

exclusionary limit, is the only state with a dollar limit above \$25.<sup>31</sup>

With respect to enforcement, states have been much more active in enforcing their state rules than has the Commission.<sup>32</sup> This is no doubt due at least in part to the fact that the states are closer to consumers who suffer from many of the unscrupulous activities involving sales in the home and in transient locations.

Because I am not persuaded that the federal Cooling-Off Rule's long-standing \$25 exclusionary limit on transient sales should be raised to \$130, and because I find there is convincing evidence on the overall need to continue protecting consumers through cooling-off rules, I urge state policy makers, law enforcement officials, and regulators to *not* interpret today's amendment to the federal Cooling-Off Rule as a signal that they should follow suit and raise the exclusionary limit of their respective cooling-off rules for sales in transient locations. Indeed, the often highly localized nature of potentially deceptive practices involving sales in transient locations puts states in the best position to determine the wisdom of raising their own exclusionary limits for sales in transient locations. I strongly encourage any state that may consider following the course of action taken by the Commission today to engage first in a more focused effort to gather evidence about potentially unscrupulous activities involving transient sales in their jurisdictions.

[FR Doc. 2015-00164 Filed 1-8-15; 8:45 am]

**BILLING CODE 6750-01-P**

(exempting purchases of under \$25 where there is no contract or receipt); Oregon has no dollar limit, Or. Rev. Stat. Ann. sections 83.710, 720; and New York has a \$25 limit, N.Y. Pers. Prop. Law section 426.

<sup>31</sup> N.H. Rev. Stat. Ann. section 361-B:1.

<sup>32</sup> See, e.g., Second Am. Compl. at ¶¶ 11-16, 34-36, *State of West Virginia v. Quick Silver Restoration, LLC, et al.*, No. 14-C-1952 (W. Va. Cir. Ct. filed Nov. 6, 2014) (alleging that a roofing and home improvement company engaged in high pressure door-to-door solicitations that violated several consumer protection laws and regulations, including the state and federal cooling-off rules; Compl. at ¶ 1, *State of Vermont v. Terry*, No. 570-9-14 Wncv (Vt. Super. Ct. filed Sept. 24, 2014) (alleging that a door-to-door meat salesman violated the state's Consumer Protection Act by failing to notify consumers of their three-day right to cancel, misleading consumers regarding the price and guarantee on the meat, failing to disclose material information to the consumer, and selling meat without a required license); Compl., *Commonwealth of Virginia v. KLMN Readers Servs. Inc.*, No. CL13002796-00 (Chesapeake Cir. Ct. filed Nov. 25, 2013) (alleging that a door-to-door magazine company violated Virginia's Consumer Protection and Home Solicitation Sales Acts) (default judgment granted Sept. 24, 2014). In contrast, the last time the Federal Trade Commission employed the federal Cooling-Off Rule in an enforcement action was nearly 15 years ago. Compl., *F.T.C. v. College Resource Mgmt., Inc. et al.*, No. 3-01CV0828-G (N.D. Tex. May 1, 2001) (alleging, *inter alia*, that a purported college financial services company violated Section 5 of the FTC Act and the Cooling-Off Rule in connection with its deceptive practices in financial aid sales seminars held at hotels or in banquet rooms).

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG-2014-0912]

#### Drawbridge Operation Regulation; Lake Washington Ship Canal, Seattle, WA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice canceling temporary deviation from regulations.

**SUMMARY:** The Coast Guard is canceling the temporary deviation concerning the operating schedule that governs the Seattle Department of Transportation (SDOT) double leaf bascule Ballard Bridge across the Lake Washington Ship Canal, mile 1.1, at Seattle, WA. This deviation was necessary to accommodate evening detoured commute traffic during road construction. It is being cancelled due to the construction project has been completed.

**DATES:** The temporary deviation published on November 14, 2014, 78 FR 68120, is cancelled as of January 9, 2015.

**ADDRESSES:** The docket for this deviation, [USCG-2014-0912] is available at <http://www.regulations.gov>. Type the docket number in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this deviation. You may also visit the Docket Management Facility in Room W12-140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this temporary deviation, call or email Steven Fischer, Coast Guard Thirteenth District, Bridge Specialist; telephone 206-220-7277, email [d13-pf-d13bridges@uscg.mil](mailto:d13-pf-d13bridges@uscg.mil). If you have questions on viewing the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone 202-366-9826.

