§ 206.64 Institution of investigation or review; publication of notice; and availability for public inspection.

(a) Paragraphs (a) and (b) in §206.3 govern the institution of an investigation under section 422(b) of the Act and the publication of a Federal Register notice concerning the investigation. Following receipt of notification that the WTO member or members involved have notified the Committee on Safeguards of the WTO of a modification in the action taken by them against the People’s Republic of China pursuant to consultation referred to in section 422(a) of the Act, the Commission will promptly conduct a review under section 422(j) of the Act regarding the continued need for action taken under section 422(h) of the Act. The Commission also will publish notice of the review in the Federal Register.

(b) The Commission will make available for public inspection the notification document that prompted a review under paragraph (a) of this section, excluding any confidential business information in the document. Paragraph (c) in §206.3 governs the availability for public inspection of a petition, request, resolution, or motion that prompted the Commission to institute an investigation under section 422(b) of the Act.

§ 206.65 Public hearing.

Public hearings in investigations under section 422(b) of the Act are provided for in §206.5(b).

§ 206.66 Limited disclosure of certain confidential business information under administrative protective order.

In an investigation under section 422(b) of the Trade Act, the Secretary shall make confidential business information available to authorized applicants, subject to the provisions of §206.17.

§ 206.67 Time for determination and report.

(a) In an investigation under section 422(b) of the Trade Act, the Commission will transmit its determination under that section of the Act to the President and the Trade Representative at the earliest practical time, but not later than 45 days after the date on which the petition is filed, the request or resolution is received, or the motion is adopted, as the case may be. The Commission shall issue and transmit its report on the determination not later than 10 days after the determination is issued.

(b) In a review under section 422(j) of the Trade Act, the Commission will report its determination to the President not later than 60 days after the notification described in that section of the Act.

§ 206.68 Public report.

Upon making a report to the President of the results of an investigation under section 422(b) or a review under section 422(j) of the Trade Act, the Commission will make such report public (with the exception of information which the Commission determines to be confidential) and cause a summary thereof to be published in the Federal Register.


By Order of the Commission.

Marilyn R. Abbott,
Acting Secretary.

[FR Doc. 02–4186 Filed 2–21–02; 8:45 am]
BILLING CODE 7020–02–P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGDO8–01–012]

RIN 2115–AE46

Marine Events & Regattas; Annual Marine Events in the Eighth Coast Guard District

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is establishing and modifying various annually recurring marine events throughout the Eighth Coast Guard District. This action is necessary to provide for the safety of life on navigable waters during the events. This action is intended to control vessel traffic in portions of the waterways of the Eighth District in conjunction with these marine events.

DATES: This final rule is effective March 25, 2002.

ADDRESSES: Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket [CGDO8–01–012] and are available for inspection or copying at room 1311, Hale Boggs Federal Building, New Orleans, Louisiana, between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Lieutenant Commander David Nichols, Eighth Coast Guard District Legal Office, (504) 589–6188.

SUPPLEMENTARY INFORMATION:

Regulatory History

On September 17, 2001, we published a notice of proposed rulemaking (NPRM) entitled “Marine Events and Regattas; Annual Marine Events in the Eighth Coast Guard District” in the Federal Register. We received one e-mail and no letters commenting on the proposed rule. No public hearing was requested, and none was held.

Background and Purpose

The Coast Guard is establishing various annually recurring marine events and modifying some of the existing marine event regulations throughout the Eighth Coast Guard District. Establishing permanent marine event regulations and modifying some of the existing marine event regulations by notice and comment rulemaking gave the public an opportunity to comment on these proposed regulations. The Coast Guard has received no prior notice of any impact caused by the previous events. The new or modified marine event regulations are as follows:

Independence Day Fireworks, Mobile, AL

The regulated area for this event is from the shore of the east bank out 500 feet into the Mobile River between latitudes 30 degrees 41 minutes 20 seconds North and 30 degrees 41 minutes 15 seconds North. The Mobile Register will sponsor the one-day event that will occur on the 4th of July.

Blue Angels Air Show, Pensacola, FL

The regulated area for this event is a five nautical mile radius from a center point located 1,500 feet from the Pensacola Beach water tower in a direction perpendicular to the beachfront. Naval Air Station Pensacola, Florida will sponsor the two-day event that will occur on the 2nd weekend in July.

Fort-to-Fort Swim, Pensacola, FL

The regulated area for this event is in the Gulf Intracoastal Waterway at Pensacola, Florida from the Fort Pickens pier to Baxarnas Beach, crossing the Gulf Intracoastal Waterway at statute mile 180 between buoys 13, 14, 15, and 16. The one-day event will occur on the 1st weekend in August.

Keesler Air Force Base Air Show, Biloxi, MS

The regulated area for this event is bounded by the following coordinates: (1) Latitude 30 degrees, 24 minutes, 20 seconds North, longitude 088 degrees, 56 minutes, 00 seconds West; (2) latitude 30 degrees, 25 minutes, 20 seconds North, longitude 088 degrees,
55 minutes, 20 seconds West; (3) latitude 30 degrees, 25 minutes, 10
seconds North, longitude 088 degrees, 54 minutes, 55 seconds West. Keesler
Air Force Base, Biloxi, Mississippi, will sponsor the two-day event that will
occur on the 1st weekend in November.

