

these critical valve components from the introductory text of paragraph (g) in the List of Items Controlled for ECCN 2B350. This document corrects that oversight.

The May 31, 2002, rule also contained a minor typographical error in the List of Items Controlled for ECCN 2B350. The introductory text of 2B350.i used the phrase "casing (pump bodies)" to describe certain critical pump components controlled under 2B350.i. The phrase should have read: "casings (pump bodies)". This document corrects that error.

Rulemaking Requirements

1. This rule has been determined to be not significant for purposes of Executive Order 12866.

2. Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number. This rule contains collections of information subject to the requirements of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*). These collections have been approved by the Office of Management and Budget under Control Numbers 0694-0088 and 0694-0117.

3. This rule does not contain policies with Federalism implications as that term is defined in Executive Order 13132.

4. The provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, the opportunity for public participation, and a delay in effective date, are inapplicable because this regulation involves a military and foreign affairs function of the United States (Sec. 5 U.S.C. 553(a)(1)). Further, no other law requires that a notice of proposed rulemaking and an opportunity for public comment be given for this final rule. Because a notice of proposed rulemaking and an opportunity for public comment are not required to be given for this rule under 5 U.S.C. 553 or by any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are not applicable.

Therefore, this regulation is issued in final form. Although there is no formal comment period, public comments on this regulation are welcome on a continuing basis. Comments should be submitted to Willard Fisher, Regulatory Policy Division, Bureau of Industry and Security, U.S. Department of Commerce, Room 2705, 14th Street and

Pennsylvania Avenue, NW., Washington, DC 20230.

According to the final rule, FR Doc. 02-13581, published at 67 FR 37977, make the following corrections:

PART 774—[CORRECTED]

Supplement No. 1 to Part 774—[Corrected]

1. On page 37988, first column, in ECCN 2B350, in the List of Items Controlled, paragraph g. (which includes g.1 through g.7) is corrected to read as follows:

2B350 Chemical manufacturing facilities and equipment, as follows (see List of Items Controlled).

* * * * *

List of Items Controlled

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g. Valves with nominal sizes greater than 1.0 cm ($\frac{3}{8}$ in.), and casings (valve bodies) or preformed casing liners designed for such valves, in which all surfaces that come in direct contact with the chemical(s) being processed or contained are made from any of the following materials:

- g.1. Nickel or alloys with more than 40% nickel by weight;
- g.2. Alloys with more than 25% nickel and 20% chromium by weight;
- g.3. Fluoropolymers;
- g.4. Glass or glass lined (including vitrified or enameled coatings);
- g.5. Tantalum or tantalum alloys;
- g.6. Titanium or titanium alloys; or
- g.7. Zirconium or zirconium alloys.

* * * * *

2. On page 37988, first column, in ECCN 2B350, in the List of Items Controlled, in paragraph i. introductory text, line 8, the word "casing" is corrected to read "casings".

Dated: July 26, 2002.

James J. Jochum,
Assistant Secretary for Export Administration.

[FR Doc. 02-19515 Filed 8-1-02; 8:45 am]

BILLING CODE 3510-33-P

DEPARTMENT OF STATE

22 CFR Part 41

[Public Notice 4078]

Visas: Passports and Visas Not Required for Certain Nonimmigrants—Visa Waiver Program

AGENCY: Department of State, Bureau of Consular Affairs.

ACTION: Final rule; correction.

SUMMARY: On May 7, 2002, the Department of State published in the **Federal Register** [see 67 FR 30546], a document which removed the list of countries designated to participate in the Visa Waiver Program. The rule also amended the regulation by replacing "Visa Waiver Pilot Program" with "Visa Waiver Program" since the program is no longer a pilot program. The Department is publishing this rule to correct an error in this document.

DATES: Effective on August 2, 2002.

FOR FURTHER INFORMATION CONTACT: Pam Chavez, Legislation and Regulations Division, Visa Office, Room L624, SA-1, Department of State 20520-0106, 202-663-1206, or e-mail chavezpr@state.gov.

SUPPLEMENTARY INFORMATION: On May 7, 2002, the Department published a final rule document amending the regulations at 22 CFR 41.2(l). The document contained an error in the last line of the regulation making reference to part 40 rather than part 41.

Correction

In the **Federal Register** issue of May 7, 2002, on page 30547, in the last line of § 41.2(l)(2), correct "part 40" to read "part 41."

Dated: July 8, 2002.

Mary A. Ryan,
Assistant Secretary for Consular Affairs,
Department of State.

[FR Doc. 02-19540 Filed 8-1-02; 8:45 am]

BILLING CODE 4710-06-P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD07-02-008]

RIN 2115-AE47

Drawbridge Operation Regulations; Oklawaha River, Marion County, FL

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is changing the regulations governing the operation of the Muclan Farms swingbridge across the Oklawaha River, mile 63.9, Marion County, Florida by allowing the span to remain permanently in the closed position. The bridge has not received a request for an opening since 1998. This action will accommodate the needs of the bridge owner and provide for the reasonable needs of navigation.

DATES: This rule is effective September 3, 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 [CGD07-02-008] and are available for inspection or copying at Commander (obr) Seventh Coast Guard District, 909 SE 1st Ave., Miami, FL 33131 between 7:30 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Mr. Barry Dragon, Project Manager, Seventh Coast Guard District, Bridge Branch, (305) 415-6743.

SUPPLEMENTARY INFORMATION:

Regulatory Information

On March 26, 2002 we published a notice of proposed rulemaking (NPRM) entitled "Drawbridge Operation Regulations; Oklawaha River, Marion County, Fla" in the **Federal Register** (67 FR 13736). We did not receive any comments on the proposed rule. No public hearing was requested, and none was held.

