

**PART 177—INDIRECT FOOD ADDITIVES: POLYMERS**

1. The authority citation for 21 CFR part 177 continues to read as follows:

**Authority:** 21 U.S.C. 321, 342, 348, 379e.

2. Section 177.1390 is amended by revising paragraph (c)(1)(i)(f) to read as follows:

**§ 177.1390 Laminate structures for use at temperatures of 250 °F and above.**

(c) \* \* \*  
 (1) \* \* \*  
 (i) \* \* \*  
 (f) Nylon 6/12 resins (CAS Reg. No. 25191-04-2) complying with item 13.3 of the table in § 177.1500(b), for use as nonfood-contact layers of laminated films and in rigid multilaminate constructions with polypropylene outer layers. Laminate structures with authorized food-contact materials yield no more than 0.15 milligrams of *epsilon*-caprolactam and 0.04 milligrams of

*omega*-laurolactam per square inch when extracted with 95 percent ethanol at 121 °C (250 °F) for 2 hours.

3. Section 177.1500 is amended in the table in paragraph (b) by adding item "13.3" in numerical order to read as follows:

**§ 177.1500 Nylon resins.**

(b) \* \* \*

Nylon resins	Specific gravity	Melting point (degrees Fahrenheit)	Solubility in boiling 4.2N HCl	Viscosity No. (mL/g)	Maximum extractable fraction in selected solvents (expressed in percent by weight of resin)			
					Water	95 percent ethyl alcohol	Ethyl acetate	Benzene
13.3 Nylon 6/12 resins with residual <i>epsilon</i> -caprolactam not to exceed 0.8 percent by weight and residual <i>omega</i> -laurolactam not to exceed 0.1 percent by weight. For use only as specified in § 177.1390 of this chapter.	1.13± 0.15	400–420	Dissolves in 1 h.		1.0	1.5	0.5	0.5

\* \* \* \* \*

Dated: August 9, 1999.

**L. Robert Lake,**

Director, Office of Policy, Planning and Strategic Initiatives, Center for Food Safety and Applied Nutrition.

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**DEPARTMENT OF TRANSPORTATION**

**Coast Guard**

**33 CFR Part 100**

[CGD 05-99-070]

RIN 2115-AE46

**Special Local Regulations for Marine Events; Mears Point Marina and Red Eyes Dock Bar Fireworks Display, Chester River, Kent Narrows, Maryland**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary final rule.

**SUMMARY:** Temporary special local regulations are being adopted for the Mears Point Marina and Red Eyes Dock Bar Fireworks Display, to be held September 5, 1999, over the waters of the Chester River, Kent Narrows,

Maryland. These regulations are needed to protect spectator craft and other vessels transiting the event area from the dangers associated with the event. This action is intended to enhance the safety of life and property during the event.

**DATES:** This temporary final rule is effective from 8:30 p.m. to 9:30 p.m. EDT (Eastern Daylight Time) on September 5, 1999 and September 6, 1999.

**ADDRESSES:** Documents as indicated in this preamble are available for inspection or copying at Commander (Aoax), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004, between 9:30 a.m. and 2 p.m., Monday through Friday, except Federal holidays. The telephone number is (757) 398-6204.

**FOR FURTHER INFORMATION CONTACT:** Chief Warrant Officer R. Houck, Marine Events Coordinator Commander, Coast Guard Activities Baltimore, 2401 Hawkins Point Road, Baltimore Maryland, 21226-1791, telephone number (410) 576-2674.

**SUPPLEMENTARY INFORMATION:**

**Regulatory History**

A notice of proposed rulemaking (NPRM) was not published for this regulation. In keeping with 5 U.S.C. 553(B), the Coast Guard finds that good cause exists for not publishing a NPRM. In keeping with the requirements of 5 U.S.C. 553(d)(3), the Coast Guard also finds that good cause exists for making this regulation effective less than 30 days after publication in the **Federal Register**. The Coast Guard received confirmation of this request for special local regulations on July 16, 1999. There was not sufficient time to publish a proposed rule in advance of the event. Publishing a NPRM and delaying the effective date of the regulation would be contrary to the public interest, because immediate action is necessary to protect spectators and other vessel traffic from the potential hazards associated with this event.

