

§ 250.1404 [Corrected]

10. In § 250.1404, paragraph (b) is revised to read as follows:

§ 250.1404 Which violations will MMS review for potential civil penalties?

* * * * *

(b) Violations that MMS determines may constitute, or constituted, a threat of serious, irreparable, or immediate harm or damage to life (including fish and other aquatic life), property, any mineral deposit, or the marine, coastal, or human environment; or

* * * * *

§ 250.1406 [Corrected]

11. In § 250.1406, paragraph (b) is revised to read as follows:

§ 250.1406 When will MMS notify me and provide penalty information?

* * * * *

(b) Information on the violation(s); and

* * * * *

PART 256—LEASING OF SULPHUR OR OIL AND GAS IN THE OUTER CONTINENTAL SHELF

1. The authority citation for Part 256 continues to read as follows:

Authority: 43 U.S.C. 1331 et seq.

§ 256.52 [Corrected]

2. In § 256.52, paragraph (b) and the last sentence of paragraph (c) are revised to read as follows:

§ 256.52 Bond requirements for an oil and gas or sulphur lease.

* * * * *

(b) For the purpose of this section, there are three areas. The area offshore the Atlantic Coast is included in the Gulf of Mexico. Areawide bonds issued in the Gulf of Mexico will cover oil and gas or sulphur operations offshore the Atlantic Coast. The three areas are:

(1) The areas offshore the Gulf of Mexico and Atlantic Coast;

(2) The area offshore the Pacific Coast States of California, Oregon, Washington, and Hawaii; and

(3) The area offshore the Coast of Alaska.

(c) * * * Your operator may use an areawide bond under this paragraph to satisfy your bond obligation.

* * * * *

3. In paragraph 256.52(h)(2), the citation "250.10" is revised to read "250.110."

§ 256.56 [Corrected]

4. In § 256.56(a)(1), the citation "250.110" is revised to read "250.700".

§ 256.70 [Corrected]

5. In § 256.70, the citation "250.13" is revised to read "250.113".

§ 256.73 [Corrected]

6. In § 256.73, in paragraphs (a) and (b), the citation "250.10" is revised to read "250.110".

§ 256.76 [Corrected]

7. In § 256.76(a)(3), the citation "250.12" is revised to read "250.112".

PART 270—NONDISCRIMINATION IN THE OUTER CONTINENTAL SHELF

1. The authority citation for Part 270 continues to read as follows:

Authority: Sec. 604, Pub. L. 95-372, 92 Stat 695 (43 U.S.C. 1863).

§ 270.6 [Corrected]

2. In § 270.6, the citations "250.70, 250.71, 250.72, and 250.80" are revised to read "250.500, 250.501, 250.502, and 250.510".

§ 270.7 [Corrected]

3. In § 270.7, the citations "§§ 250.81-1 and 250.80-2" are revised to read "30 CFR 250, subpart N".

PART 282—OPERATIONS IN THE OUTER CONTINENTAL SHELF FOR MINERALS OTHER THAN OIL, GAS, AND SULPHUR

1. The authority citation for Part 282 continues to read as follows:

Authority: 43 U.S.C. 1331 et seq.

§ 282.28 [Corrected]

2. In § 282.28(a), the citations "250.26, 250.33(b)(19), 250.34(b)(12), and 250.45", are revised to read "250.126, 250.203(b)(19), 250.204(b)(12), and 250.303".

Dated: February 18, 1999.

E. P. Danenberger,

Chief, Engineering and Operations Division.

[FR Doc. 99-4599 Filed 2-23-99; 8:45 am]

BILLING CODE 4310-MR-P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD01 99-008]

Safety Zone: Sunken Fishing Vessel CAPE FEAR, Buzzards Bay Entrance

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: This Safety Zone is an extension of the original Safety Zone around the sunken fishing vessel CAPE

FEAR published in the Federal Register on January 27, 1999. The Coast Guard has established a safety zone within a 500-yard radius of the site of the sunken fishing vessel CAPE FEAR in the entrance to Buzzards Bay at approximate position 41°23' North and 71°01' West. This safety zone is needed to protect the maritime community from possible hazards associated with the sunken vessel, ongoing oil-pollution response, and the exposed-location salvage. Entry into this zone is prohibited unless authorized by the Captain of the Port (COTP), Providence, RI.

EFFECTIVE DATES: This rule is effective from 12 midnight Friday, February 12, 1999, until the last minute of 12 midnight Wednesday, March 31, 1999.

FOR FURTHER INFORMATION CONTACT: CWO Payne, Waterways Management, Coast Guard Marine Safety Office, Providence, RI, at (401) 435-2300.

