

Dated: August 21, 1998.

**J.L. Grenier,**

*Captain, U.S. Coast Guard, Captain of the Port, Boston, Massachusetts.*

[FR Doc. 98-23698 Filed 9-2-98; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 165

[COTP New Orleans, LA Regulation 98-019]

RIN 2115-AA97

#### Safety Zone; Baptiste Collette Bayou From Lower Mississippi River Mile 11.3 to Lighted Buoy #21 in Breton Sound

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone from the entrance to Baptiste Collette Bayou at Lower Mississippi River Mile 11.3 to Baptiste Collette Lighted Buoy #21 in Breton Sound, extending the entire width of the bayou. The safety zone has been established to ensure the safe transit of vessels in Baptiste Collette Bayou during a period of significantly increased vessel traffic as a result of the closure of the Inner Harbor Navigational Canal Lock and to protect the environment.

**DATES:** This regulation is effective from July 27, 1998, at 8 a.m. local time until September 27, 1998 at 8 p.m. local time.

**FOR FURTHER INFORMATION CONTACT:** LT(jg) Yuri Graves (504) 589-4256. U.S. Coast Guard Marine Safety Office, 1615 Poydras St., New Orleans, LA 70112-1254.

**SUPPLEMENTARY INFORMATION:** In accordance with 5 U.S.C. 553, a notice of proposed rulemaking will not be published for this regulation and good cause exists for making it effective in less than 30 days after **Federal Register** publication. Publishing a NPRM and delaying its effective date would be contrary to the public interest since immediate action is needed to respond to the potential hazards to local marine traffic involved.

**Drafting Information.** The drafter of this regulation is LT(jg) Yuri Graves, Project Manager for the Captain of the Port, and LT(jg) M.A. Woodruff Project Counsel, Eighth Coast Guard District Legal Office.

#### Background and Purpose

The hazardous condition requiring this regulation is a result of the de-watering and repair of the Inner Harbor

Navigation Canal Lock. The safety zone is needed to protect vessels transiting the Baptiste Collette Bayou during this period of significantly increased vessel traffic. This regulation is issued pursuant to 33 U.S.C. 1225 and 1231 as set out in the authority citation for all of Part 165.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 et. seq.), the Coast Guard must consider whether this regulation will have a significant economic impact on a substantial number of small entities. "Small entities" include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as "small business concerns" under section 3 of the Small Business Act (15 U.S.C. 632). Since the impact of this regulation on non-participating small entities is expected to be minimal, the Coast Guard certifies under 5 U.S.C. 605(b) that this regulation will not have a significant economic impact on a substantial number of small entities. This regulation will only be in effect for several hours and the impacts on small entities are expected to be minimal.

#### Regulatory Evaluation

This temporary rule is not a significant regulatory evaluation under Section 3(b) of Executive Order 12866 and is not significant under the "Department of Transportation Regulatory Policies and Procedures" (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 is unnecessary. This regulation will only be in effect for a short period of time, and the impacts on routine navigation are expected to be minimal.

#### Collection of Information

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

#### Environment

The Coast Guard considered the environmental impact of this proposal and concluded that under Figure 2-1, paragraph (34)(g) of Commandant Instruction M16475.1C (series), this

proposal is categorically excluded from further environmental documentation.

#### List of Subjects in 33 CFR Part 165

Harbors, Marine Safety, Navigation (water), Reporting and Record Keeping Requirements, Safety Measures, Vessels, Waterways.

In consideration of the foregoing, Subpart F of Part 165 of Chapter 33, Code of Federal Regulations, is amended as follows:

#### PART 165—[AMENDED]

1. The authority citation for Part 165 continues to read as follows:

**Authority:** 33 U.S.C. 1225 and 1231; 50 U.S.C. 191; and 33 CFR 1.05-1(g), 6.04-1, 6.04-6, and 160.5; 49 CFR 1.46

2. A new temporary § 154.T08-047 is added to read as follows:

#### § 165.T08-047 Safety Zone.

(a) *Location.* The following area is a safety zone: Baptiste Collette Bayou from its junction with the Mississippi River to Baptiste Collette Lighted Buoy #21 in Breton Sound, extending the entire width of the Bayou.

(b) *Effective date.* This section is effective from July 27, 1998 at 8 a.m. local time until September 27, 1998 at 8 p.m. local time.

(c) *Regulations.*

In accordance with the general regulations in § 165.23 of this part, entry into the zone by any vessel is prohibited unless authorized by the Captain of the Port.

**W.R. Marhoffer,**

*Commander, U.S. Coast Guard, Captain of the Port, Acting.*

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## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

#### 37 CFR Part 1

RIN 0651-AA96

#### Revision of Patent Fees for Fiscal Year 1999; Correction

AGENCY: Patent and Trademark Office, Commerce.

ACTION: Final Rule; correction.

**SUMMARY:** The Patent and Trademark Office published a document revising certain patent fee amounts for fiscal year 1999 in the **Federal Register** of July 24, 1998. Inadvertently, an incorrect fee amount was stated for a national stage fee in section 1.492(a)(5). This