

received on September 15—makes this a major rule.

The due date change will reduce the PBGC's interest income by about \$2 million per year (one month of lost interest income on most plans' final premium payments), which represents less than one-quarter of one percent of the PBGC's annual premium revenue. Because the PBGC's lost interest income will be offset by an interest gain for premium payers, this extension creates a transfer from the PBGC to premium payers of approximately \$2 million per year.

The rule, aimed at providing better customer service, will create benefits for premium payers in the form of reduced administrative burdens associated with PBGC premium filings. This is because plans will be able to prepare their final premium filings at the same time as their Form 5500 filings (including the Schedule B actuarial information). No alternative final due date would achieve this result more effectively or with less cost.

The PBGC certifies under section 605(b) of the Regulatory Flexibility Act that this rule will not have a significant economic impact on a substantial number of small entities. The effect of this rule is simply to give most plan administrators one more month to file premium declarations and pay premiums than under the existing regulation. Premium payers that take advantage of the deferral will have the opportunity to get an additional month's investment earnings on the amount of their premium payments, and their service providers may charge less because the premium forms can be prepared at the same time as the Form 5500 filing. However, while the PBGC expects plans to realize administrative cost savings from this rule, it does not expect the economic impact to be significant for small entities. Accordingly, sections 603 and 604 of the Regulatory Flexibility Act do not apply.

#### List of Subjects in 29 CFR Part 4007

Penalties, Pension insurance, Pensions, Reporting and recordkeeping requirements.

In consideration of the foregoing, 29 CFR part 4007 is amended as follows:

#### PART 4007—PAYMENT OF PREMIUMS

1. The authority citation for part 4007 continues to read as follows:

**Authority:** 29 U.S.C. 1302(b)(3), 1306, 1307.

2. In § 4007.11, paragraph (a)(1) is amended by removing the words "the fifteenth day of the eighth full calendar

month following the month in which the plan year began" and adding in their place the words "the fifteenth day of the tenth full calendar month following the end of the plan year preceding the premium payment year"; paragraph (a)(2)(ii) is amended by removing the words "the fifteenth day of the eighth full calendar month following the month in which the premium payment year begins" and adding in their place the words "the fifteenth day of the tenth full calendar month following the end of the plan year preceding the premium payment year"; and paragraph (c)(1) is revised to read as follows:

#### § 4007.11 Due dates.

\* \* \* \* \*

(c) \* \* \*

(1) The fifteenth day of the tenth full calendar month that began on or after the later of—

(i) The first day of the premium payment year; or

(ii) The day on which the plan became effective for benefit accruals for future service;

\* \* \* \* \*

Issued in Washington, DC, this 7th day of December, 1998.

**Alexis M. Herman,**

*Chairman, Board of Directors, Pension Benefit Guaranty Corporation.*

Issued on the date set forth above pursuant to a resolution of the Board of Directors authorizing its Chairman to issue this final rule.

**James J. Keightley,**

*Secretary, Board of Directors, Pension Benefit Guaranty Corporation.*

[FR Doc. 98-33036 Filed 12-11-98; 8:45 am]

BILLING CODE 7708-01-P

## DEPARTMENT OF DEFENSE

### Department of the Air Force

#### 32 CFR Part 888g

#### Organizational and Representational Activities of Military Personnel

**AGENCY:** Department of the Air Force, Department of Defense.

**ACTION:** Final rule; removal.

**SUMMARY:** The Department of the Air Force is amending Title 32, Chapter VII of the CFR by removing Part 888g, Organizational and Representational Activities of Military Personnel. This rule is removed because it duplicates the information found in 32 CFR Part 143, DoD Policy on Organizations That Seek To Represent or Organize Members of the Armed Forces in Negotiation or Collective Bargaining.

**EFFECTIVE DATE:** December 1, 1998.

**FOR FURTHER INFORMATION CONTACT:** Lt Col James Moody, Headquarters, U.S. Air Force, AF/JAG, 1420 Air Force Pentagon, Washington, DC 20330-1420, (703) 614-5732.

#### SUPPLEMENTARY INFORMATION:

**Authority:** Section 8012, 70A Stat. 488 (10 U.S.C. 8012).

#### PART 888g—[REMOVED]

Accordingly, 32 CFR, Chapter VII, is amended by removing Part 888g.

**Carolyn A. Lunsford,**

*Air Force Federal Register Liaison Officer.*

[FR Doc. 98-33086 Filed 12-11-98; 8:45 am]

BILLING CODE 5001-05-U

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 117

[CGD01-98-168]

RIN 2115-AE47

#### Drawbridge Operation Regulations: Fort Point Channel, MA

**AGENCY:** Coast Guard, DOT.

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

**SUMMARY:** The District Commander, First Coast Guard District has issued a temporary deviation from the regulations listed under 33 CFR 117.599, governing the operation of the Northern Avenue Bridge, mile 0.0, across the Fort Point Channel in Boston. This deviation is being granted to allow repairs to the bridge fender system to commence continually without interruption. This deviation will allow the bridge owner, the City of Boston, to require a 24 hour advance notice for bridge openings, 7 a.m. to 8 p.m., daily, by calling (617) 635-7555. From 8 p.m. to 7 a.m., daily, the draw need not open for the passage of vessels. Vessels which can pass under the bridge without a bridge opening may do so at any time.