Annual Krewe of Billy Bowlegs Pirate
Festival, Okaloosa County, FL

The regulated area for this event is Santa Rosa Sound, east of the Brooks
Bridge to Fort Walton Yacht Club at
Smack Point on the western end of
Choctowatchee Bay and Cinco Bayou.
The Krewe of Billy Bowlegs of Okaloosa
County, Inc. will sponsor the two-day
event that will occur on the 1st weekend
in June.

East-West Powerboat Shootout, Corpus
Christi, TX

The regulated area for this event is the
waters of Corpus Christi Bay adjacent to
the Corpus Christi downtown area
bounded by the following coordinates:
(1) Latitude 27 degrees, 49 minutes, 24
seconds North, longitude 097 degrees, 23
minutes, 00 seconds West; (2) latitude 27 degrees, 49 minutes, 24
seconds North, longitude 097 degrees, 21
minutes, 22 seconds West; (3)
latitude 27 degrees, 45 minutes, 00
seconds North, longitude 097 degrees, 23
minutes, 00 seconds West; (4)
latitude 27 degrees, 45 minutes, 00
seconds North, longitude 097 degrees,
21 minutes, 22 seconds West. EM
Marketing Company, Inc. and the
Corpus Christi Offshore Racing
Association will sponsor the two-day
event that will occur on the 1st or 2nd
weekend in June.

Rubber Ducky Derby, Beaumont, TX

The regulated area for this event is on
the Neches River from the Trinity
Industries Dry Dock to the northeast
corner of the Port of Beaumont’s dock
number 5. C P Rehabilitation Center will
sponsor the event which will occur on
the 2nd, 3rd, or 4th Saturday in April.

Port Arthur Fourth of July Firework
Demonstration, Port Arthur, TX

The regulated area for this event is on
the waters of the Sabine-Neches Canal
from Wilson Middle School to the
northern terminus of Old Golf Course
Road. The event is sponsored by the
City of Port Arthur and Lamar State
College and will occur on the Fourth of
July.

Neches River Festival, Beaumont, TX

The date is amended to read “two
days beginning on the 2nd, 3rd, or 4th
weekend in April.”

Annual Labor Day Fireworks

The regulated area is amended to read
“Destin East Pass between and
including buoys 5 to 11, Destin, FL”.

Independence Day Fireworks, Destin, FL

The regulated area is amended to read
“Destin East Pass between and
including buoys 5 to 11, Destin, FL”.

Discussion of Comments and Changes

We received one e-mail from Marine
Safety Office Port Arthur notifying us
that there was a minor error in the
listing for the Rubber Ducky Derby. The
NPRM stated that the event is to occur
on the “2nd, 3rd, and 4th Saturday in
April.” The correct language should be
“2nd, 3rd, or 4th Saturday in April.” We
changed the proposed regulation to
reflect the correct language. No other
comments were received.

Regulatory Evaluation

This 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. The Office of Management and
Budget has not reviewed it 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).

We expect the economic impact of
this rule to be so minimal that a full
Regulatory Evaluation under paragraph
10e of the regulatory policies and
procedures of DOT is unnecessary.

Although these marine events will
restrict vessel traffic from transiting
certain areas of Eighth Coast Guard
District waters, the effect of this
regulation will not be significant due to
the limited duration that the regulated
areas will be in effect and the advance
notification that will be made to the
maritime community through the
Federal Register. These regulations
have been narrowly tailored to impose
the least impact on maritime interests
yet provide the level of safety deemed
necessary.

Collection of Information

This rule calls for no new collection
of information under the Paperwork
3520.).

Federalism

We have analyzed this rule under E.O.
13132 and have determined that this rule
does not have implications for
federalism under that Order.

Small Entities

Under the Regulatory Flexibility Act
(5 U.S.C. 601–612), we considered
whether this rule would have a
significant economic impact on a
substantial number of small entities.
The term “small entities” comprises
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.

The Coast Guard certifies under 5
U.S.C. 605(b) that this rule will not have
a significant economic impact on a
substantial number of small entities.

Assistance for Small Entities

Under section 213(a) of the Small
Business Regulatory Enforcement
Fairness Act of 1996 (Pub. L. 104–121),
we offered to assist small entities in
understanding the rule so that they can
better evaluate its effects on them and
participate in the rulemaking.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act
of 1995 (2 U.S.C. 1531–1538) requires
Federal agencies to assess the effects of
their discretionary regulatory actions. In
particular, the Act addresses actions
that may result in the expenditure by a
State, local, or tribal government, in the
aggregate, or by the private sector of
$100,000,000 or more in any one year.

Though this rule will not result in such
an expenditure, we do discuss the
effects of this rule elsewhere in this
preamble.

