an opening may do so at all times
during the closed periods.

In accordance with 33 CFR 117.35(c),
this work will be performed with all due
speed in order to return the bridge to
normal operation as soon as possible.
This deviation from the operating
regulations is authorized under 33 CFR
117.35.

Dated: September 2, 1999.

R.M. LaRrabee,
Rear Admiral, U.S. Coast Guard, Commander,
First Coast Guard District.

[FR Doc. 99–23713 Filed 9–10–99; 8:45 am]
BILLING CODE 4910±15±M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD01–99–152]

RIN 2115–AA97

Safety Zone: Periphonics Corp. 30th
Anniversary Fireworks, New York
Harbor, Upper Bay

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is
establishing a temporary safety zone for the Periphonics Corp. 30th Anniversary Fireworks Display located in Federal
Anchorage 20C, New York Harbor,
Upper Bay. This action is necessary to
provide for the safety of life on
navigable waters during the event. This
action is intended to restrict vessel
traffic in a portion of Federal Anchorage
20C.

DATES: This rule is effective from 9 p.m.
until 10:30 p.m., on Saturday,
September 25, 1999. There is no rain
date for this event.

ADDRESSES: Documents as indicated in
this preamble are available for
inspection or copying at Coast Guard
Activities New York, 212 Coast Guard
Drive, room 205, Staten Island, New
York 10305, between 8 a.m. and 3 p.m.,
Monday through Friday, except Federal
days. The telephone number is (718)
354–4193.

FOR FURTHER INFORMATION CONTACT:
Lieutenant J. Lopez, Waterways
Oversight Branch, Coast Guard
Activities New York (718) 354–4193.

SUPPLEMENTARY INFORMATION:

Regulatory History

Pursuant to 5 U.S.C. 553, a notice of
proposed rulemaking (NPRM) was not
published for this regulation. Good
cause exists for not publishing an NPRM
and for making this regulation effective
less than 30 days after Federal Register
publication. Due to the date the
Application for Approval of Marine
Event was received, there was
insufficient time to draft and publish an
NPRM and publish the final rule 30
days before its effective date. Any delay
encountered in this regulation's
effective date would be contrary to
public interest since immediate action is
needed to close the waterway and
protect the maritime public from the
hazards associated with this fireworks
display.

Background and Purpose

On August 17, 1999, Fireworks by
Grucci Inc. submitted an application to
hold a fireworks program on the waters of
Upper New York Bay in Federal
Anchorage 20C. The fireworks program
is sponsored by Periphonics Corp.
Periphonics is holding a 30th Anniversary
Annual Fireworks display in Federal
Anchorage 20C and is needed to protect
guards associated with fireworks
launched from a barge in the area.
Recreational and commercial vessel
traffic will be able to anchor in the
unaffected northern and southern
portions of Federal Anchorage 20C.
Federal Anchorages 20A and 20B, to the
north, and Federal Anchorages 20D and
20E, to the south, are also available for
vessel use. Marine traffic will still be
able to transit through Anchorage
Channel, Upper Bay, during the event as
the safety zone only extends 125 yards
to the south, that vessels may safely anchor to the north
and south of the zone, that vessels may
still transit through Anchorage Channel
during the event, and extensive advance
notifications which will be made.

Small Entities

Under the Regulatory Flexibility Act
(5 U.S.C. 601 et seq.), the Coast Guard
considered whether this 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.

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

Collection of Information

This 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
final rule under the principles and
criteria contained in Executive Order
12612 and has determined that this final
rule does not have sufficient
implications for federalism to warrant
the preparation of a Federalism
Assessment.

Unfunded Mandates

Title II of the Unfunded Mandates
Reform Act of 1995 (UMRA) [Pub. L.
104–4, 109 Stat. 48] requires Federal
agencies to assess the effects of certain
regulatory actions on State, local, and
tribal governments, and the private
sector. UMRA requires a written
statement of economic and regulatory
alternatives for rules that contain
Federal mandates. A Federal mandate is
a new or additional enforceable duty
imposed on any State, local, or tribal
government, or the private sector. If any
Federal mandate causes those entities to
spend, in the aggregate, $100 million or
more in any one year, the UMRA
analysis is required. This final rule does
not impose Federal mandates on any
State, local, or tribal governments, or the
private sector.
DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD01-99-154]

RIN 2115-AA87

Safety Zone: City of Yonkers Fireworks, New York, Hudson River

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for the City of Yonkers Fireworks Display located on the Hudson River. This action is necessary to provide for the safety of life on navigable waters during the event. This action is intended to restrict vessel traffic in a portion of the Hudson River.

DATES: This rule is effective from 7:30 p.m. until 9 p.m., on Saturday, September 18, 1999. There is no rain date for this event.

ADDRESSES: Documents as indicated in this preamble are available for inspection or copying at Coast Guard Headquarters, Attention: Office of Transportation, Waterways Safety, Room 6321, Washington, DC 20590—7500. Documents as indicated in this preamble are available in the docket for inspection or copying where indicated under ADDRESSES.

Part 165—[AMENDED]

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


2. Add temporary § 165T.0–152 to read as follows:

§ 165T.0–152 Safety Zone: City of Yonkers Fireworks, New York Harbor, Upper Bay

(a) Location. The following area is a safety zone: All waters of New York Harbor, Upper Bay within a 360-yard radius of the fireworks barge in approximate position 40°41′16.5″N 074°02′23″W (NAD 1983), approximately 360 yards east of Liberty Island, New York.

(b) Effective period. This section is effective from 9 p.m. until 10:30 p.m. on Saturday, September 25, 1999. There is no rain date for this event.

(c) Regulations.

(1) The general regulations contained in 33 CFR 165.23 apply.

(2) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on-scene patrol personnel. These personnel comprise commissioned, warrant, and petty officers of the Coast Guard. Upon being hailed by a U.S. Coast Guard vessel by siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.


R.E. Bennis,

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

[FR Doc. 99–23717 Filed 9–10–99; 8:45 am]

BILLING CODE 4910–15–M