

and Department of Homeland Security Management Directive 5100.1, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, this rule is categorically excluded, under figure 2–1, paragraph (34)(h), of the Instruction, from further environmental documentation.

We have made a determination that this action is not likely to have a significant effect on the human environment. The proposed marine event consisting of deadrise workboats racing along a marked straight line course within the Back River does not introduce any significant environmental impacts in the area of the event and or adjacent waterways. A final “Environmental Analysis Check List” and a final “Categorical Exclusion Determination” will be available in the docket where indicated under ADDRESSES.

List of Subjects in 33 CFR Part 100

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

■ For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 100 as follows:

PART 100—REGATTAS AND MARINE PARADES

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

Authority: 33 U.S.C. 1233.

■ 2. Add a temporary § 100.35–T05–060 to read as follows:

§ 100.35–T05–060, Back River, Poquoson, VA.

(a) *Definitions*: The following definitions apply to this section:

(1) *Coast Guard Patrol Commander* means a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Sector Hampton Roads.

(2) *Official Patrol* means any vessel assigned or approved by Commander, Coast Guard Sector Hampton Roads with a commissioned, warrant, or petty officer on board and displaying a Coast Guard ensign.

(3) *Participant* includes all vessels participating in the Poquoson Seafood Festival Workboat races under the auspices of a Marine Event Permit issued to the event sponsor and approved by Commander, Coast Guard Sector Hampton Roads.

(b) *Regulated area* includes the waters of the Back River, Poquoson, Virginia, bounded on the north by a line drawn along latitude 37°06′30″ North, bounded on the south by a line drawn along latitude 37°06′15″ North, bounded on the east by a line drawn along longitude 076°18′52″ West and bounded on the west by a line drawn along longitude 076°19′30″ West. All coordinates reference Datum NAD 1983.

(c) *Special local regulations*: (1) Except for event participants and persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area.

(2) The operator of any vessel in the regulated area shall:

(i) Stop the vessel immediately when directed to do so by any Official Patrol.

(ii) Proceed as directed by any Official Patrol.

(iii) When authorized to transit the regulated area, all vessels shall proceed at the minimum speed necessary to maintain a safe course that minimizes wake near the race course.

(d) *Effective period*. This section will be enforced from 12 p.m. to 5 p.m. on October 14, 2007.

Dated: September 11, 2007.

Neil O. Buschman,

Captain, U.S. Coast Guard, Commander, Fifth Coast Guard District, Acting.

[FR Doc. E7–18855 Filed 9–24–07; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[CGD08–07–024]

Drawbridge Operation Regulation; Gulf Intracoastal Waterway, Belle Chasse, LA

AGENCY: Coast Guard, DHS.

ACTION: Notice of temporary deviation from regulations.

SUMMARY: The Commander, Eighth Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the SR 23 bridge across the Gulf Intracoastal Waterway (Algiers Alternate Route), mile 3.8, at Belle Chasse, Plaquemines Parish, Louisiana. This temporary rule is issued to facilitate movement of vehicular traffic for the New Orleans Open House 2007 Air Show, to be held at the U.S. Naval Air Station, Joint Reserve Base at Belle Chasse, Louisiana.

DATES: This deviation is effective from 3:30 p.m. on Saturday, October 27, 2007, until 7:45 p.m. on Sunday, October 28, 2007.

ADDRESSES: Materials referred to in this document are available for inspection or copying at the office of the Eighth Coast Guard District, Bridge Administration Branch, Hale Boggs Federal Building, room 1313, 500 Poydras Street, New Orleans, Louisiana 70130–3310 between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (504) 671–2128. The Bridge Administration Branch of the Eighth Coast Guard District maintains the public docket for this temporary deviation.

FOR FURTHER INFORMATION CONTACT: David Frank, Bridge Administration Branch, telephone (504) 671–2129.

SUPPLEMENTARY INFORMATION: The Department of the Navy requested a temporary rule changing the operation of the State Route 23 vertical lift span drawbridge. The change accommodates the additional volume of vehicular traffic that the New Orleans Open House Air Show generates each year. A large amount of the general public is expected to attend the New Orleans Open House Air Show on each day. The change allows for the expeditious dispersal of the heavy volume of vehicular traffic expected to depart the Naval Air Station, Joint Reserve Base following the event. This event has been held annually on or about the last weekend in October. This year, the event is being held on the weekend of October 26–28, 2007. This temporary deviation will allow the bridge to remain in the closed-to-navigation position from 3:30 p.m. until 6:45 p.m. on Saturday, October 27, 2007 and from 3:30 p.m. until 7:45 p.m. on Sunday, October 28, 2007.

The State Route 23 vertical lift span drawbridge across the Gulf Intracoastal Waterway (Algiers Alternate Route), mile 3.8, at Belle Chasse, Louisiana has a vertical clearance of 40 feet above mean high water in the closed-to-navigation position and 100 feet above mean high water in the open-to-navigation position. Navigation on the waterway consists primarily of tugs with tows, commercial fishing vessels, and occasional recreational craft. Mariners may use the Gulf Intracoastal Waterway (Harvey Canal) to avoid unnecessary delays.

The Coast Guard has coordinated the closure with waterway users, industry, and other Coast Guard units. It has been determined that this closure will not have a significant effect on vessel traffic.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular

operating schedule immediately at the end of the designated time period. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: September 13, 2007.