#### SUPPLEMENTARY INFORMATION:

##### A. Basis and Purpose

On November 14, 2014, we published a temporary deviation entitled "Drawbridge Operation Regulation; Lake Washington Ship Canal, Seattle, WA." in the **Federal Register** (78 FR 68120). The temporary deviation concerned the Seattle Department of

Transportation (SDOT) request that the Ballard Bridge, mile 1.1, across the Lake Washington Ship Canal accommodate evening detoured commute traffic during road construction. This deviation allowed the bridge to remain in the closed position for an extra hour during evening traffic. Vessels able to pass through the bridge in the closed positions may do so at anytime. The bridge would not be able to open during this construction period, and extend the daily closure one hour Monday through Friday. This deviation from the operating regulations was authorized under 33 CFR 117.35.

##### B. Cancellation

The deviation was intended to facilitate routing of heavy traffic during peak commute time on the bridge. The deviation is not necessary at this time because SDOT has completed the construction on the Ballard Bridge.

Dated: December 23, 2014.

**Steven M. Fischer,**

*Bridge Administrator, Thirteenth Coast Guard District.*

[FR Doc. 2015-00174 Filed 1-8-15; 8:45 am]

**BILLING CODE 9110-04-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG-2014-1057]

#### Drawbridge Operation Regulations; Norwalk River, Norwalk, CT

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of temporary deviation from regulations; request for comments.

**SUMMARY:** The Coast Guard has issued a temporary deviation from the operating schedule that governs the Metro-North WALK Bridge across the Norwalk River, mile 0.1, at Norwalk, Connecticut. This deviation will test a change to the drawbridge operation schedule to determine whether a permanent change to the schedule is needed. This deviation will allow the Metro-North WALK Bridge to operate under an alternate schedule to facilitate the high volume of rail service across the Metro-North WALK Bridge at peak hours, while balancing both the needs of rail and marine traffic.

**DATES:** This deviation is effective without actual notice from January 9, 2015 through 11:59 p.m. on June 28, 2015. For the purposes of enforcement, actual notice will be used from 12:01

a.m. on January 1, 2015, until January 9, 2015.

Comments and related material must be received by the Coast Guard on or before May 31, 2015. Requests for public meetings must be received by the Coast Guard on or before May 1, 2015.

**ADDRESSES:** You may submit comments identified by docket number USCG–2014–1057 using any one of the following methods:

(1) *Federal eRulemaking Portal:* <http://www.regulations.gov>.

(2) *Fax:* (202) 493–2251.

(3) *Mail or Delivery:* Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590–0001. Deliveries accepted between 9 a.m. and 5 p.m., Monday through Friday, except federal holidays. The telephone number is (202) 366–9329.

See the “Public Participation and Request for Comments” portion of the **SUPPLEMENTARY INFORMATION** section below for instructions on submitting comments. To avoid duplication, please use only one of these three methods.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this test deviation, call or email Ms. Judy Leung-Yee, Project Officer, First Coast Guard District, telephone (212) 514–4330, [judy.k.leung-ye@uscg.mil](mailto:judy.k.leung-ye@uscg.mil). If you have questions on viewing the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone (202) 366–9826.

#### **SUPPLEMENTARY INFORMATION:**

#### **A. Public Participation and Request for Comments**

We encourage you to participate in this rulemaking by submitting comments and related materials. All comments received will be posted, without change, to <http://www.regulations.gov> and will include any personal information you have provided.

##### *1. Submitting Comments*

If you submit a comment, please include the docket number for this rulemaking (USCG–2014–1057), indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online (<http://www.regulations.gov>), or by fax, mail or hand delivery, but please use only one of these means. If you submit a comment online via <http://www.regulations.gov>, it will be

considered received by the Coast Guard when you successfully transmit the comment. If you fax, hand deliver, or mail your comment, it will be considered as having been received by the Coast Guard when it is received at the Docket Management Facility. We recommend that you include your name and a mailing address, an email address, or a phone number in the body of your document so that we can contact you if we have questions regarding your submission.

