

for inspection and copying at the address listed in **ADDRESSES**.

### List of Subjects in 33 CFR Part 165

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

### Regulation

In consideration of the foregoing, subpart F of part 165 of Title 33, Code of Federal Regulations, is amended as follows:

1. The authority citation for 33 CFR 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.T11-018 is added to read as follows:

#### § 165.T11-048 Safety Zone: Mission Bay, San Diego, CA; Oceanside Harbor, Oceanside, CA.

(a) *Location.* These two safety zones will consist of all navigable waters located within a 400 yard circular radius surrounding the end of the Mission Bay Channel entrance north jetty, and within a 400 yard circular radius surrounding the north jetty at the Oceanside Harbor entrance, respectively.

(b) *Effective Date.* This temporary regulation becomes effective at 7:30 a.m. (PST) on February 17, 1998, and runs until 8 p.m. (PST) on March 31, 1998, unless canceled earlier by the Captain of the Port.

(c) *Regulations.* In accordance with the general regulations in § 165.23 of this part, entry into, transit through, or anchoring within these zones is prohibited unless authorized by the Captain of the Port.

Dated: February 17, 1998.

**J.A. Watson IV,**

*Commander, U.S. Coast Guard, Captain of the Port, San Diego, California.*

[FR Doc. 98-5106 Filed 2-26-98; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 165

[CGD 05-98-004]

RIN 2115-AE84

#### Regulated Navigation Area Regulation: Ice Operations in Chesapeake Bay

**AGENCY:** Coast Guard, DOT.

**ACTION:** Direct final rule.

**SUMMARY:** By this direct final rule, the Coast Guard is removing a regulation for an ice navigation season Regulated Navigation Area (RNA) within the northern portion of Chesapeake Bay and its tributaries, including the Chesapeake and Delaware Canal. The Coast Guard is removing the regulation because it believes the regulation places unnecessary general restrictions on vessels, which can more appropriately be imposed individually on a case-by-case basis.

**DATES:** This rule is effective on May 28, 1998, unless the Coast Guard receives written adverse comments or written notice of intent to submit adverse comments on or before April 28, 1998. If the Coast Guard receives a written adverse comment or written notice of intent to submit a written adverse comment, the Coast Guard will publish a timely withdrawal of all or part of this Direct Final Rule.

**ADDRESSES:** Comments may be mailed to Commander, U.S. Coast Guard Activities Baltimore, 2401 Hawkins Point Road, Baltimore, MD 21226-1797, or may be delivered to the same address between 7:30 and 4 p.m., Monday through Friday, except Federal holidays. The telephone number is (410) 576-2547. Comments will become part of this docket and will be available for inspection or copying at the above address, between 7:30 and 4 p.m., Monday through Friday, except Federal holidays.

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

#### SUPPLEMENTARY INFORMATION:

##### Request for Comments

Any comments must identify the names and address of the person submitting the comment, specify the rulemaking docket (CGD 05-98-004) and the specific section of this rule to which each comment applies, and give the reason for each specific comment. Please submit two copies of all comments and attachments in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. Persons wanting acknowledgement of receipt of comments should enclose stamped, self-addressed postcards or envelopes.

##### Regulatory Information

The Coast Guard is publishing a direct final rule, the procedures of which are outlined in 33 CFR 1.05-55, because this rule removes a regulatory burden and no adverse comments are

anticipated. If no adverse comments or written notices of intent to submit adverse comment are received within the specified comment period, this rule will become effective as stated in the **DATES** section. In that case, approximately 30 days prior to the effective date, the Coast Guard will publish a document in the **Federal Register** stating that no adverse comment was received and confirming that this rule will become effective as scheduled. However, if the Coast Guard receives written adverse comments or written notices of intent to submit adverse comment, the Coast Guard will publish a document announcing withdrawal of all or part of this direct final rule. If adverse comments apply to only part of this rule, and it is possible to remove that part without defeating the purpose of this rule, the Coast Guard may adopt as final those parts of this rule on which no adverse comments were received. The part of this rule that was the subject of adverse comment will be withdrawn. If the Coast Guard decides to proceed with a rulemaking following receipt of adverse comments, a separate Notice of Proposed Rulemaking (NPRM) will be published and a new opportunity for comment provided.

A comment is considered "adverse" if the comment explains why this rule would be inappropriate, including a challenge to the rule's underlying premise or approach, or would be ineffective or unacceptable without a change.