David M. Frank,
Bridge Administrator.

[FR Doc. E7-18881 Filed 9-24-07; 8:45 am]

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POSTAL SERVICE

39 CFR Part 111

New Standards for Mailing Sharps Waste and Other Regulated Medical Waste

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: The Postal Service™ is revising its standards for mailing medical waste so that medical professionals as well as individuals can use a larger container to mail medical waste to disposal sites. The new standards allow a maximum mailpiece weight limit of 35 pounds for packages approved as “Medical Professional Packaging.”

EFFECTIVE DATE: September 25, 2007.

FOR FURTHER INFORMATION CONTACT: Bert Olsen, 202-268-7276.

SUPPLEMENTARY INFORMATION:

Background

We published a proposed rule in the *Federal Register* (72 FR 20462, April 25, 2007) to revise the standards for mailing sharps and other regulated medical waste containers. Our proposal allowed for a single, larger primary receptacle that could accommodate several pre-primary sharps receptacles (sharps receptacles normally used in doctors' offices), as well as several tie-closed bags of other regulated medical waste. The weight limit of the mailpiece would be 35 pounds.

Comments Received

We received comments from two entities: a USPS-authorized sharps vendor and a coalition of parties interested in the safe disposal of needles. Both were in support of the changes and offered the following comments:

1. *Comment:* The term “Medical Professional Packaging” implies that only medical professionals can use it. Change the name so it is clear that it can be used by anyone.

The Postal Service believes the term, “Medical Professional Packaging” is an appropriate term that represents a

mailpiece most often used by medical professionals. However, we will include language in the *Domestic Mail Manual* (DMM) that clarifies that individuals as well as other entities can use “Medical Professional Packaging.”

2. *Comment:* Require that pre-primary receptacles comply with Food and Drug Administration (FDA) 510(k) approval rather than Occupational Safety and Health Administration (OSHA) standards.

The Postal Service believes that requiring pre-primary receptacles to meet OSHA standards as identified in 29 CFR 1910.1030 is the best method of verifying governmental compliance for sharps and other regulated medical waste receptacles containing bloodborne pathogens. These pre-primary receptacles are then triple packaged in accordance with further parcel preparation requirements for the mailing of sharps mailpieces. Therefore, the final rule adopts the requirement that pre-primary receptacles meet OSHA compliance standards as published in the proposed rule.

We adopt the following amendments to *Mailing Standards of the United States Postal Service*, *Domestic Mail Manual* (DMM), incorporated by reference in the Code of Federal Regulations. See 39 CFR 111.4.

List of Subjects in 39 CFR Part 111

Administrative practice and procedure, Postal Service.

■ Accordingly, 39 CFR part 111 is amended as follows:

PART 111—[AMENDED]

■ 1. The authority citation for 39 CFR part 111 continues to read as follows:

Authority: 5 U.S.C. 552(a); 39 U.S.C. 101, 401, 403, 414, 416, 3001–3011, 3201–3219, 3403–3406, 3621, 3626, 5001.

■ 2. Revise the following sections of the *Mailing Standards of the United States Postal Service*, *Domestic Mail Manual* (DMM), as follows:

* * * * *

600 Basic Standards for All Mailing Services

601 Mailability

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601.10 Hazardous Materials

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10.17 Infectious Substances (Hazard Class 6, Division 6.2)

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10.17.5 Sharps Waste and Other Mailable Regulated Medical Waste

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10.17.5b Packaging

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[Revise first sentence to 10.17.5b5 as follows]

Each mailpiece must not weigh more than 25 pounds, except for Medical Professional Packages as identified in 10.17.5c, that may not weigh more than 35 pounds.* * *

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[Add a new 10.17.5c, and renumber current items 5c through 5f as new 5d through 5g:]

10.17.5c Medical Professional Packages

Medical Professional Packages, while intended for use by small medical offices, are not limited to use by medical offices only. One primary receptacle larger than 5 gallons in volume may be used for mailing pre-primary sharps receptacles (sharps receptacles normally used in doctors' offices) and other regulated medical waste under the following conditions:

1. The mailpiece must meet all the requirements in 601.10.17.5 except for the primary receptacle capacity limits of 10.17.5b1.

2. Only rigid, securely closed, puncture and leak-resistant pre-primary sharps receptacles that meet or exceed Occupational Safety and Health Administration standards as identified in 29 CFR 1910.1030, may be placed inside the primary receptacle. Each pre-primary sharps container may contain no more than 50 ml (1.66 ounces) of residual waste liquid. Several pre-primary sharps receptacles may be enclosed in the single primary receptacle.

3. Multiple tie-closed plastic bags of regulated medical waste may be placed inside the single primary receptacle.

4. The primary receptacle must be lined with a plastic bag at least 4 mil in thickness and must include sufficient absorbent material within the liner to absorb all residual liquid in the primary receptacle.

5. The mailpiece must not weigh more than 35 pounds.

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601.10.17.5d Mailpiece Labeling, Marking, and Documentation

[Add new number 1, and renumber current items 1 through 7 as new 2 through 8:]

1. For Medical Professional Packages, the additional marking “Medical Professional Packaging” must be clearly printed in lettering at least 2 inches high on the address side of the outer shipping container.

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