To submit your comment online, type the docket number [USCG–2014–1057] in the “SEARCH” box and click “SEARCH.” Click on “Submit a Comment” on the line associated with this rulemaking. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit them by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period and may change the rule based on your comments.

##### *2. Viewing Comments and Documents*

To view comments, as well as documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type the docket number (USCG–2014–1057) in the “SEARCH” box and click “SEARCH.” Click on Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

##### *3. Privacy Act*

Anyone can search the electronic form of comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review a Privacy Act notice regarding our public dockets in the January 17, 2008, issue of the **Federal Register** (73 FR 3316).

##### *4. Public Meeting*

We do not now plan to hold a public meeting. But you may submit a request for one on or before May 1, 2015, using one of the methods specified under **ADDRESSES**. Please explain 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**.

#### **B. Basis and Purpose**

The Metro-North WALK Bridge, mile 0.1, across the Norwalk River at Norwalk, Connecticut, has a vertical clearance in the closed position of 16 feet at mean high water and 23 feet at mean low water. The drawbridge operation regulations are listed at 33 CFR 117.217(b).

The existing Drawbridge Operation Regulations require the draw of the Metro-North Walk Bridge to open on signal as follows: From 5 a.m. to 9 p.m., except that, from Monday through Friday excluding holidays, the draw need not be opened from 7 a.m. to 8:45 a.m. and 4 p.m. to 6 p.m., unless an emergency exists; only once in any 60-minute period from 5:45 a.m. to 7 a.m. and 6 p.m. to 7:45 p.m. From 9 p.m. to 5 a.m., if at least four hours notice is given. A delay of up to 20 minutes may be expected if a train is approaching so closely that it may not be safely stopped.

The owner of the bridge, Connecticut Department of Transportation, requested a change to the Drawbridge Operation Regulations because the volume of train traffic across the bridge during the peak commuting hours makes bridge openings impractical. As a result, bridge openings that occur during peak commuter train hours cause significant delays to commuter rail traffic.

The waterway users are seasonal recreational vessels and commercial vessels of various sizes.

The Coast Guard is publishing this temporary deviation to test the proposed regulation change to determine whether a permanent change to the schedule is necessary to better balance the needs of marine and rail traffic.

Under this temporary deviation, in effect from January 1, 2015 through June 28, 2015, the Metro-North WALK Bridge at mile 0.1, across the Norwalk River, at Norwalk, Connecticut shall operate as follows:

The draw shall open on signal between 4 a.m. and 9 p.m. after at least a two hour advance notice is given; except that, from 4:30 a.m. through 10 a.m. and from 2 p.m. through 9 p.m., Monday through Friday excluding holidays, the draw need not open for the passage of vessel traffic.

From 9 p.m. through 4 a.m. the draw shall open on signal after at least a four hour advance notice is given.

Requests for bridge openings may be made by calling the bridge via marine

radio VHF FM Channel 13 or the telephone number posted at the bridge.

A delay of up to 20 minutes may be expected if a train is approaching so closely that it may not be safely stopped.

Vessels that can pass under the bridge in the closed position may do so at any time. There are no alternate routes. The bridge can open in the event of an emergency situation.

The Coast Guard contacted the waterway users regarding this proposed temporary deviation to test a proposed change to the Drawbridge Operation Regulations and no objections were received.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: December 24, 2014.

**V.B. Gifford, Jr.,**

*Captain, U.S. Coast Guard, Acting  
Commander, First Coast Guard District.*

[FR Doc. 2015-00195 Filed 1-8-15; 8:45 am]

BILLING CODE 9110-04-P

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG-2013-0935]

RIN 1625-AA00, 1625-AA11, and 1625-AA87

#### Regulated Navigation Areas and Limited Access Areas; Waterway Management of Apra Harbor, Guam

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is revising and consolidating existing regulated navigation areas, security zones and safety zones currently in place in Apra Harbor, Guam. This action will replace existing redundant, potentially confusing and outdated navigation regulations with a cogent regulatory framework in order to better meet the needs of the community and help ensure the safe and efficient use of the harbor.

