January 13, 1997.

G.S. Cope,

*Captain, U.S. Coast Guard, Captain of the Port, Coast Guard Activities Baltimore.*

[FR Doc. 97-2633 Filed 2-3-97; 8:45 am]

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### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 721

[OPPTS-50598B; FRL-5580-5]

#### Substituted Cyclohexyldiamino Ethyl Esters; Revocation of a Significant New Use Rule

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

**SUMMARY:** EPA is revoking a significant new use rule (SNUR) promulgated under section 5(a)(2) of the Toxic Substances Control Act (TSCA) for substituted cyclohexyldiamino ethyl esters based on receipt of new data. Based on the data the Agency determined that it could no longer support a finding that activities not described in the PMN may result in significant changes in environmental exposure.

**EFFECTIVE DATE:** The effective date of this rule is March 6, 1997.

**FOR FURTHER INFORMATION CONTACT:** Susan B. Hazen, Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. E-543A, 401 M St., SW., Washington, DC 20460; telephone: (202) 554-1404; TDD: (202) 554-0551; e-mail: TSCA-Hotline@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** In the Federal Register of October 8, 1992 (57 FR 46458) (FRL-3934-7) EPA issued a SNUR establishing significant new uses for substituted cyclohexyldiamino ethyl esters. Because of additional data EPA has received for this substance, EPA is proposing to revoke this SNUR.

#### I. Background

The Agency proposed the revocation of the SNUR for this substance in the

Federal Register of April 19, 1996 (61 FR 17272) (FRL-5355-5). The background and reasons for the revocation of the SNUR are set forth in the preamble to the proposed revocation. The Agency received no public comment concerning the proposed revocation. As a result EPA is revoking this SNUR.

#### II. Background and Rationale for Revocation of the Rule

During review of the PMN submitted for the chemical substance that is the subject of this revocation, EPA concluded that regulation was warranted under § 721.170(b)(4)(ii) based on the fact that activities not described in the PMN may result in significant changes in environmental exposure. Based on these findings, a SNUR was promulgated.

EPA has determined that it could no longer support a finding that activities not described in the PMN may result in significant changes in environmental exposure. The revocation of SNUR provisions for this substance designated herein is consistent with this finding.

In light of the above, EPA is revoking the SNUR provisions for this chemical substance. When this revocation becomes final, EPA will no longer require notice of any company's intent to manufacture, import, or process this substance. In addition, export notification under section 12(b) of TSCA will no longer be required.

#### III. Rulemaking record

The record for the rule which EPA is revoking was established at OPPTS-50598 (P-91-1243). This record includes information considered by the Agency in developing this rule.

A public version of the record, without any Confidential Business Information, is available in the OPPT Non-Confidential Information Center (NCIC) from 12 p.m. to 4 p.m., Monday through Friday, except legal holidays. The TSCA NCIC is located in the Northeast Mall Basement Rm. B-607, 401 M St., SW., Washington, DC.

#### IV. Regulatory Assessment Requirements

EPA is revoking the requirements of this rule. Any costs or burdens associated with this rule will also be eliminated when the rule is revoked. Therefore, EPA finds that no costs or burdens must be assessed under Executive Order 12866, the Regulatory Flexibility Act (5 U.S.C. 605(b)), or the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

List of Subjects in 40 CFR Part 721  
Environmental protection, Chemicals,  
Hazardous materials, Recordkeeping  
and reporting requirements.

Dated: January 27, 1997.

Charles M. Auer,  
Director, Chemical Control Division, Office  
of Pollution Prevention and Toxics.

Therefore, 40 CFR part 721 is  
amended as follows:

#### **PART 721—[AMENDED]**

1. The authority citation for part 721  
continues to read as follows:

Authority: 15 U.S.C. 2604, 2607, and  
2625(c).

#### **§ 721.2980 [Removed]**

2. By removing § 721.2980.

[FR Doc. 97-2710 Filed 2-3-97; 8:45 am]

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## **DEPARTMENT OF TRANSPORTATION**

### **Maritime Administration**

#### **46 CFR Part 349**

[Docket No. R 169]

RIN 2133-AB28

#### **Reemployment Rights of Certain Merchant Seamen**

**AGENCY:** Maritime Administration,  
Department of Transportation.

**ACTION:** Final rule.

**SUMMARY:** The Maritime Administration (MARAD) is issuing this procedural rule to implement provisions of the Maritime Security Act of 1996. These provisions amend the Merchant Marine Act, 1936, to grant reemployment rights and other benefits to certain merchant seamen serving on vessels used by the United States for a war, armed conflict, national emergency or maritime mobilization need. This rule establishes the procedure for obtaining the necessary MARAD certification for reemployment rights and other benefits conferred by statute and its assistance in pursuing these statutory rights and benefits.

