

entities. "Small entities" include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as "small business concerns" under Section 3 of the Small Business Act (15 U.S.C. 632).

For reasons set forth in the above Regulatory Evaluation, the Coast Guard certifies under 5 U.S.C. 605(b) that this rule would not have a significant economic impact on a substantial number of small entities.

Collection of Information

These regulations contain no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that the rulemaking does not have sufficient Federalism implications to warrant the preparation of a Federalism Assessment.

Environmental Assessment

The Coast Guard has considered the environmental impact of this proposal consistent with Section 2.B.2. of Commandant Instruction M16475.1B. In accordance with that section, this action has been environmentally assessed (EA completed), and the Coast Guard has determined the event to be categorically excluded from further environmental documentation. An environmental checklist and a Categorical Exclusion Determination has been prepared and are available in the docket for inspection or copying where indicated under **ADDRESSES**.

List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water), Reporting and record keeping requirements, Waterways.

Regulations

In consideration of the foregoing, Part 100 of Title 33, Code of Federal Regulations, the Coast Guard amends as follows:

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

PART 100—[AMENDED]

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

2. A temporary section 100.35–T96–051 is added to read as follows:

§ 100.35–T96–051 Special Local Regulations; Atlantic Ocean at Hilton Head Island, SC.

(a) *Definitions*:

(1) **Regulated Area.** A regulated area is established on that portion of the Atlantic Ocean, at Hilton Head Island, SC, starting at Port Royal Plantation at 32°12.9'N, 080°40.2'W, thence east to 32°12.9'N, 080°39.7'W, thence southeast to 32°10.2'N, 080°36.8'W, thence southwest to 32°03.3'N, 080°42.5'W northwest to Forest Beach at 32°07.0'N, 080°46.9'W. All coordinates referenced use Datum: NAD 1983.

(2) **Spectator Viewing Area.** A spectator viewing area is also established on that portion of the Atlantic Ocean, at Hilton Head Island, SC, between the regulated area described above, and the following points, commencing at Port Royal Plantation at 32°13.5'N, 080°40.3'W, thence east to 32°13.5'N, 080°38.3'W, thence southeast to 32°10.2'N, 080°36.4'W, thence southwest to 32°02.5'N, 080°42.4'W, thence northwest to Forest Beach at 32°06.8'N, 080°48.5'W. All coordinates referenced use Datum: NAD 1983.

(3) **Coast Guard Patrol Commander.** The Coast Guard Patrol Commander is a commissioned, warrant or petty officer of the Coast Guard who has been designated in writing by the Commander, Coast Guard Group Charleston, South Carolina.

(b) *Special local regulations.*

(1) Entry into the regulated area by other than authorized event participants or official patrol vessels is prohibited, unless otherwise authorized by the Patrol Commander.

(2) Spectator vessels may anchor or transit the spectator viewing area at a slow, no wake speed during the event.

(3) At the conclusion of the U.S. World Championship power boat races each day, at the discretion of the Coast Guard Patrol Commander, all vessels may enter the regulated area.

(c) *Effective Dates.* These regulations become effective at 10 a.m. to 5 p.m., daily, on October 30 to November 2, 1996, unless otherwise specified in the Seventh Coast Guard District Local Notice to Mariners.

Dated: August 28, 1996.

J.D. Hull,

Captain, U.S. Coast Guard, Acting Commander, Seventh Coast Guard District.
[FR Doc. 96–23244 Filed 9–10–96; 8:45 am]

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33 CFR Part 165

[CGD13–96–028]

RIN 2115–AA97

Safety Zone Regulations; Bellingham Bay, Bellingham, WA

AGENCY: Coast Guard, DOT.

ACTION: Direct final rule.

SUMMARY: By this direct final rule, the Coast Guard is permanently amending a safety zone regulation for the annual Fourth of July Blast Over Bellingham Fireworks Display in Bellingham Bay, Bellingham, Washington. Changes made to this regulation will revise the boundaries of the safety zone. This change is intended to better inform the boating public and to improve the level of safety at this event.

EFFECTIVE DATE: This rule is effective on December 10, 1996, unless the Coast Guard receives written adverse comments or written notice of intent to submit adverse comments on or before November 12, 1996.

ADDRESSES: Comments may be mailed to U.S. Coast Guard Marine Safety Office Puget Sound 1519 Alaskan Way South, Seattle, WA 98134 (Telephone: (206) 217–6237). The comments and other materials referenced in this notice will be available for inspection and copying at the above address in Building 1. Normal office hours are between 7 a.m. and 4 p.m., Monday through Friday, except Federal holidays. Comments may also be hand-delivered to this address.

FOR FURTHER INFORMATION CONTACT: Lieutenant (Junior Grade) J. B. Roberts, Port Services Department, U.S. Coast Guard MSO Puget Sound Seattle, WA (Telephone: (206) 217–6237).