**DATES:** This rule is effective on February 10, 2015.

**ADDRESSES:** Documents mentioned in this preamble are part of docket USCG-2013-0935. To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type the docket number in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12-140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or email Chief Kristina Gauthier, U.S. Coast Guard Sector Guam at (671) 355-4866, email [Kristina.M.Gauthier@uscg.mil](mailto:Kristina.M.Gauthier@uscg.mil). If you have questions on viewing or submitting material to the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone (202) 366-9826 or 1-800-647-5527.

**SUPPLEMENTARY INFORMATION:**

#### Table of Acronyms

DHS Department of Homeland Security  
FR Federal Register  
NPRM Notice of Proposed Rulemaking

#### A. Regulatory History and Information

An Advance Notice of Public Rule Making (ANPRM) on this action to revise and consolidate the existing regulated navigation areas, security zones and safety zones in and around Apra Harbor, Guam was published on January 10, 2014 and two public meetings were held on January 22, 2014. Three comments were received during the comment period. Subsequently, after consideration of all comments, a Notice of Proposed Rule Making (NPRM) on this action was published on September 19, 2014. The closing date for comments regarding the NPRM was November 3, 2014. No new comments were received. No subsequent public meetings were requested or held.

#### B. Basis and Purpose

The legal basis for this rulemaking is the Coast Guard's authority to establish regulated navigation areas and other limited access areas: 33 U.S.C. 1231; 50 U.S.C. 191, 195; 33 CFR 1.05-1, 160.5; and Department of Homeland Security Delegation No. 0170.1.

The purpose of the rulemaking is to revise and consolidate the existing regulated navigation areas, security zones and safety zones in and around Apra Harbor, Guam. Navigational regulations of Apra Harbor have been in place in various forms dating back to the era of U.S. Navy administration of Guam. Some of the regulations predate the promulgation of the Ports and Waterways Safety Act of 1972, were initially included in 33 CFR parts 127

and 128, and were subsequently re-codified in 33 CFR part 165 on July 8, 1982 as part of a regulatory reorganization effort. The regulations in part 165 were subsequently amended in 1986, 1990, 1996, 1998 and 2003. Between 1972 and 2003 four Regulated Navigation Areas, three security zones and two safety zones were created and/or amended. One of the security zones was subsequently removed, another changed to a safety zone, and an additional safety zone created. The following details this history:

*Apra Harbor, Guam safety zone regulations in 33 CFR 165.1401* were last amended in 1990 (55 FR 18725, May 4, 1990). These zones were established as security zones in 1972 (37 FR 10800, 31 May 1972) amended in 1975 (40 FR 1016, January 6, 1975), codified in 33 CFR 127.1401(a) and (b) in 1982 as part of a regulatory reorganization effort (47 FR 29569, 29667, July 8, 1982), and were subsequently disestablished and re-established as safety zones in 1990 (55 FR 18725, May 4, 1990).

*Apra Outer Harbor, Guam regulated navigation area regulations in 33 CFR 165.1402* were established by 33 CFR part 165 (47 FR 29660, July 8, 1982), and amended in 1996 (61 FR 33669, June 28, 1996), and subsequently again in 1998 (63 FR 35533, June 30, 1998).

*Apra Harbor Security Zone in 33 CFR 165.1404* was promulgated in 1990 (55 FR 18725, May 4, 1990).

*Other Regulated Navigation Areas and Security Zone regulations in 33 CFR 165.1405* regarding Designated Escorted Vessels-Philippine Sea and Apra Harbor Guam (including Cabras Island Channel) were established in 2003 (68 FR 4384, January 29, 2003).

Currently there are four Regulated Navigation Areas (RNA), one security zone and two safety zones within and approaching Apra Harbor. These regulations, included in 33 CFR 165.1401, 1402, 1404 and 1405, while intended to improve the safety and security of Apra Harbor and the mariners operating therein, are potentially confusing, overlapping, and do not adequately address current needs. The purpose of this rulemaking is to simplify the current regulations, taking into account relevant safety and security navigational requirements for the waters of Apra Harbor, including approaches to the Harbor. This rulemaking creates a regulatory scheme that ensures the needs of all stakeholders are addressed in a concise, understandable format through consolidation of the regulated navigation areas and rationalization of