

areas specified in paragraph (b)(3)(i) of this section to the extent the ASD(HA), or designee, determines necessary for the effective and efficient operation of the TRDP. These differences may include, but are not limited to, specific provisions for preauthorization of care, varying licensure and certification requirements for foreign providers, and other differences based on limitations in the availability and capabilities of the Uniformed Services overseas dental treatment facilities and a particular nation's civilian sector providers in certain areas. The Director, TRICARE Management Activity shall issue guidance, as necessary, to implement the provisions of this paragraph. TRDP enrollees residing in overseas locations will be eligible for the same benefits as enrollees residing in the continental United States, although dental services may not be available or accessible in all locations.

\* \* \* \* \*

Dated: April 10, 2007.

**L.M. Bynum,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. E7-7132 Filed 4-13-07; 8:45 am]

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 147

[CGD08-07-004]

RIN 1625-AA00

#### **Safety Zone; Outer Continental Shelf Facility in the Gulf of Mexico for Mississippi Canyon Block 920**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to establish a 500 meter safety zone around the oil and natural gas production facility Independence Hub in Mississippi Canyon Block 920 of the Outer Continental Shelf in the Gulf of Mexico. This safety zone is needed to protect the crew of the Independence Hub and vessels operating in the vicinity of the facility. Vessels are prohibited from entering this proposed safety zone with the following exceptions: an attending vessel; a vessel under 100 feet in length overall not engaged in towing; or a vessel authorized by the Eighth Coast Guard District Commander.

**DATES:** Comments and related material must reach the Coast Guard on or before June 15, 2007.

**ADDRESSES:** You may mail comments and related material to Commander, Eighth Coast Guard District (dpw), Hale Boggs Federal Bldg., 500 Poydras Street, New Orleans, LA 70130, or comments and related material may be delivered to Room 1230 at the same address between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The telephone number is (504) 671-2107. Commander, Eighth Coast Guard District (dpw) maintains the public docket for this rulemaking. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at the location listed above during the noted time periods.

**FOR FURTHER INFORMATION CONTACT:**

Doug Blakemore, waterways management specialist for Eighth Coast Guard District Commander, Hale Boggs Federal Bldg., 500 Poydras Street, New Orleans, LA 70130, telephone (504) 671-2109.

**SUPPLEMENTARY INFORMATION:**

#### **Requests for Comments**

We encourage you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking [CGD08-07-004], indicate the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them.

#### **Public Meeting**

We do not plan to hold a public meeting. However, you may submit a request for a meeting by writing to Commander, Eighth Coast Guard District (dpw) at the address under **ADDRESSES** explaining why one would be beneficial. If we determine that a public meeting would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

#### **Background and Purpose**

The Coast Guard proposes to establish a safety zone around the Independence

Hub facility, an oil and natural gas production facility in the Gulf of Mexico in Mississippi Canyon Block 920, located at position 28.085° N, 87.986° W. The Independence Hub is an integrated development of nine gas fields and consists of a deepdraft, column-legged, semi-submersible production platform, a subsea production infrastructure, connecting flowlines and a trunk line terminating at a junction platform in Plaquemines Parish, Louisiana. Anadarko Petroleum Corporation (Anadarko), the lead operator of the Independence Hub, has requested that a safety zone be established 500 meters around the semi-submersible production platform.

Navigation in the vicinity of the proposed safety zone consists of large commercial shipping vessels, fishing vessels, cruise ships, tugs with tows and the occasional recreational vessel. Significant amounts of vessel traffic occur in or near the various fairways in the deepwater area. Information provided by Anadarko to the Coast Guard indicates that the location, production levels, and personnel levels on board the facility make it highly likely that any allision with the facility or its mooring system could result in a catastrophic event. The proposed rule would reduce the threat of allisions, oil spills and natural gas releases and increase the safety of life, property, and the environment in the Gulf of Mexico.

#### **Discussion of Proposed Rule**

The proposed safety zone would encompass the area within 500 meters from each point on the Independence Hub's structure outer edge. No vessel would be allowed to enter or remain in this proposed safety zone except the following: an attending vessel; a vessel under 100 feet in length overall not engaged in towing; or a vessel authorized by the Eighth Coast Guard District Commander.

#### **Regulatory Evaluation**

This proposed 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 Homeland Security (DHS).

We expect the economic impact of this proposed rule to be so minimal that a full regulatory evaluation under the regulatory policies and procedures of DHS is unnecessary. The impacts on routine navigation are expected to be

minimal because the proposed safety zone will not overlap any of the safety fairways within the Gulf of Mexico.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered whether this proposed 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 proposed rule would not have a significant economic impact on a substantial number of small entities. Since the Independence Hub facility will be located far offshore, few privately owned fishing vessels and recreational boats/yachts operate in the area and alternate routes are available for those vessels. Therefore, the Coast Guard expects the impact of this proposed rule on small entities to be minimal.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this proposed rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and to what degree this rule would economically affect it.

#### Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104–121), we want to assist small entities in understanding this proposed rule so that they can better evaluate its effects on them and participate in the rulemaking. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact Doug Blakemore, waterways management specialist for Eighth Coast Guard District Commander, Hale Boggs Federal Bldg., 500 Poydras Street, New Orleans, LA 70130, telephone (504) 671–2109.

