

part, no vessel may operate within the regulated navigation area contrary to this regulation. All barge traffic must obtain permission from the Captain of the Port or his designated representative prior to transiting. Any barges allowed to transit the zone by the Captain of the Port will be required to meet the following conditions: the barge must be assisted by two tugs made fast fore and aft; tugs must be of adequate horsepower to fully maneuver the barge; and the zone shall be transited by barge traffic at slack water only. All other vessel traffic shall stay clear of the damaged section of the bridge and repair work underway. The Captain of the Port will notify the public of changes in the status of this zone by Marine Safety Radio Broadcast on VHF Marine Band Radio, Channel 22 (157.1 MHz).

(c) *Effective dates.* This section is effective at 12 p.m. on February 24, 1996 and terminates at 12 p.m. on March 31, 1996.

Dated: February 23, 1996.

Roger T. Rufe, Jr.,

Rear Admiral, U.S. Coast Guard, Commander, Seventh Coast Guard District.

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33 CFR Part 165

[CGD 05-96-007]

RIN 2115-AA97

Safety Zone: Atlantic Intracoastal Waterway, Vicinity of Marine Corps Base Camp Lejeune, NC

AGENCY: Coast Guard, DOT.

ACTION: Temporary rule.

SUMMARY: The Coast Guard Captain of the Port, Wilmington, has established a safety zone in the Atlantic Intracoastal Waterway (AICW) along Marine Corps Base Camp Lejeune (Marine Corps Base), North Carolina. The safety zone encompasses the waters of the Atlantic Intracoastal Waterway between lighted dayboards 64 and 65A. The safety zone is needed to protect people, vessels, and property from safety hazards associated with the launching of inert line charges in support of amphibious assault training. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port.

EFFECTIVE DATE: This rule is effective from 8 a.m. March 8 to 6 a.m. March 14 1996 unless sooner terminated by the Captain of the Port.

FOR FURTHER INFORMATION CONTACT: LTJG K.J. DELOOFF, USCG, Project Officer, c/o Commanding Officer, U.S. Coast Guard Marine Safety Office, 272 North Front Street, Wilmington, North Carolina 28401-3907. Phone: (910) 343-4895, Extension 108.

SUPPLEMENTARY INFORMATION:

Discussion of Regulation

Marine Corps Base Camp Lejeune will conduct training assaults on a simulated mined beach. Up to three exercises will be held each day and each exercise will last 30-45 minutes. Each assault involves firing an inert line charge which clears the simulated minefield. The inert charge is propelled by a 5 foot solid fuel rocket from which the inert explosives trail. The rocket is typically prevented from flying its full flight by a cable attached to the firing point. If this cable breaks, the rocket motor, and possibly the inert line charge could impact in the Atlantic Intracoastal Waterway. The Coast Guard is establishing a safety zone to prevent damage or injury which could result from this training exercise and will prevent vessels from transiting during the firing of the line charge.

The safety zone will be effective from 8 a.m. on March 8, 1996 to 6 a.m. on March 14, 1996 unless terminated sooner by the Captain of the Port Wilmington (COTP). The actual times the waterway will be closed will be approximately 30-45 minute periods one to three times per day. Before firing the inert line charge, the COTP will announce via VHF channel 16 that this section will be enforced and the waterway will be closed to traffic. Vessels from either the U.S. Coast Guard or U.S. Navy will patrol each end of the safety zone to inform and control vessel traffic.

The safety zone includes:

The waters of the Atlantic Intracoastal Waterway from lighted dayboard number 64 at approximately 34°33' 59.7" North, 077°16' 50.5" West to lighted dayboard 65A at approximately 34°32' 40.0" North, 077°19' West.

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 this regulation effective in less than 30 days after Federal Register publication. Publishing a NPRM and delaying the effective date would be contrary to the public interest since immediate action is needed to protect mariners from potential hazards associated with potential flight of an rocket propelled inert line charge over navigable waters. The final schedule for this event and other related activities was not finalized and communicated to

the Coast Guard in sufficient time to allow for a period for comments.

Assessment

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.

Collection of Information

This rule contains no information collection 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) of Commandant Instruction M16475.1B (amended by 59 FR 38654), this rule is categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 165

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

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

2. A new temporary § 165.T05.007 is added to read as follows:

§ 165.T05.007 Safety Zone: Atlantic Intracoastal Waterway, Marine Corps Base Camp Lejeune, North Carolina.

(a) *Location.* The following area is a safety zone:

(1) The waters of the Atlantic Intracoastal Waterway from lighted dayboard number 64 at approximately 34°33'59.7" North, 077°16'50.5" West to lighted dayboard 65A at approximately 34°32'40.0" North, 077°19' West.

(b) This section is effective from 8 a.m., March 8, 1996 to 6 a.m., March 14, 1996, unless terminated earlier by the Captain of the Port (COTP), Wilmington, NC.

(c) No person or vessel may enter the safety zone without the permission of the COTP or his designated representative.

(d) The COTP or his designated representative will announce times during which this section will be enforced.

