

Substances	Limitations
<p>* * *</p> <p>3,6-Bis(4-chlorophenyl)-2,5-dihydro-pyrrolo[3,4-c]pyrrole-1,4-dione (C.I. Pigment Red 254, CAS Reg. No. 84632-65-5)</p> <p>* * *</p>	<p>* * *</p> <p>For use only at levels not to exceed 1 percent by weight of polymers. The finished articles are to contact food only under conditions of use B through H, described in Table 2 of § 176.170(c) of this chapter.</p> <p>* * *</p>

Dated: February 5, 1997.

William K. Hubbard,
Associate Commissioner for Policy
Coordination.

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BILLING CODE 4160-01-F

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD07-97-002]

RIN 2115-AE46

Special Local Regulations: Intracoastal Waterway, St. Augustine, FL

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: Special local regulations are being adopted for the "Blessing of the Fleet" ceremony. The event will be held from 11 a.m. to 3 p.m. Eastern Standard Time (EST) on March 23, 1997. The regulated area includes those waters between the Bridge of Lions and the Fish Island Marina Daybeacon #2 in the Matanzas River, St. Augustine, Florida. The anticipated concentration of participant and spectator vessels will create an unusual hazard on the navigable waters. The regulations are needed to provide for the safety of life on navigable waters during the event.

EFFECTIVE DATE: This rule becomes effective 9 a.m. EST and terminates at 3 p.m. EST on Sunday, March 23, 1997.

FOR FURTHER INFORMATION CONTACT: Ensign G. Watson, Project Officer, Coast Guard Group Mayport Florida, (904) 247-7398.

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 less than 30 days from the date of publication. Following normal rulemaking procedures would have been impractical. The information to hold the event was not received until January 17, 1997, leaving insufficient

time to publish proposed rules prior to the event or to provide a delayed effective date.

Discussion of Regulations

The event requiring this regulation is a "Blessing of the Fleet" ceremony. There will be 150 participating vessels in single file, parade style, transiting the Intracoastal Waterway from the Bridge of Lions south to Daybeacon number #2, and returning north to the Bridge of Lions. Approximately ten spectator craft are expected. The total number of vessels in the regatta area creates an extra hazard to the safety of life on the navigable waters.

The regulated area includes those waters between the Bridge of Lions and the Fish Island Marina Daybeacon #2, LLNR 35420, position 29-52.15N, 081-18.12W, in the Matanzas River, St. Augustine, Florida. Datum: NAD 1983. The event requires that vessel traffic control be implemented within the area of the Intracoastal Waterway between the Bridge of Lions and Daybeacon number #2. This regulation provides that entry into the regulated area, by other than parade participants or spectator craft, is prohibited, unless authorized by the Patrol Commander. After termination of the "Blessing of the Fleet" ceremony, all vessels may resume normal operations.

Spectator craft will be allowed to enter the regulated area; however, vessel mooring, anchoring, and movement restrictions will be directed by Coast Guard and local law enforcement officials.

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). 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. The regulation will only be in effect for a total of 5 hours on the date of the ceremony.

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. "Small entities" include independently owned and operated 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).

The Coast Guard certifies under section 605 (b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this rule will not have a significant economic impact on a substantial number of small entities because the regulation will be in effect for a total of 5 hours in a limited area of the Intracoastal Waterway in St. Augustine.

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 proposed 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 rule under paragraph 2.B.2 of Commandant Instruction M16475.1B, (as revised by 59 FR 38654, July 29, 1994). In accordance with that instruction, specifically section 2.B.4 and 2.B.5, this action has been environmentally assessed (EA completed), and the Coast Guard has concluded that this event will not significantly affect the quality

of human environment. An environmental assessment and finding of no significant impact have been prepared and are available for copying and inspection.

List of Subjects in 33 CFR Part 100

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

Temporary Regulations

In consideration of the foregoing, Part 100 of Title 33, Code of Federal Regulations, is amended as follows:

PART 100—[AMENDED]

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

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

2. A new temporary section 100.35T-97-002 is added to read as follows:

§ 100.35T-97-002 Intracoastal Waterway; St. Augustine, FL.

(a) *Regulated area.* The regulated area is located in the waters of the Matanzas River, Intracoastal Waterway, St. Augustine, Florida. Its northern boundary is formed by a line, perpendicular to the centerline of the Matanzas River, drawn from Fish Island Marina Daybeacon #2, LLNR 35420, position 29-52.15N, 081-18.12W, near the entrance of the San Sebastian River, to the East bank of the Matanzas River. The eastern boundary is formed by the eastern bank of the Matanzas River. The western boundary begins where the Bridge of Lions meets the west bank of the Matanzas River and runs along the west bank of the river to 29-52.34N, 081-18.13W, and then to 29-52.20N, 081-18.09W at the southeast end of the regulated area. All coordinates reference Datum: NAD 1983.