**DATES:** This deviation is effective from November 8, 1998 through January 6, 1999.

**FOR FURTHER INFORMATION CONTACT:** Mr. Gary Kassof, Chief, Bridge Branch at (212) 668-7165.

#### SUPPLEMENTARY INFORMATION:

The City of Boston requested a temporary deviation from the operating regulations for the Northern Avenue Bridge mile 0.0, in order to conduct repairs to the bridge fender system. This work is essential for public safety. The existing bridge fender has deteriorated and must be replaced as soon as

possible. Vessels that can pass under the bridge without an opening may do so at all times.

This deviation to the operating regulations will allow the City of Boston to open the bridge after a 24 hour advance notice is provided by calling (617) 635-7555. From 8 p.m. to 7 a.m., daily, the draw need not open for the passage of vessels. This deviation from the normal operating regulations is authorized under 33 CFR 117.35.

Dated: November 17, 1998.

**R.M. Larrabee,**

*Rear Admiral, U.S. Coast Guard Commander,  
First Coast Guard District.*

[FR Doc. 98-33076 Filed 12-11-98; 8:45 am]

BILLING CODE 4910-15-M

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 165

[CGD1-98-171]

RIN 2115-AA97

#### **Safety Zone: Explosive Load, Bath Iron Works, Bath, ME**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone to close a portion of the Kennebec River to waterway traffic in a 400 foot radius around Bath Iron Works, Bath, ME, for an explosive load, from 6 a.m. November 25, 1998 through 12 p.m. December 23, 1998. This safety zone is needed to protect persons, facilities, vessels and others in the maritime community from the safety hazards associated with the handling and transportation of explosives. Entry into this safety zone is prohibited unless authorized by the Captain of the Port.

**DATES:** This rule is effective from 6 a.m. November 25, 1998 until 12 p.m. December 23, 1998.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant J.D. Gafken, Chief of Response and Planning, Captain of the Port, Portland at (207) 780-3251.

#### **SUPPLEMENTARY INFORMATION:**

#### **Regulatory History**

As authorized by 5 U.S.C. 553, a notice of proposed rulemaking (NPRM) was not published for this regulation. Good cause exists for not publishing a NPRM and for making this regulation effective in less than 30 days after Federal Register publication. Due to the complex planning and coordination involved, final details for the closure

were not provided to the Coast Guard until November 23, 1998, making it impossible to publish a NPRM or a final rule 30 days in advance. Publishing an NPRM and delaying its effective date would be contrary to public interest since this safety zone is needed to protect persons, facilities, vessels and others in the maritime community from the safety hazards associated with the handling of explosives.

#### **Background and Purpose**

The Explosive Load will occur from 6 a.m. November 25, 1998 until 12 p.m. to December 23, 1998. The safety zone covers the waters of the Kennebec River, Bath, ME, in a 400-foot radius around Bath Iron Works, Bath, ME. This safety zone is required to protect the maritime community from the hazards associated with the handling of explosives. Entry into this zone will be prohibited unless authorized by the Captain of the Port.

#### **Regulatory Evaluation**

This temporary final 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 proposal to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This safety zone involves only a portion of the Kennebec River. Due to the limited duration of the safety zone, the fact that the safety zone will not restrict the entire channel of the Kennebec River, allowing traffic to continue without obstruction, and that advance maritime advisories will be made, the Coast Guard expects the economic impact of this regulation to be so minimal that a Regulatory Evaluation is unnecessary.

#### **Small Entities**

Under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.), the Coast Guard must consider whether this proposal will have a significant economic impact on a substantial number of small entities. "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.

For the reasons addressed under the Regulatory Evaluation above, the Coast Guard expects the impact of this regulation to be minimal and certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 et seq.) that this final 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 of 1995 (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 has considered the environmental impact of this regulation and concluded that, under section 2.B.2.e. of Commandant Instruction M16475.1B, (as revised by 59 FR 38654, July 29, 1994), this rule is categorically excluded from further environmental documentation. A Categorical Exclusion Determination and an Environmental Analysis Checklist is available in the docket for inspection or copying.

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

Harbors, Marine safety, Navigation (water), Reporting 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:

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. Add temporary section 165.T01-CGD1-171 to read as follows:

#### **§ 165.T01-CGD1-171 Explosive Load, Bath Iron Works, Bath, ME.**

(a) *Location.* The safety zone covers the waters of the Kennebec River, Bath, ME, in a 400 foot radius around Bath Iron Works, Bath, ME.

(b) *Effective date.* The explosive load will occur from 6 a.m. November 25, 1998 until 12 p.m. December 23, 1998. The safety zone covers the waters of the Kennebec River, Bath, ME.