(e) The COTP or his designated representative may be contacted at the Marine Safety Office, Wilmington, NC by telephone at (910) 343-4895 or by radio on VHF-FM channel 16.

Dated: February 12, 1996.

T.L. Rice,
Captain, U.S. Coast Guard, Captain of the Port, Wilmington, NC.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 80

[FRL-5433-8]

RIN 2060-AD55

Prohibition on Gasoline Containing Lead or Lead Additives for Highway Use

AGENCY: Environmental Protection Agency (EPA).

ACTION: Partial withdrawal of direct final rule.

SUMMARY: On February 2, 1996, EPA published a direct final rule (61 FR 3832) revising EPA regulations to reflect the Clean Air Act's statutory prohibition of the introduction into commerce of gasoline containing lead or lead additives for use as a motor vehicle fuel after December 31, 1995. This action was published without prior proposal. Because EPA has received adverse comment with respect to paragraph 40 CFR 80.24(b) of this action, EPA withdraws this paragraph from the direct final rule. The withdrawal of this paragraph does not otherwise affect the February 2, 1996 direct final rule, for which all other actions will become effective March 4, 1996.

EFFECTIVE DATE: March 4, 1996.

FOR FURTHER INFORMATION CONTACT: Richard Babst, U.S. Environmental Protection Agency, Office of Air and Radiation, (202) 233-9473.

SUPPLEMENTARY INFORMATION: On February 2, 1996, EPA published in the Federal Register a direct final rule revising its regulations in accordance with the Clean Air Act prohibition of the introduction of gasoline containing lead or lead additives into commerce for use as a motor vehicle fuel after December 31, 1995. Among other actions, the direct final rule would have revised paragraph 40 CFR 80.24(b), which contains a specification regarding gasoline tank filler inlets for motor vehicles. The direct final rule was published without prior proposal in the Federal Register with a provision for a 15 day comment period. In addition, EPA published a proposed rule, also on February 2, 1996 (61 FR 3894). EPA announced in both rules that, should EPA receive adverse comment on the direct final rule, the Agency would withdraw the direct final rule and address the comments received in a subsequent final rule based on the related proposed rule. EPA received adverse comment within the prescribed comment period specifically addressing a revision that would have been made to 40 CFR 80.24(b). With this document, EPA is withdrawing revisions to 40 CFR 80.24(b) from the February 2, 1996 direct final rule (61 FR 3832). The withdrawal of this paragraph does not affect the other actions in the February 2, 1996 direct final rule, and all other actions will become effective March 4, 1996 as indicated in the direct final rule. The adverse comment received will be addressed in a subsequent final rule based on the related proposed rule (61 FR 3894).

List of Subjects in 40 CFR Part 80

Environmental protection, Air pollution control, Fuel additives, Gasoline, Leaded gasoline, Unleaded gasoline, Motor vehicle pollution.

For the reasons set forth in the preamble, the amendment revising 40 CFR 80.24(b) published at 61 FR 3838 (February 2, 1996) is withdrawn.

Dated: February 27, 1996.

Carol M. Browner,
Administrator.

[FR Doc. 96-4958 Filed 3-1-96; 8:45 am]

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40 CFR Part 167

[OECA; FRL-5433-4]

Pesticide Reports for Pesticide-Producing Establishments; (EPA Form 3540-16); Additional Time To Report

AGENCY: Environmental Protection Agency (EPA).

ACTION: Time extension for submission of reports.

SUMMARY: Because of delays in completing and distributing reporting packages, EPA is announcing that it will extend the due date for submission of annual pesticide production reports (EPA Form 3540-16) for calendar year 1995 until two months after reporting packages are mailed by EPA. These reports under Section 7 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and supporting regulations at 40 CFR Part 167 would otherwise be due on or before March 1, 1996.

DATES: Annual pesticide production reports for calendar year 1995 will be due May 1, 1996.

FOR FURTHER INFORMATION CONTACT: Carol L. Buckingham, (202) 564-5008, fax (202) 564-0085, Environmental Protection Agency, Mail Code 2225A, 401 M Street, SW., Washington, D.C. 20460.

SUPPLEMENTARY INFORMATION:

Background

Section 7 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the supporting regulations at 40 CFR Part 167 requires certain facilities who manufacture, prepare, propagate, compound, or process any pesticide, including any pesticide produced pursuant to Section 5 of the Act, any active ingredient, or device, or to package, repack, label, relabel, or otherwise change the container of any pesticide or device to report annually on the amounts and types, etc. of pesticides produced.

Each year prior to the reporting deadline (March 1) EPA develops and sends to facilities a reporting package containing the current pesticide reporting forms (EPA Form 3540-16), and instructions for reporting.

Because of delays in development of the reporting package, it will not be distributed to the pesticide-producing establishments in time to meet the March 1 reporting date. Therefore, EPA is extending the reporting deadline to two (2) months after the packages are mailed out.

This allowance of additional time for reporting applies only to the FIFRA section 7 and 40 CFR Part 167 reporting