##### Background and Purpose

Ice conditions frequently exist during the winter months on the northern portion of Chesapeake Bay and its tributaries, including the Chesapeake and Delaware Canal. Severe ice conditions may threaten the safety of persons, vessels and the environment. In the past, the Coast Guard annually activated by a notice of implementation, a Regulated Navigation Area (RNA) in which the Captain of the Port (COTP) Baltimore imposed certain operational restrictions on vessels in response to ice conditions. COTP Baltimore is the only zone in the Coast Guard that has an established RNA to control vessel movement during the ice season.

Recent practice has been to place restrictions in effect continuously through the winter months because it is difficult to forecast exact dates when severe ice conditions may begin and end. The Coast Guard now believes that a regulation that imposes general, continuous restrictions on all applicable vessels is unnecessary. The Coast Guard believes that prudent mariners can

adequately decide, based on prevailing ice conditions, whether to transit, taking into account individual vessel handling characteristics and specifications. If necessary to enhance safety, however, the Captain of the Port Baltimore may still impose restrictions on individual vessels on a case-by-case basis. This change will also make procedures in the COTP Baltimore zone consistent with other zones' ice season procedures.

The Captain of the Port Baltimore plans to establish a hot line that mariners can call for information about ice conditions and recommendations about which channels to transit. Because the ice season varies with the weather, Activities Baltimore will announce by Broadcast Notice to Mariners and publication in Local Notice to Mariners the start of the hot line and the phone number to call. The information about the hot line will be announced at least four times daily, and the broadcasts will continue throughout the ice season.

#### Discussion of Rules

This direct final rule removes the regulation in 33 CFR 165.503 that established a Regulated Navigation Area in the Chesapeake Bay during the ice season, typically between December and March of each year.

#### 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. If 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.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), the Coast Guard must consider the economic impact on small entities of a rule for which a general notice of proposed rulemaking is required. "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.

This direct final rule removes a regulation that imposed restrictions on vessels identified in 33 CFR 165.510(c) that transited in the described Regulated Navigation Area between December and March. Therefore, the Coast Guard finds that this rule will not have a significant economic impact on a substantial number of small entities. Any comments submitted in response to this finding will be evaluated under the criteria described earlier in the preamble for comments.

#### Collection of Information

This rule contains no collection-of-information requirements under the Paperwork Reduction Act (44 U.S.C. 3501-3520).

#### 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.IB, (as revised by 59 FR 38654, July 29, 1994), 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 165

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

#### Regulations

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; 33 U.S.C. 191; 33 CFR 1.05-1(g), 6.04-1, 6.04-6 and 160.5; 49 CFR 1.46.

#### § 165.503 [Removed]

2. Remove § 165.503.

Dated: February 11, 1998.

**Roger T. Rufe, Jr.,**

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

[FR Doc. 98-5105 Filed 2-26-98; 8:45 am]

BILLING CODE 4910-14-M

## POSTAL SERVICE

### 39 CFR Part 222

#### Delegations of Authority

**AGENCY:** Postal Service.

**ACTION:** Final rule.

**SUMMARY:** This rule amends Postal Service regulations on delegation of authority to bring this regulation in line with the Postal Service's current Human Resources organizational structure.

**EFFECTIVE DATE:** March 30, 1998.

**FOR FURTHER INFORMATION CONTACT:** Beth Campbell, Employment and Placement Specialist, Human Resources, (202) 268-3973.

#### SUPPLEMENTARY INFORMATION:

Amendment of § 222.5(a)(7) is needed to identify delegation level consistent with the Human Resources organizational structure.

The Manager, Selection, Evaluation, and Recognition is making this revision. This is a change in agency rules of organization that does not substantially affect any rights or obligations of private parties. Therefore, it is appropriate for their adoption by the Postal Service to become effective immediately.

#### List of Subjects in 39 CFR Part 222

Authority delegations (Government agencies).

Accordingly, the Postal Service adopts this amendment to 39 CFR part 222 as specifically set forth below:

#### PART 222—[AMENDED]

1. The authority citation for part 222 continues to read as follows:

**Authority:** 39 U.S.C. 203, 204, 401(2), 402, 403, 404, 409; Inspector General Act of 1978, as amended (Pub. L. No. 95-452, as amended), 5 U.S.C. App. 3.

#### § 222.5 [AMENDED]

2. Section 222.5(a)(7) is amended by striking "EAS-16 and above" and inserting "EAS-15 and above".

**Stanley F. Mires,**

*Chief Counsel, Legislative.*

[FR Doc. 98-5012 Filed 2-26-98; 8:45 am]

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