Taking of Private Property

This rule will not effect a taking of
private property or otherwise have
taking implications under E.O. 12630,
Governmental Actions and Interference
with Constitutionally Protected Property
Rights.

Civil Justice Reform

This rule meets applicable standards
in sections 3(a) and 3(b)(2) of E.O.
12988, Civil Justice Reform, to minimize
litigation, eliminate ambiguity, and
reduce burden.

Protection of Children

We have analyzed this rule under E.O.
13045, Protection of Children from
Environmental Health Risks and Safety
Risks. This rule is not an economically
significant rule and does not concern an
environmental risk to health or risk to
safety that may disproportionately affect
children.
Environmental

We have considered the environmental impact of this rule and concluded that, under figure 2—1, paragraph 34(g), of Commandant Instruction MI6475.1D, this rule is categorically excluded from further environmental documentation. This rule fits paragraph 34(g) as it establishes and/or amends annual marine event regulations. A “Categorical Exclusion Determination” is available in the docket where indicated under ADDRESSES.

Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a “significant energy action” under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. It has not been designated by the Administrator of the Office of Information and Regulatory Affairs as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

List of Subjects in 33 CFR Part 100

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

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 100 as follows:

PART 100—REGATTAS AND MARINE PARADES

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

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

2. Amend Table 1 of § 100.801 by as follows:

<table>
<thead>
<tr>
<th>8. Independence Day Fireworks, Destin, FL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sponsor: City of Destin, FL. Date: 1 Day—4th of July. Regulated Area: Destin East Pass between and including buoys 5 to 11, Destin, FL.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>16. Annual Labor Day Fireworks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sponsor: The Mobile Register. Date: 1 Day—4th of July. Regulated Area: From the shore of the east bank out 500 feet into the Mobile River between latitudes 30 degrees 41 minutes 20 seconds North and 30 degrees 41 minutes 15 seconds North.</td>
</tr>
</tbody>
</table>
DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[COTP TAMPA 01–117]

RIN 2115–AA97

Security Zones; Port of Tampa, Tampa, FL

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing temporary security zones of 100 yards around moored vessels carrying or transferring Liquefied Petroleum Gas (LPG), Anhydrous Ammonia (NH3) and/or grade “A” and “B” flammable liquid cargoes. The purpose of these security zones is to safeguard the public and ports from destruction, loss, or injury from sabotage or other subversive acts. No person or vessel may enter a security zone without permission from the Captain of the Port, Tampa, Florida or his designated representative.

DATES: This regulation is effective from 6 p.m. on October 5, 2001 until 6 p.m. on June 15, 2002.

ADDRESSES: Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of the docket and are available in the Docket Management Facility, 400 Seventh Street, SW, Washington, DC 20414, or may be seen on the Internet at: http://www.access.gpo.gov/nara/. Materials may be submitted in writing or by facsimile. For further information contact: LT David McClellan, Coast Guard Marine Safety Office Tampa, at (813) 228–2189.

SUPPLEMENTARY INFORMATION:

Regulatory Information

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing an NPRM. Publishing a NPRM and delaying the rule’s effective date would be contrary to the public interest since immediate action is needed to protect the public, ports and waterways of the United States. The Coast Guard will issue a broadcast notice to mariners and place Coast Guard vessels in the vicinity of these zones to advise mariners of the restriction.

For the same reasons, under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the Federal Register.

Background and Purpose

Based on the September 11, 2001 terrorist attacks on the World Trade Center buildings in New York and the Pentagon in Arlington, Virginia, there is an increased risk that subversive activity could be launched by vessels or persons in close proximity to the Port of Tampa, Florida, moored vessels carrying or transferring Liquefied Petroleum Gas (LPG), Anhydrous Ammonia (NH3) and/or grade “A” and “B” flammable liquid cargoes. The terminals to which they are tied. No vessel may transit within 100 yards of moored vessels carrying or transferring Liquefied Petroleum Gas (LPG), Anhydrous Ammonia (NH3) and/or grade “A” and “B” flammable liquid cargoes.

Coast Guard and local police department patrol vessels will be on scene to monitor traffic through these areas. Entry into a security zone is prohibited, unless specifically authorized by the Captain of the Port, Tampa, Florida. The Captain of the Port will notify the public via Marine Safety Radio Broadcast on VHF Marine Band Radio, Channels 13 and 16 (157.1 MHz) of all active security zones in port by identifying the names of the vessels around which they are centered.

Regulatory Evaluation

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. The Office of Management and Budget has not reviewed it 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) because the zones only extends 100 yards around the subject vessels and vessels may enter the zones with the permission of the Captain of the Port of Tampa.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), the Coast Guard considered whether this rule would have a significant economic effect upon 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. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities because small entities may be allowed to enter on a case by case basis with the authorization of the Captain of the Port.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we offer to assist small entities in understanding the rule so that they can better evaluate its effects on them and participate in the rulemaking process. If the rule will affect your small business, organization, or government jurisdiction and you have questions concerning its provisions or options for compliance,