

Margaret Milner Richardson,  
*Commissioner of Internal Revenue.*

Approved: December 12, 1996.

Donald C. Lubick,  
*Acting Assistant Secretary of the Treasury.*  
[FR Doc. 96-32246 Filed 12-26-96; 8:45 am]  
BILLING CODE 4830-01-U

## Fiscal Service

### 31 CFR Part 209

RIN 1510-AA30

#### Payment to Financial Institutions for Credit to Accounts of Employees and Beneficiaries

**AGENCY:** Financial Management Service, Fiscal Service, Treasury.

**ACTION:** Final rule.

**SUMMARY:** The Financial Management Service is removing this Part from Title 31 of the Code of Federal Regulations. This Part governs the remittance to financial institutions of checks representing wage, salary, annuity and allotment payments to be credited to the accounts of Federal employees and beneficiaries. Such disbursements are no longer made by check. These payments now are made by electronic funds transfer through the Automated Clearing House and, are governed by 31 CFR Part 210. Therefore, Part 209 is no longer necessary.

**EFFECTIVE DATE:** January 27, 1997.

**FOR FURTHER INFORMATION CONTACT:** Christine Ricci, Financial Program Specialist, at (202) 874-7458 or Cynthia L. Johnson, Director, Cash Management Policy and Planning Division, (202) 874-6657. A copy of the Final Rule is being made available for downloading from the Financial Management Service home page at the following address: <http://www.ustreas.gov/treasury/bureaus/finman/>.

#### SUPPLEMENTARY INFORMATION:

##### Background

On January 4, 1995, the Financial Management Service (Service) published a Notice of Proposed Rulemaking (NPRM) proposing to remove Part 209 from Title 31 of the Code of Federal Regulations. See 60 FR 416. Part 209 governs the remittance to financial institutions of checks representing wage, salary, annuity and allotment payments for credit to the accounts of Federal employees and beneficiaries. The Service issued such checks when sending payments to financial institutions that did not have the capability to receive payments by electronic funds transfer. In the NPRM,

the Service noted that other regulations which took effect on July 1, 1994, required financial institutions to receive such payments by electronic funds transfer. See 58 FR 21634. The Service no longer issues checks pursuant to Part 209 and, thus, the regulation is obsolete.

The January 4 publication contained a 30 day comment period. No comments were received in response to the NPRM.

On September 30, 1994, the Service published an NPRM in which the Service proposed to move the portions of Part 209 dealing with savings and salary allotments to 31 CFR Part 210. See 59 FR 50112. The Service expects to issue a new NPRM with respect to Part 210 in the near future. At that time, the Service will review the desirability of including provisions relating to savings and salary allotments in Part 210.

#### Rulemaking Analysis

The Service has determined that this regulation is not a significant regulation as defined in E.O. 12866 and a regulatory assessment is not required. It is hereby certified that removal of this regulation will not have a significant economic impact on a substantial number of small entities. Accordingly, a regulatory flexibility analysis is not required. The removal of 31 CFR Part 209 will have little or no effect on the economy or consumers, because the part is obsolete and no longer in use.

#### List of Subjects in 31 CFR Part 209

Automated Clearing House, Allotments, Banks, Banking, Discretionary allotments, Electronic funds transfer, Financial institution, Government employees, Net pay, Salary, Wages.

Accordingly, and under the authority of 31 U.S.C. 321, 3321, and 3335, Part 209 of Title 31 is removed as follows:

#### PART 209—[REMOVED]

Part 209 is removed.

Dated: December 19, 1996.

Russell D. Morris,

*Commissioner.*

[FR Doc. 96-32781 Filed 12-26-96; 8:45 am]

BILLING CODE 4810-35-P

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 165

[COTP Charleston 96-034]

RIN 2115-AA97

#### Safety/Security Zone Regulations; Charleston Harbor and Cooper River, SC

**AGENCY:** Coast Guard, DOT.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is establishing a moving safety/security zone around vessels transporting nuclear materials in Charleston Harbor and the Cooper River. Each zone will extend 200 yards ahead and astern, and 100 yards to each side of vessels carrying the nuclear materials, during transit from the Charleston Harbor entrance to the Charleston Naval Weapons Station on the Cooper River. The zone will remain in effect during cargo operations while the vessel is moored at the Naval Weapons Station. This safety/security zone is needed to protect the transport vessels from potential protests and demonstrations by organizations that may attempt to disrupt shipments, while transiting Charleston Harbor and the Cooper River. **EFFECTIVE DATE:** January 27, 1997.

**FOR FURTHER INFORMATION:** Lieutenant Jeffrey T. Carter, Project Manager, Coast Guard Marine Safety Office Charleston at (803) 724-7680.

#### SUPPLEMENTARY INFORMATION:

##### Regulatory History

On September 11, 1996, the Coast Guard published a notice of proposed rulemaking entitled SAFETY/SECURITY ZONE REGULATIONS; Charleston Harbor and Cooper River, SC in the Federal Register (61 FR 47839). The Coast Guard received no letters commenting on the proposal. A public hearing was not requested and one was not held.

