

[FR Doc. 99-29311 Filed 11-8-99; 8:45 am]

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**CONSUMER PRODUCT SAFETY COMMISSION****16 CFR Part 1616****Final Rule; Standard for the Flammability of Children's Sleepwear: Sizes 0 Through 6X; Standard for the Flammability of Children's Sleepwear: Sizes 7 Through 14; Correction**

AGENCY: Consumer Product Safety Commission.

ACTION: Final rule; correction.

**SUMMARY:** This document makes minor technical corrections to the final rule published in the **Federal Register** of June 28, 1999 (64 FR 34533) regarding labeling of children's sleepwear. These are changes to the instructions to the Federal Register and do not affect the substantive labeling requirement. The instructions stated to revise the authority citations for parts 1615 and 1616. However, the authority citations are under subpart A rather than the entire part in each of those parts. Amendatory Instruction 3, on page 34538, amending § 1616.5 directed the Federal Register to redesignate footnotes 2-6 as 3-7. However, previously there was no footnote 2. Therefore, there is no need to redesignate any footnotes.

DATES: Effective on June 28, 2000.

**FOR FURTHER INFORMATION CONTACT:** Patricia M. Pollitzer, Office of the General Counsel, Consumer Product Safety Commission, Washington, DC 20207; telephone (301) 504-0980, extension 2219.

**Correction**

In final rule FR Doc. 99-16320, beginning on page 34533 in the issue of June 28, 1999, make the following corrections.

1. On page 34535, in the third column, correct amendatory instruction 1 under part 1615 to read "The authority citation for subpart A of part 1615 is revised to read as follows:"

2. On page 34536, in the first column, correct amendatory instruction 1 under part 1616 to read "The authority citation for subpart A of part 1616 is revised to read as follows:"

3. On page 34538, in the first column, remove instruction 3.

Dated: November 2, 1999.

**Sadye E. Dunn,**

Secretary, Consumer Product Safety Commission.

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**DEPARTMENT OF TRANSPORTATION****Coast Guard****33 CFR Part 165**

[CGD01-99-181]

RIN 2115-AA97

**Safety Zone: Sciame Construction Fireworks, East River, Manhattan, NY**

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone for the Sciame Construction Fireworks Display located in the East River, New York. 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 East River.

**DATES:** This rule is effective from 6:30 p.m. until 8 p.m. on Thursday, December 9, 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 holidays. 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 due to the date the Application for Approval of Marine Event was received, there was insufficient time to draft and publish an NPRM and still publish the final rule with more than 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. This event is only one and a half hours long and will have negligible impact on vessel traffic in the area due to the fact that vessels can travel to the east and west of the safety zone.

**Background and Purpose**

Bay Fireworks has submitted an application to hold a fireworks program

on the waters of the East River, New York. The fireworks program is being sponsored by Sciame Construction. This regulation establishes a safety zone in all waters of the East River within a 180-yard radius of the fireworks barge in approximate position 40°42'08" N 074°00'06" W (NAD 1983), approximately 250 yards east of Pier 14, Manhattan, New York. The safety zone is in effect from 6:30 p.m. until 8 p.m. on Thursday, December 9, 1999. There is no rain date for this event. The safety zone prevents vessels from transiting a portion of the East River and is needed to protect boaters from the hazards associated with fireworks launched from a barge in the area. Recreational and commercial vessel traffic will be able to transit through the eastern 100 yards and the western 100 yards of the 500-yard wide East River during the event. This safety zone precludes the waterway users from entering only the safety zone itself. Public notifications will be made prior to the event via the Local Notice to Mariners and marine information broadcast.

**Regulatory Evaluation**

This 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 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 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 finding is based on the minimal time that vessels will be restricted from the zone, that vessels may still transit through the East River 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