SUPPLEMENTARY INFORMATION:

Request for Comments

Any comments must identify the name and address of the person submitting the comment, specify the rulemaking docket (CGD13–96–028) and the specific section of this rule to which each comment applies, and give the reason for each specific comment. Please submit two copies of all comments and attachments in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. Persons wanting acknowledgment of receipt of comments should enclose stamped, self-addressed postcards or envelopes.

Regulatory Information

The Coast Guard is publishing a direct final rule, the procedures of which are outlined in 33 CFR 1.05–55, because no

adverse comments are anticipated. If no adverse comments or any written notice of intent to submit adverse comment are received within the specified comment period, this rule will become effective as stated in the **EFFECTIVE DATE** section. In that case, approximately 30 days prior to the effective date, the Coast Guard will publish a notice in the Federal Register stating that no adverse comment was received and confirming that this rule will become effective as scheduled. However, if the Coast Guard receives written adverse comment or written notice of intent to submit adverse comment, the Coast Guard will publish a notice in the final rule section of the Federal Register to announce withdrawal of all or part of this direct final rule. If adverse comments apply to only part of this rule, and it is possible to remove that part without defeating the purpose of this rule, the Coast Guard may adopt as final those parts of this rule on which no adverse comments were received. The part of this rule that was the subject of adverse comment will be withdrawn. If the Coast Guard decides to proceed with a rulemaking following receipt of adverse comments, a separate Notice of Proposed Rulemaking (NPRM) will be published and a new opportunity for comment provided.

A comment is considered "adverse" if the comment explains why this rule would be inappropriate, including a challenge to the rule's underlying premise or approach, or would be ineffective or unacceptable without a change.

Background and Purpose

The annual Fourth of July Blast Over Bellingham is held on the waters of Bellingham Bay each year from 9:30 p.m. (PST) to 11 p.m. (PST) on July fourth and is sponsored by the Whatcom County Chamber of Commerce. Under current Coast Guard regulations, 33 CFR § 165.1304, a safety zone regulation is established each year during the event to provide for public safety by keeping spectators away from the fireworks launching site during the fireworks display.

The current regulations do not accurately reflect the current location of the fireworks launching site and the area surrounding this site. This direct final rule will amend the description of the safety zone created by 33 CFR 165.1304 to accurately reflect the current fireworks launching site and better provide for the safety of spectators and property in the immediate vicinity of the event.

Discussion of Rules

This direct final rule will amend the description of the safety zone in 33 CFR § 165.1304 to include all waters of Bellingham Bay, Washington, bounded by a circle with a radius of 1000 yards centered on the fireworks launching site located on the Georgia Pacific Lagoon Seawall at position latitude 48°44'56" N, longitude 122°29'40" W, including the entrances to the I & J Street Waterway and the Whatcom Creek Waterway.

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. It has not been reviewed by the Office of Management and Budget 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 Coast Guard expects 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. This conclusion is based on the fact that only minor changes are being made to the regulations and that the changes made reduce the area affected by approximately one-half mile.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider the economic impact on small entities of a rule for which a general notice of proposed rulemaking is required. "Small entities" may include (1) small businesses and not-for-profit organizations that are independently owned and operated and are not dominant in their fields and (2) governmental jurisdictions with populations of less than 50,000.

The safety zone created by this section is being moved to reflect the current launch site, and will not take place during more than a few hours each year on the Fourth of July. For these reasons, the Coast Guard certifies under 5 U.S.C. 605(b) that this change will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This rule contains no collection-of-information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this rule under the principles and criteria contained in Executive Order 12612 and has determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard considered the environmental impact of this rule and concluded that, under paragraph 2.B.2.e.34(h) of Commandant Instruction M16475.1B, (as revised by 59 FR 38654, July 29, 1994), this rule is categorically excluded from further environmental documents. A "Categorical Exclusion Determination" is available in the docket for inspection or copying where indicated under "ADDRESSES."

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reports and recordkeeping requirements, Security measures, Waterways.

Regulation

For the reasons set out in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—[AMENDED]

1. The authority citation for Part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 33 U.S.C. 191, 33 CFR 1.05–1(g), 6.04–1, 6.04–6 and 160.5; 49 CFR 1.46.

2. Section 165.1304 is amended by revising paragraph (a) as follows:

§ 165.1304 Safety Zone Regulations; Bellingham Bay, Bellingham, Washington.

(a) Location. The following area is a safety zone: All waters of Bellingham Bay, Washington, bounded by a circle with a radius of 1000 yards centered on the fireworks launching site located on the Georgia Pacific Lagoon Seawall at position latitude 48°44'56" N, longitude 122°29'40" W, including the entrances to the I & J Street Waterway and the Whatcom Creek Waterway.

[Datum: NAD 83]

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Dated: August 19, 1996.

Myles S. Boothe,
Captain, U.S. Coast Guard, Captain of the
Port Puget Sound.

[FR Doc. 96–23245 Filed 9–10–96; 8:45 am]

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