**Background and Purpose**

The Mears Point Marina and Red Eyes Dock Bar will sponsor a Labor Day Celebration fireworks display, to be held over the waters of the Chester River, Kent Narrows, Maryland. The event will consist of pyrotechnic displays fired

from a barge positioned north of Kent Narrows, Maryland. A large fleet of spectator vessels is anticipated. Due to the need for vessel control during the fireworks display, vessel traffic will be temporarily restricted to provide for the safety of spectators and transiting vessels.

#### Discussion of Regulations

The Coast Guard is establishing temporary special local regulations on specified waters of the Chester River. The temporary special local regulations will be in effect from 8:30 p.m. to 9:30 p.m. EDT on September 5, 1999 and will restrict general navigation in the regulated area during the event. If the event is postponed due to weather conditions, the temporary special local regulations will be effective from 8:30 p.m. to 9:30 p.m. on September 6, 1999. Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area. These regulations are needed to control vessel traffic during the fireworks display to enhance the safety of spectators and transiting vessels.

#### Regulatory Evaluation

This temporary final 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. It has been exempted from review 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 temporary final rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This conclusion is based on the fact that the regulated area will only be in effect for a short period of time and extensive advisories will be made to the affected maritime community so that they may adjust their schedules accordingly.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard considered whether this temporary final rule will have a significant economic impact on a substantial number of small entities. "Small Entities" include small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

Because this temporary final rule will only be in effect for a short period of time and extensive advisories will be made to the affected maritime community so that they may adjust their schedules accordingly, the Coast Guard expects the impact of this temporary final rule to be minimal.

Therefore, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this temporary final rule will not have a significant economic impact on a substantial number of small entities.

#### Collection of Information

This temporary final rule does not provide for a collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

#### Federalism

The Coast Guard has analyzed this temporary final 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 temporary final rule and concluded that, under figure 2-1, paragraph (34)(h) of Commandant Instruction M16475.1C, this rule is categorically excluded from further environmental documentation. Special local regulations issued in conjunction with a marine event are excluded under that authority.

#### List of Subjects in 33 CFR Part 100

Marine Safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

#### Regulation

In consideration of the foregoing, Part 100 of Title 33, Code of Federal Regulations is amended as follows:

#### PART 100—[AMENDED]

1. The authority citation for part 100 continues to read as follows:

**Authority:** 33 U.S.C. 1233 through 1236; 49 CFR 1.46 and 33 CFR 100.35.

2. A temporary section, § 100.35–T05–070 is added to read as follows:

**§ 100.35–T05–070 Mears Point Marina and Red Eyes Dock Bar Fireworks Display, Chester River, Kent Narrows, Maryland.**

(a) *Definitions*—(1) *Regulated Area*. The waters of the Chester River enclosed within the arc of a circle with a radius of 150 yards and with its center located at latitude 38°58.6' North,

longitude 076°14.3' West. All coordinates reference Datum NAD 1983.

(2) *Coast Guard Patrol Commander*. The Coast Guard Patrol Commander is a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Activities Baltimore.

(b) *Special Local Regulations*. (1) All persons and/or vessels not authorized as official patrol vessels are considered spectators. The "official patrol" consists of any Coast Guard, public, state, county or local law enforcement vessels assigned and/or approved by Commander, Coast Guard Activities Baltimore.

(2) Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area.

(3) The operator of any vessel in this area shall:

(i) Stop the vessel immediately when directed to do so by any official patrol, including any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard ensign.

(ii) Proceed as directed by any official patrol, including any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard ensign.

(c) *Effective dates*. This section is effective from 8:30 p.m. to 9:30 p.m. EDT (Eastern Daylight Time) on September 5, 1999. If the event is postponed due to weather conditions, the regulated area is effective from 8:30 p.m. to 9:30 p.m. EDT on September 6, 1999.

Dated: August 13, 1999.

**Roger T. Rufe, Jr.,**  
Vice Admiral, U.S. Coast Guard, Commander  
Fifth Coast Guard District.

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#### DEPARTMENT OF TRANSPORTATION

#### Coast Guard

#### 33 CFR Part 100

[CGD 05–99–071]

RIN 2115–AE46

#### Special Local Regulations for Marine Events; Patapsco River, Baltimore, MD

AGENCY: Coast Guard, DOT.

ACTION: Notice of implementation.

**SUMMARY:** This notice implements the special local regulations at 33 CFR 100.515 during a fireworks display to be held September 11, 1999, on the Patapsco River at Baltimore, Maryland. These special local regulations are