#### Collection of Information

This proposed rule would call 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 proposed 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. Though this proposed rule will not result in such expenditure, we discuss the effects of this rule elsewhere in this preamble.

#### Taking of Private Property

This proposed 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 proposed 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 proposed 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.

#### Indian Tribal Governments

This proposed rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would 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. We invite your comments on this proposed rule. This proposed rule might impact tribal governments, even though the impact may not constitute a tribal implication under the rule.

#### Energy Effects

We have analyzed this proposed 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. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

#### Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (*e.g.*, specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This proposed rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

#### Environment

We have analyzed this proposed rule under Commandant Instruction M16475.1D, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded that there are no factors in this case that would limit the use of categorical exclusion under section 2.B.2 of the Instruction. Therefore, this rule is categorically excluded, under figure 2–1 paragraph (34)(g), of the instruction, from further environmental documentation because this rule is not expected to result in any significant environmental impact as described in NEPA.

A draft “Environmental Analysis Check List” and a draft “Categorical Exclusion Determination” are available in the docket where indicated under **ADDRESSES**. Comments on this section will be considered before we make the final decision on whether the rule

should be categorically excluded from further environmental review.

#### List of Subjects in 33 CFR Part 147

Continental shelf, Marine safety, Water.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 147 as follows:

#### PART 147—SAFETY ZONES

1. The authority citation for part 147 continues to read as follows:

**Authority:** 14 U.S.C. 85; 43 U.S.C. 1333; Department of Homeland Security Delegation No. 0170.1.

2. Add § 147.845 to read as follows:

##### § 147.845 Independence Hub safety zone.

(a) *Description.* The Independence Hub, Mississippi Canyon Block 920, is located at position 28.08505611° N, 87.98583917° W. The area within 500 meters (1640.4 feet) from each point on the structure's outer edge is a safety zone. These coordinates are based upon [NAD 83].

(b) *Regulation.* No vessel may enter or remain in this safety zone except the following:

- (1) An attending vessel;
- (2) A vessel under 100 feet in length overall not engaged in towing; or
- (3) A vessel authorized by the Commander, Eighth Coast Guard District.

Dated: April 5, 2007.

**Richard G. Sullivan,**

*Captain, U.S. Coast Guard, Commander, 8th Coast Guard District, Acting.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[CGD1-07-008]

RIN 1625-AA00

#### Safety Zone: Beverly Homecoming Fireworks, Beverly, MA.

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes establishing a temporary safety zone for the Town of Beverly Homecoming Fireworks in Beverly, Massachusetts currently scheduled to occur on August 5, 2007 temporarily closing all navigable waters of Beverly Harbor within a five hundred (500) yard radius of the

fireworks launch barge located at approximate position 42° 32.650 N, 070° 51.980 W. The safety zone is needed to protect the maritime public from the potential hazards posed by a fireworks display. The safety zone will prohibit entry into or movement within this portion of Beverly Harbor during its effective period.

**DATES:** Comments and related material must reach the Coast Guard on or before May 16, 2007.

**ADDRESSES:** You may mail comments and related material to Sector Boston 427 Commercial Street, Boston, MA. Sector Boston maintains the public docket for this rulemaking. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at Sector Boston, 427 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:** Petty Officer Joseph Yonker, Sector Boston, Waterways Management Division, at (617) 223-5007.

#### SUPPLEMENTARY INFORMATION:

##### Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking (CGD01-07-008), indicate the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and related materials in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know that your submission reached us, please enclose a stamped, self-addressed postcard or envelope. We may change this proposed rule in view of them.

##### Public Meeting

We do not now plan to hold a public meeting. You may, however submit a request for a meeting by writing to Sector Boston at the address under **ADDRESSES** explaining why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

##### Background and Purpose

This proposed rule establishes a safety zone on the navigable waters of Beverly Harbor within a five hundred (500) yard radius of the fireworks

launch barge located at approximate position 42° 32.650 N, 070° 51.980 W. The safety zone would be in effect from 8:30 p.m. EDT until 11:30 p.m. EDT on August 5, 2007.

This safety zone would temporarily prohibit entry into or movement within the effected portion of Beverly Harbor and is needed to protect the maritime public from the potential dangers posed by a fireworks display.

##### Discussion of Proposed Rule

The Coast Guard proposes establishing a temporary safety zone in a portion of Beverly Harbor. The safety zone would be in effect from 8:30 p.m. EDT until 11:30 p.m. EDT on August 5, 2007. Marine traffic may transit safely outside of the safety zone during the event thereby allowing navigation of Beverly Harbor except for the portion delineated by this rule. This safety zone will control vessel traffic during the fireworks event to protect the safety of the maritime public.

Due to the limited time frame of the firework display and because the zone leaves the majority of Beverly Harbor open for navigation, the Captain of the Port anticipates minimal negative impact on vessel traffic due to this event. Public notifications will be made prior to the effective period via local notice to mariners and marine information broadcasts.

##### Regulatory Evaluation

This proposed 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 Homeland Security (DHS).

We expect the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation is unnecessary.

Although this rule would prevent vessel traffic from transiting a portion of Beverly Harbor during the fireworks event, the effect of this regulation would not be significant for several reasons: vessels will be excluded from the proscribed area for only three hours, vessels will be able to operate in the majority of Beverly Harbor during this time period; and advance notifications will be made to the local maritime community by marine information broadcasts and Local Notice to Mariners.