Background and Purpose

The Muclan Farms swingbridge is located in a rural section of Marion County. The current regulations in 33 CFR 117.319 require the swingbridge to open if three hours advance notice is given to the St. Johns River Water Management District. The Water Management District has not received any requests for an opening since 1998. The Water Management District requested the Coast Guard change the current regulation to allow the bridge to remain closed.

Discussion of Comments and Changes

We received no comments on this proposed rule. No changes were made to the proposed rule.

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).

The economic impact of this rule will be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary because there have been no requests for a bridge opening since 1998.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we have 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.

This rule may affect the following entities, some of which might be small entities: the owners or operators of vessels on the Oklawaha River intending to transit through the Muclan Farms swingbridge. 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 no one has requested a bridge opening since 1998 and no comments were received in response to the NPRM.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104-121), we offered to assist small entities in understanding the rule so that they could better evaluate its effects on them and participate in the rulemaking process. Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1-888-REG-FAIR (1-888-734-3247).

Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520).

Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

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. Although 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 Executive Order 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 Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

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

Environment

We have considered the environmental impact of this rule and concluded that under figure 2-1, paragraph (32)(e), of Commandant Instruction M16475.ID, this rule is categorically excluded from further environmental documentation.

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 that order because it is not a "significant regulatory 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 117

Bridges.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR Part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05-1(g); Section 117.255 also issued under authority of Pub. L. 102-587, 106 Stat. 5039.

2. In section § 117.319, revise paragraph (a) and add paragraph (c) to read as follows:

§ 117.319 Oklawaha River.

(a) The draw of the Sharpes Ferry (SR 40) bridge, mile 55.1 shall open on signal if at least three hours notice is given.

* * * * *

(c) The draw of the Muclan Farms bridge, mile 63.9, need not open for the passage of vessels.

Dated: July 19, 2002.

J.S. Carmichael,

Rear Admiral, U.S. Coast Guard, Commander, Seventh Coast Guard District.

[FR Doc. 02-19562 Filed 8-1-02; 8:45 am]

BILLING CODE 4910-15-P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD05-01-046]

RIN 2115-AE84

Regulated Navigation Area; Chesapeake Bay Entrance and Hampton Roads, VA and Adjacent Waters

AGENCY: Coast Guard, DOT.

ACTION: Direct final rule; confirmation of effective date.

SUMMARY: On January 28, 2002, we published a direct final rule. The rule notified the public of our excluding

warships or other vessels owned, leased, or operated by the U.S. Government from certain carriage requirements for navigational charts and publications by allowing the use of approved electronic systems for charting and navigation while operating in the Chesapeake Bay Regulated Navigation Area. We received no comments on the rule; therefore, this rule will go into effect as scheduled.

DATES: The effective date of this direct final rule was April 29, 2002.

FOR FURTHER INFORMATION CONTACT: LTjg Anne Grabins, Fifth Coast Guard District Aids to Navigation and Waterways Management Branch, at (757) 398-6559.

SUPPLEMENTARY INFORMATION:

On May 2, 2001, the Coast Guard published in the **Federal Register** a direct final rule that amended 33 CFR part 164, specifically § 164.01 paragraphs (a) and (c) (66 FR 21864). The amendment exempts public vessels equipped with electronic charting and navigation systems from paper chart carriage requirements. This geographically broad rule, which became effective July 31, 2001 (66 FR 42753, August 15, 2001), applies to public vessels operating in the navigable waters of the United States. A separate section of the CFR, however, still requires public vessels operating in the Chesapeake Bay Regulated Navigation Area (RNA) to carry paper charts (33 CFR 165.501(d)(7)). We amended the Chesapeake Bay RNA regulation to bring its navigation requirements for public vessels operating in this area in alignment with the requirements for all other U.S. waters.

The direct final rule (67 FR 3812, January 28, 2002) excludes public vessels from the corrected paper chart requirements contained in 33 CFR 165.501(d)(7), when operating in the Chesapeake Bay RNA. This exclusion only applies to public vessels equipped with an electronic charting and navigation systems that meet the standards approved by the Federal agency exercising operational control of the vessel.

Dated: July 19, 2002.

Arthur E. Brooks,

Captain, U.S. Coast Guard, Acting Commander, Fifth Coast Guard District.

[FR Doc. 02-19549 Filed 8-1-02; 8:45 am]

BILLING CODE 4910-15-P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD1-02-094]

RIN 2115-AA97

Safety Zone; Salem Heritage Days Fireworks, Salem, MA

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for the Salem Heritage Days Fireworks, to be held on August 17, 2002, in Salem Harbor, Salem, MA. The safety zone will temporarily close all waters of Salem Harbor within a four hundred (400) yard radius of the fireworks barge. The possibility of firework debris entering the waterway necessitates the need for a safety zone to prevent any potential marine casualties. This rule prohibits entry into or movement within this portion of Salem Harbor and is needed to protect the maritime public from the hazards posed by a fireworks display.

DATES: This rule is effective from 9 p.m. until 10 p.m. on August 17, 2002.

ADDRESSES: Documents indicated in this preamble as being available in the docket, are part of docket (CGD01-02-094) and are available for inspection or copying at Marine Safety Office Boston, 455 Commercial Street, Boston, MA between the hours of 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Chief Petty Officer Daniel Dugery, Marine Safety Office Boston, Waterways Management Division, at (617) 223-3000.

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 a NPRM and for making this regulation effective in less than 30 days after **Federal Register** publication. Information about this event was not provided to the Coast Guard until July 17, 2002, making it impossible to draft or publish a NPRM or a final rule 30 days in advance of its effective date. Any delay in implementing this rule would be contrary to the public interest, since immediate action is needed to prevent traffic from transiting a portion of Salem Harbor, Salem, Massachusetts, and provide for the safety of life on