SUPPLEMENTARY INFORMATION:

Regulatory History

Pursuant to 5 U.S.C. 553, no notice of proposed rulemaking (NPRM) was published for this regulation, and good cause exists for making it effective less than 30 days after Federal Register publication. Because conclusive information for this emergency was received so late, there was insufficient time to draft and publish an NPRM. Any delay encountered in this regulation's effective date would be contrary to public interest since immediate action is needed to close a portion of the entrance to Buzzards Bay to protect the maritime public from the hazards associated with the sunken vessel, ongoing oil-pollution response, and the exposed-location salvage.

Background and Purpose

This regulation extends the safety zone in all the waters within a 500-yard radius of the site of the sunken fishing vessel CAPE FEAR (O.N. D655734) in the entrance to Buzzards Bay in approximate position 41°23' N and 71°01' W. The safety zone is needed to protect vessels from the hazards associated with the sunken vessel, ongoing oil-pollution response, and the exposed-location salvage. No vessel may enter the safety zone without permission of the Captain of the Port, Providence, RI.

Regulatory Evaluation

This regulation 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 its economic impact to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. Costs to the shipping industry from it, if any, will be minor and have no significant adverse financial effect on vessel operators. In addition, because of the limited number of vessels affected, the Coast Guard expects the economic impact of this regulation to be so minimal that a Regulatory Evaluation is unnecessary.

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" 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.

For the reasons addressed in the Regulatory Evaluation, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this regulation will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This regulation contains no collection-of-information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed regulations in accordance with the principles and criteria contained in Executive Order 12612, and has determined that it does not raise sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

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

Regulation

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. Add temporary section 165.T01-008 to read as follows:

§ 165.T01-008 Safety Zone: Sunken Fishing Vessel CAPE FEAR, Buzzards Bay Entrance.

(a) *Location.* The following area has been declared a safety zone. All waters within a 500-yard radius of the site of the sunken fishing vessel CAPE FEAR (O.N. D655734), in the entrance to Buzzards Bay in approximate position 41°-23' North and 71°-01' West.

(b) *Effective date:* This rule is effective from 12 midnight Friday, February 12, 1999, until 12 midnight Wednesday, March 31, 1999.

(b) Regulations.

(1) In accordance with the general regulations in § 165.23 of this part, entry into or movement within this zone is prohibited unless authorized by the COTP Providence.

(2) All persons and vessels shall comply with the instructions of the COTP or the designated on-scene patrol personnel of the U.S. Coast Guard. These comprise commissioned, warrant, and petty officers of the U.S. Coast Guard.

(3) The general regulations covering safety zones in § 165.23 of this part apply.

Dated: February 8, 1999.

Peter A. Popko,

Captain, U.S. Coast Guard, Captain of the Port.

[FR Doc. 99-4592 Filed 2-23-99; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 229

[Docket No. 980724195-9038-02; I.D. 070798F]

RIN 0648-AK95

Final List of Fisheries for 1999; Update of Regulations Authorizing Commercial Fisheries Under the Marine Mammal Protection Act

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Final rule.

SUMMARY: NMFS is publishing its final List of Fisheries (LOF) for 1999 as required by the Marine Mammal Protection Act (MMPA). In addition, NMFS is amending the regulations implementing section 118 of the MMPA by clarifying and updating existing regulations. The final LOF for 1999 reflects new information on interactions between commercial fisheries and marine mammals. Under the MMPA, NMFS must place a commercial fishery on the LOF into one of three categories based upon the level of serious injury and mortality of marine mammals that occurs incidental to that fishery. The categorization of a fishery in the LOF determines whether participants in that fishery are subject to certain provisions of the MMPA, such as registration, observer coverage, and take reduction plan requirements.

DATES: The amendments to 50 CFR part 229 are effective on February 24, 1999. Changes to the List of Fisheries for 1999 are effective on March 26, 1999.

ADDRESSES: You may obtain registration information and materials and marine mammal reporting forms from the following regional offices:

NMFS, Northeast Region, One Blackburn Drive, Gloucester, MA 01930-2298, Attn: Sandra Arvilla;

NMFS, Southeast Region, 9721 Executive Center Drive North, St. Petersburg, FL 33702, Attn: Joyce Mochrie;

NMFS, Southwest Region, Protected Species Management Division, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213, Attn: Don Peterson;

NMFS, Northwest Region, 7600 Sand Point Way NE, Seattle, WA 98115, Attn: Permits Office;

NMFS, Alaska Region, Protected Resources, P.O. Box 22668, 709 West 9th Street, Juneau, AK 99802, Attn: Ursula Jorgensen.