##### Background and Purpose

The Coast Guard is establishing a moving safety/security zone around vessels transporting certain nuclear materials in Charleston Harbor and the Cooper River. As part of a major national security objective to prevent the spread of nuclear weapons worldwide, the U.S. Department of Energy will be receiving shipments of foreign research reactor spent nuclear fuel rods through the Charleston Naval Weapons Station. These shipments will take place over a 13 year period.

Protests and demonstrations during shipments through U.S. ports of nuclear materials, such as spent fuel rods, would place the safe navigation of the transport vessels at risk. This moving safety/security zone is needed to protect the transport vessels from the risk associated with protests and demonstrations while transiting Charleston Harbor and the Cooper River.

The safety/security zone will extend 200 yards ahead and astern and 100 yards to each side of the vessel carrying the nuclear materials during its transit from Charleston Harbor Entrance Buoy "C" (LLNR 1885) to the Charleston Naval Weapons Station on the Cooper River. The zone will remain in effect during cargo operations while the vessel is moored at the Naval Weapons Station. Entry into this zone is prohibited during vessel transit (which includes any emergency anchorage or mooring) and cargo transfer operations, unless authorized by Captain of the Port Charleston.

The actual dates this safety/security zone will be in effect are not known at this time. The Captain of the Port will announce the activation of this zone through a Broadcast Notice to Mariners whenever Captain of the Port Charleston receives a firm arrival time. Maritime traffic will not be significantly impacted because of the expected small number of vessels needing this safety/security zone, and the limited duration of the zone during transit and cargo operations.

#### 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 been exempted from review 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), because of the small number of vessels needing the safety/security zone and the minimal impact on navigation and commerce. No changes have been made to the proposed regulatory text.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this rule will have a significant economic impact on a substantial number of small entities. This rule is not significant and the number of small entities is not substantial because of the small number of vessels needing the safety/security

zone and the minimal impact on navigation and commerce. Therefore, 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.

#### 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.

#### Environmental Assessment

The Coast Guard has considered the environmental impact of this action and has determined pursuant to Section 2.B.2 of Commandant Instruction M16475.1B, (as revised by 59 FR 38654, July 29, 1994), that this rule is categorically excluded from further environmental documentation. In accordance with this instruction section 2.B.2.e.34.(g), a Categorical Exclusion Determination and Environmental Analysis Checklist was prepared. Both documents are available in the docket for inspection and copying.

#### List of Subjects in 33 CFR Part 165

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

#### Final Regulations

For reasons set forth in the preamble, the Coast Guard amends subpart D of part 165 of title 33, Code of Federal Regulations, as follows:

#### PART 165—[AMENDED]

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

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1(g), 6.04–1, 6.04–6, and 160.5; 49 CFR 1.46.

2. A new § 165.708 is added to read as follows:

#### **§ 165.708 Safety/Security Zone; Charleston Harbor and Cooper River, Charleston, SC.**

(a) *Regulated area.* The following boundaries are established as a safety and security zone during specified conditions:

(1) All waters 200 yards ahead and astern and 100 yards to each side of a vessel transporting nuclear materials

while the vessel transits from Charleston Harbor Entrance Buoy "C" (LLNR 1885, position 32–39.6N, 079–40.9W) to the Charleston Naval Weapons Station (position 32–55.4N, 079–56.0W) on the Cooper River. All coordinates referenced use datum: NAD 1983.

(2) All waters within 100 yards of the vessel described in paragraph (a)(1) of this section while the vessel is conducting cargo operations at the Charleston Naval Weapons Station.

(b) Captain of the Port Charleston will announce the activation of the safety/security zones described in paragraph (a) of this section by Broadcast Notice to Mariners. The general regulations governing safety and security zones contained in §§ 165.23 and 165.33 apply.

Dated: November 27, 1996.

M. J. Pontiff,

*Commander, U.S. Coast Guard, Captain of the Port, Charleston, South Carolina.*

[FR Doc. 96–32837 Filed 12–26–96; 8:45 am]

BILLING CODE 4910–14–M

#### **33 CFR Part 165**

**[COTP Savannah 96–073]**

**RIN 2115–AA97**

#### **Safety Zone Regulations; Savannah, GA**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone in a 1,000 yards radius of the Savannah Light Tower. The safety zone is needed to protect vessel traffic from the hazards created by the allision of a vessel with the Savannah Light Tower and the Tower's subsequent destruction. These regulations are necessary for the safety of life on navigable waters. Entry into this zone is prohibited, unless specifically authorized by the Captain of the Port.

**DATES:** This rule is effective at 8 a.m. EST (Eastern Standard Time) on December 5, 1996. When this temporary regulation is terminated, the agency will publish a document in the Federal Register.

**FOR FURTHER INFORMATION CONTACT:** LCDR Linda Fagan, Project Officer, Coast Guard Marine Safety Office Savannah, at (912) 652–4371.

**SUPPLEMENTARY INFORMATION:** In accordance with 5 U.S.C. 553, a notice of proposed rulemaking was not published for this regulation and good cause exists for making it effective in