(b) *Special local regulations.* (1) Entry into this regulated area, by other than parade participants or spectator craft, is prohibited, unless authorized by the Patrol Commander. After termination of the "Blessing of the Fleet" ceremony, all vessels may resume normal operations.

(2) Spectator craft will be allowed to enter the regulated area; however, vessel mooring, anchoring, and movement restrictions will be directed by Coast Guard and local law enforcement officials.

(c) *Effective date.* This regulation becomes effective at 9 a.m. EST and terminates at 3 p.m. EST, on March 23, 1997.

Dated: February 13, 1997.

J.W. Lockwood,
*Rear Admiral, U.S. Coast Guard Commander,
Seventh Coast Guard District.*

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33 CFR Part 110

[CGD01-96-012]

RIN 2115-AA98

Special Anchorage Area: Special Anchorage Great Kills Harbor, Staten Island, New York; Special Anchorage Sheepshead Bay, Brooklyn, New York

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is amending the special anchorage regulations for Great Kills Harbor, Staten Island, New York, and Sheepshead Bay, Brooklyn, New York. The regulations are amended to remove the language that required federal mooring permits for individual mooring locations in these special anchorage areas.

EFFECTIVE DATE: April 2, 1997.

FOR FURTHER INFORMATION CONTACT: LT John W. Green, Waterways Oversight Branch, Coast Guard Activities, New York (212) 668-7906.

SUPPLEMENTARY INFORMATION:

Regulatory History

On March 20, 1996, the Coast Guard published a notice of proposed rulemaking (NPRM) in the Federal Register (61 FR 11356). The Coast Guard received one hundred fifty comments on the proposals. A public hearing was requested but was not held since the written comments clearly expressed the views of the commenters and oral presentations would not aid the rulemaking process.

Background and Purpose

An area designated as a special anchorage provides for vessels 65 feet and under to anchor within specified boundaries without exhibiting anchor lights. Approximately a decade ago, Captain of the Port New York administered approximately 2,500 mooring locations annually in approximately nine special anchorages. As the size of the boating public grew, the burden of administering these mooring locations became increasingly difficult. Several years ago, Captain of the Port New York discontinued the administration of individual recreational mooring locations in all special anchorages, except for anchorages in Great Kills Harbor and

Sheepshead Bay. Due to budget constraints and the Presidential mandate to streamline the federal government, Captain of the Port New York discontinued entirely the discretionary procedure of issuing permits for mooring locations. This rule amends existing regulations to reflect that mooring permits are no longer issued by the Coast Guard for the Great Kills Harbor and Sheepshead Bay anchorages. Although mooring permits are no longer issued by the Captain of the Port, vessels may still anchor or use a mooring buoy without displaying lights. Vessel owners interested in using these anchorages in the 1997 boating season may contact: Thomas Rozinski, Deputy Counsel, New York City Department of Parks and Recreation, The Arsenal, Central Park, New York, NY 10021.

Discussion of Comments

One hundred fifty comments objected to the Coast Guard discontinuing the issuance of mooring permits in the Great Kills Harbor special anchorage. No comments were received objecting to the Coast Guard discontinuing the issuance of mooring permits in Sheepshead Bay.

Comments were received from three yacht clubs in Great Kills Harbor and one hundred forty of their members and from seven individuals not specifically allied with the three yacht clubs. These persons stated that the transfer of responsibility for issuing permits to the Borough of Staten Island or other entity would result in chaos on the water, and the cost of a mooring permit to be increased beyond the reach of the vessel owners holding permits. On yacht club stated that there may be a loss of membership and possible dissolution of the club due to the increase in the cost of permits. The Coast Guard considered these comments and forwarded them to the New York City Department of Parks and Recreation. The Coast Guard believes that the municipality will regulate the moorings in an orderly manner and in the best interests of its constituents. Concerns over the costs of future permits should be addressed to New York City Department of Parks and Recreation at the address provided in the Background and Purpose section above.

Various persons suggested that the Coast Guard charge a fee, or extend the term of the permit to two or three years to offset the Coast Guard's expenses in issuing permits. The Coast Guard considered these comments. The decision to no longer issue mooring permits was based on the belief that, similar to the arrangement in the rest of