**EFFECTIVE DATE:** This final rule is effective February 6, 1997.

**FOR FURTHER INFORMATION CONTACT:** Christopher E. Krusa, Maritime Training Specialist, Maritime Administration, MAR-250, Room 7302, 400 Seventh Street, SW, Washington, DC 20590-0001, tel. (202) 366-2648.

**SUPPLEMENTARY INFORMATION:** Section 2 of Pub. L. 104-239, the Maritime Security Act of 1996 (MSA), enacted on

October 8, 1996, in amending Title VI of the Merchant Marine Act, 1936 (Act), 46 App. U.S.C. 1171 *et seq.*, directs the Secretary of Transportation to establish a Maritime Security Program (MSP). The MSP will provide, over a period of ten years, financial assistance for the commercial operation of militarily useful vessels in the foreign commerce of the United States, employing U.S. citizen crews. Pursuant to contract, participating vessel operators are required to make their ships and other commercial transportation resources available to the Government during time of war or national emergency. Section 10 of the MSA also amends Title III of the Act, 46 App. U.S.C. 1131, to provide "reemployment rights and other benefits" for certain merchant seamen who have been certified" by the Secretary of Transportation.

In order to receive certification, those merchant seamen must submit an application not later than 45 days following completion of employment in the activation or operation of a vessel used by the United States for a "war, armed conflict, national emergency, or maritime mobilization need (including for training purposes or testing for readiness and suitability for mission performance)." The MSA provides that the reemployment rights and other benefits shall be "substantially equivalent to the rights and benefits provided for by chapter 43 of Title 38, United States Code, for any member of the Armed Forces of the United States who is ordered to active duty." The Secretary has delegated this certification authority to the Maritime Administrator (61 FR 64029; Dec. 3, 1996).

Section 10 of the MSA requires the Secretary to issue regulations implementing this section not later than 120 days after its enactment. Accordingly, pursuant to delegation of this authority by the Secretary to the Maritime Administrator, MARAD is issuing this final rule to establish the procedure for obtaining MARAD certification and to provide for MARAD administrative assistance to merchant seamen alleging denial of their statutory rights to reemployment and other benefits.

#### **Rulemaking Analysis and Notices**

*Executive Order 12866 (Regulatory Planning and Review; Department of Transportation (DOT) Regulatory Policies and Procedures; Pub. L. 104-121*

This procedural rulemaking is not considered to be an economically significant regulatory action under E.O. 12866, and is also not considered a

major rule for purposes of Congressional review under Pub. L. 104-121. It is not considered to be a significant rule under DOT's Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Accordingly, it has not been reviewed by the Office of Management and Budget.

Section 10 of Pub. L. 104-239, which added section 302 to the Act (46 App. U.S.C. 1132), mandates that regulations be issued by February 5, 1997. This rule merely prescribes the procedures for MARAD to certify certain merchant seamen as being eligible for reemployment rights and other benefits granted by the Congress and to provide assistance to them in obtaining those rights and other benefits. Accordingly, pursuant to 5 U.S.C. 553, the notice and comment requirements of the Administrative Procedure Act are inapplicable and this is being published as a final rule.

#### *Federalism*

MARAD has analyzed this rulemaking in accordance with principles and criteria contained in E.O. 12612 and has determined that these regulations do not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

#### *Regulatory Flexibility*

The Maritime Administrator certifies that this rulemaking will not have a significant economic impact on a substantial number of small entities. This is a procedural rule mandated by the Congress to allow individuals to be certified as eligible to claim their statutory rights to reemployment and other benefits.

#### *Environmental Assessment*

MARAD has concluded that this final rule has no environmental impact and that an environmental impact statement is not required.

#### *Paperwork Reduction Act*

This rulemaking contains new information collection requirements which will be submitted to the Office of Management and Budget for review and approval.

This rule does not impose any unfunded mandates.

#### **List of Subjects in 46 CFR Part 349**

Employment, National defense,  
Seamen.

Accordingly, new part 349 is added to Title 46 CFR to read as follows: