

compromised, or debts on which collection activity cannot be suspended or terminated, to the Department of Justice for litigation. Debts shall be referred as early as possible, consistent with the standards contained in 31 CFR Chapter IX parts 900–904 and, in any event, well within the period for initiating timely lawsuits against the debtors. The NLRB will make every effort to refer delinquent debts to the Department of Justice within one year of the date such debts became delinquent.

Dated: Washington, DC, August 15, 2006.

By Direction of the Board.

Lester A. Heltzer,

Executive Secretary.

[FR Doc. E6–13688 Filed 8–17–06; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[CGD08–06–027]

Drawbridge Operation Regulations; Gulf Intracoastal Waterway, Galveston, TX

AGENCY: Coast Guard, DHS.

ACTION: Notice of temporary deviation from regulations.

SUMMARY: The Commander, Eighth Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the Galveston Causeway Railroad Bascule Bridge across the Gulf Intracoastal Waterway, mile 357.2 west of Harvey Locks, at Galveston, Galveston County, Texas. This deviation provides for two (2) three-hour closures to conduct scheduled maintenance to the drawbridge.

DATES: This deviation is effective from 7 a.m. until 4 p.m. on Tuesday, August 29, 2006.

ADDRESSES: Materials referred to in this document are available for inspection or copying at the office of the Eighth Coast Guard District, Bridge Administration Branch, Hale Boggs Federal Building, Room 1313, 500 Poydras Street, New Orleans, Louisiana 70130–3310 between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (504) 671–2128. The Bridge Administration Branch of the Eighth Coast Guard District maintains the public docket for this temporary deviation.

FOR FURTHER INFORMATION CONTACT: David Frank, Bridge Administration Branch, telephone (504) 671–2129.

SUPPLEMENTARY INFORMATION: The Burlington Northern Railway Company has requested a temporary deviation in order to perform necessary maintenance on the rail joints of the Galveston Causeway Railroad Bascule Bridge across the Gulf Intracoastal Waterway, mile 357.2 west of Harvey Locks, at Galveston, Galveston County, Texas. The maintenance is essential for the continued safe operation of the railroad bridge. The bridge currently opens on signal in accordance with 33 CFR 117.5. This temporary deviation will allow the bridge to remain in the closed-to-navigation position from 7 a.m. until 10 a.m. and from 1 p.m. until 4 p.m. on Tuesday, August 29, 2006. This temporary deviation was originally published to occur on Wednesday, August 16, 2006; however, Burlington Northern Railway Company has requested to reschedule to Tuesday, August 29, 2006.

The bridge has a vertical clearance of 10 feet above mean high water in the closed-to-navigation position.

Navigation at the site of the bridge consists mainly of tows with barges and some recreational pleasure craft. Due to prior experience, as well as coordination with waterway users, it has been determined that this closure will not have a significant effect on these vessels. No alternate routes are available.

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: August 8, 2006.

Marcus Redford,

Bridge Administrator.

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 138

[USCG–2005–21780]

RIN 1625–AA98

New Oil Pollution Limits of Liability for Vessels—Delaware River Protection Act of 2006 Amendment to the Oil Pollution Act of 1990

AGENCY: Coast Guard, DHS.

ACTION: Notice of policy.

SUMMARY: The Coast Guard announces the enactment of statutory changes that will affect the financial responsibility of vessel owners and operators for oil pollution from their vessels. The Delaware River Protection Act of 2006 amends limits of liability under the Oil Pollution Act of 1990 (OPA 90) for discharges and substantial threats of discharge of oil from vessels. This statutory change will also result in future changes to Coast Guard regulations related to proof of financial responsibility by vessel owners and operators for discharges of oil from vessels.

FOR FURTHER INFORMATION CONTACT: Mr. Benjamin White at 202–493–6863.

SUPPLEMENTARY INFORMATION:

Background and Purpose

The limits of liability for oil removal costs and damages that result from discharges or substantial threats of discharge of oil from vessels, under OPA 90 (33 U.S.C. 2704), were amended by the enactment of the Delaware River Protection Act of 2006 (the Act), title VI of the Coast Guard and Maritime Transportation Act of 2006 (Pub. L. 109–241). The purpose of this notice is—

1. To alert the public of the amended limits of liability for vessels;
2. To notify the public that existing Coast Guard regulations in 33 CFR part 138 entitled “Financial Responsibility for Water Pollution (Vessels)” remain in effect until amended; and
3. To notify the public that a rulemaking project will be initiated to amend the regulations in 33 CFR part 138 to reflect the amended liability limits.

The following table shows the original and amended limits of liability by vessel type:

Limits of Liability

If the vessel is a—	The original limit of liability limit was the greater of—	The amended limits of liability are the greater of—
Tank vessel greater than 3,000 gross tons with a single hull, double sides only, or double bottom only.	\$1,200 per gross ton or \$10,000,000	\$3,000 per gross ton or \$22,000,000.
Tank vessel less than or equal to 3,000 gross tons with a single hull, double sides only, or double bottom only.	\$1,200 per gross ton or \$2,000,000	\$3,000 per gross ton or \$6,000,000.
Tank vessel greater than 3,000 gross tons with a double hull.	\$1,200 per gross ton or \$10,000,000	\$1,900 per gross ton or \$16,000,000.
Tank vessel less than or equal to 3,000 gross tons with a double hull.	\$1,200 per gross ton or \$2,000,000	\$1,900 per gross ton or \$4,000,000.
Any vessel other than a tank vessel	\$600 per gross ton or \$500,000	\$950 per gross ton or \$800,000.

Vessel owners, operators and demise charterers that are responsible parties under OPA 90 are liable to the amended limits as follows—

- The amended limits for any tank vessel are effective for an oil discharge or substantial threat of discharge that occurs on or after October 9, 2006.
- The amended limits for any other vessel are effective for an oil discharge or substantial threat of discharge that occurs on or after July 11, 2006.

The changes to the limits of liability created by the Act will result in changes to the requirements for proof of financial responsibility found in the existing “Financial Responsibility for Water Pollution (Vessels)” regulations at 33 CFR part 138. In general, the responsible party for any vessel over 300 gross tons using any place subject to the jurisdiction of the United States, or any vessel using the waters of the exclusive economic zone to transship or lighter oil destined for a place subject to the jurisdiction of the United States, must establish and maintain evidence of financial responsibility (i.e., ability to pay) sufficient to meet the applicable liability limit.

The Coast Guard intends to make changes to existing regulations resulting from the Act. We anticipate initiating a rulemaking that will require vessel owners and operators to provide evidence of financial responsibility to the amended limits of liability, as described above, within 120 days after the final rule is published in the **Federal Register**. In the interim, the levels of financial responsibility enforceable by the Coast Guard are the total applicable amounts currently found at 33 CFR 138.80(f).

If you have any questions regarding this notice, please submit them to: Mr. Benjamin White, National Pollution Fund Center, 4200 Wilson Blvd., Suite 1000, Arlington, VA 22203.

Dated: July 31, 2006.

Jan P. Lane,
 Director, National Pollution Funds Center.
 [FR Doc. E6-12936 Filed 8-17-06; 8:45 am]
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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[CGD09-06-146]

RIN 1625-AA00

Safety Zone; Celebrate Erie, Erie, PA

AGENCY: Coast Guard, DHS.
ACTION: Temporary Final Rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone encompassing the navigable waters of Presque Isle Bay during the Celebrate Erie Fireworks on August 20, 2006. This safety zone is necessary to ensure the safety of spectators and vessels from the hazards associated with fireworks displays. This safety zone is intended to restrict vessel traffic from a portion of Presque Isle Bay, Erie, Pennsylvania.

DATES: This rule will be effective from 9:45 p.m. (local) until 10:30 p.m. (local) on August 20, 2006.

ADDRESSES: Documents indicated in this preamble as being available in the docket, are part of docket CGD09-06-146 and are available for inspection or copying at: U.S. Coast Guard Sector Buffalo, 1 Fuhrmann Blvd, Buffalo, New York 14203, between 8 a.m. (local) and 4 p.m. (local), Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: LT Tracy Wirth, U.S. Coast Guard Sector Buffalo, at (716) 843-9573.

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. The permit application was not received in time to publish an NPRM followed by a final rule before the effective date.

Under 5 U.S.C. 553(d)(3), good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying this rule would be contrary to the public interest of ensuring the safety of spectators and vessels during this event, and immediate action is necessary to prevent possible loss of life or property. The Coast Guard has not received any complaints or negative comments previously with regard to this event.

Background and Purpose

Temporary safety zones are necessary to ensure the safety of vessels and spectators from the hazards associated with fireworks displays. Based on accidents that have occurred in other Captain of the Port zones and the explosive hazard of fireworks, the Captain of the Port Buffalo has determined fireworks launches in close proximity to watercraft pose significant risks to public safety and property. The likely combination of large numbers of recreational vessels, congested waterways, darkness punctuated by bright flashes of light, alcohol use, and debris falling into the water could easily result in serious injuries or fatalities. Establishing a safety zone to control vessel movement around the locations of the fireworks launch platforms will help ensure the safety of persons and property at these events and help minimize the associated risk.

Discussion of Rule

A temporary safety zone is necessary to ensure the safety of spectators and vessels during the setup, loading and launching of a fireworks display in conjunction with Celebrate Erie. The fireworks display will occur between 9:45 p.m. (local) and 10:30 p.m. (local) on August 20, 2006.

The safety zone consists of all navigable waters of Presque Isle Bay in