FDA has evaluated data in the petition and other relevant material. Based on this information, the agency concludes that: (1) The proposed use of the additive is safe, (2) the additive will achieve its intended technical effect, and therefore, (3) the regulations in § 175.105 should be amended as set forth below.

In accordance with § 171.1(h) (21 CFR 171.1(h)), the petition and the documents that FDA considered and relied upon in reaching its decision to approve the petition are available for inspection at the Center for Food Safety and Applied Nutrition by appointment with the information contact person listed above. As provided in § 171.1(h), the agency will delete from the documents any materials that are not available for public disclosure before making the documents available for inspection.

The agency has previously considered the environmental effects of this rule as announced in the notice of filing for FAP 8B4628. No new information or comments have been received that would affect the agency's previous determination that there is no significant impact on the human environment and that an environmental impact statement is not required.

This final rule contains no collection of information. Therefore, clearance by the Office of Management and Budget under the Paperwork Reduction Act of 1995 is not required.

Any person who will be adversely affected by this regulation may at any time on or before July 2, 1999, file with the Dockets Management Branch (address above) written objections thereto. Each objection shall be separately numbered, and each numbered objection shall specify with particularity the provisions of the regulation to which objection is made and the grounds for the objection. Each numbered objection on which a hearing is requested shall specifically so state. Failure to request a hearing for any particular objection shall constitute a waiver of the right to a hearing on that objection. Each numbered objection for which a hearing is requested shall include a detailed description and analysis of the specific factual information intended to be presented in support of the objection in the event that a hearing is held. Failure to include such a description and analysis for any particular objection shall constitute a waiver of the right to a hearing on the objection. Three copies of all documents shall be submitted and shall be identified with the docket number found in brackets in the heading of this document. Any objections received in response to the regulation may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

List of Subjects in 21 CFR Part 175

Adhesives, Food additives, Food packaging.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Director, Center for Food Safety and Applied Nutrition, 21 CFR part 175 is amended as follows:

PART 175—INDIRECT FOOD ADDITIVES: ADHESIVES AND COMPONENTS OF COATINGS

1. The authority citation for 21 CFR part 175 continues to read as follows:

Authority: 21 U.S.C. 321, 342, 348, 379e.

2. Section 175.105 is amended in the table in paragraph (c)(5) by alphabetically adding an entry under the category ''Polymers: Homopolymers and copolymers of the following monomers'' under the heading ''Substances'' to read as follows:

§ 175.105 Adhesives.

* * * * *

(c) * * *

(5) * * *

Substances	Limitations
* * * * * * *	
Polymers: Homopolymers and copolymers of the following monomers:	
* * *	
1–Octene (CAS Reg. No. 111–66–0).	
* * * * * * *	

Dated: May 19, 1999.

L. Robert Lake,

Director, Office of Policy, Planning and Strategic Initiatives, Center for Food Safety and Applied Nutrition.

[FR Doc. 99–13858 Filed 6–1–99; 8:45 am]

BILLING CODE 4160–01–F

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Parts 110, 162, and 165

[CGD17–99–002]

RIN 2115–AF81

Anchorage Ground; Safety Zone; Speed Limit; Tongass Narrows and Ketchikan, AK

AGENCY: Coast Guard, DOT.

ACTION: Interim rule; request for comments.

SUMMARY: The Coast Guard has changed the portions of Tongass Narrows that have a seven-know speed limit. The interim rule will extend seven-knot speed limit approximately 1600 yards northward in Tongass Narrows, to Tongass Narrows Buoy 9, to reduce wakes near the airport where floatplanes take off and land. Non-commercial, open skiffs are exempted to allow them to transit crowded areas of Tongass Narrows more quickly, thereby relieving congestion. The speed limit boundaries on the southern end of Tongass Narrows are moved northward, reducing the size of the speed limit zone to the south. This rule also re-designates the safety zone in Ketchikan Harbor as an anchorage ground to reflect its actual use as an anchorage for large passenger vessels and require that transiting vessels proceed through the anchorage directly, without delay or sudden course changes, to make the final approach,

anchoring, and departure of very large passenger vessels, safer for the vessels involved.

DATES: The interim rule becomes effective June 2, 1999. Comments regarding this interim rule must be received by November 30, 1999.

A public hearing will be held on August 27, 1999 at 7 p.m. (AST).

ADDRESSES: You may mail comments to the Commander (mo), Seventeenth Coast Guard District, PO Box 25517, Juneau, Alaska 99802–5517, or deliver them to the Federal Building, 709 West 9th Street, sixth floor, room 661, Juneau, Alaska, between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The telephone number is 907–463–2242. The Seventeenth Coast Guard District, Maritime Operations Division, maintains the public docket for this rulemaking. Comments, and documents as indicated in this preamble, will become part of this docket and will be available for inspection or copying at room 661, between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

The public hearing will be held at the Ted Ferry Civil Center, 888 Venetia Avenue, Ketchikan, Alaska.

FOR FURTHER INFORMATION CONTACT: For information concerning this document, call Lieutenant P.W. Clark, Supervisor, U.S. Coast Guard Marine Safety Detachment, Ketchikan, Alaska, telephone 907–225–4496.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages you to participate in this rulemaking by submitting written data, views, or arguments. Persons submitting comments should include their names and addresses, identify this rulemaking (CGD17–99–002) and the specific section of this document to which each comment applies, and give the reason for each comment. Please submit two copies of all comments and attachments in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you want acknowledgement of receipt of your comments, you should enclose a stamped, self-addressed postcard or envelope.

The Coast Guard will consider all comments received during the comment period. It may change this interim rule in view of the comments.

The Coast Guard has scheduled a public hearing for 7 p.m. (AST), August 26, 1999, at the Ted Ferry Civil Center, 888 Venetia Ave., Ketchikan, Alaska.

Persons may request an additional public hearing by writing to Commander (mo), Seventeenth Coast Guard District at the address under **ADDRESSES**. The request should include the reasons why an additional hearing would be beneficial. If it determines that the opportunity for additional oral presentations will aid this rulemaking, the Coast Guard will hold an additional public hearing at a time and place announced by a later notice in the **Federal Register**.

Regulatory History

On March 25, 1999, the Coast Guard published a Notice of Proposed Rulemaking (NPRM) entitled ''Anchorage ground, safety zone, speed limit, Tongass Narrows and Ketchikan, AK'' in the **Federal Register** (64 FR 14414). The Coast Guard received 8 letters, including two petitions, regarding the proposed rule during a 45-day comment period. A public hearing was held on March 26th at the Ted Ferry Civic Center in Ketchikan, AK.

Background and Purpose

During the last two years the Coast Guard and the Federal Aviation Administration have held a series of public meetings in Ketchikan, Alaska, to assess maritime traffic, congestion, safety, and wake concerns in Tongass Narrows. The individuals and groups represented at these meetings included recreational vessel operators, passenger vessel operators, commercial fishing vessel operators, commercial kayak operators, floatplane operators, charter vessel operators, and local residents.

The Notice of Proposed Rulemaking proposed changes to the seven-knot speed limit on Tongass Narrows. The existing speed limit did not address the needs of floatplane traffic, may have unnecessarily slowed the transits of smaller vessels, and did not apply in the northern portions of Tongass Narrows where traffic congestion and wake from larger vessels had become a concern. The proposed changes extended the speed zone northward to Channel Island, but exempted vessels of 26 feet or less in length.

The Notice of Proposed Rulemaking also proposed to re-designate the safety zone in Ketchikan Harbor as an anchorage ground. Vessels transiting the anchorage ground other than those engaged in anchoring evolutions would be required to proceed through the anchorage by the most direct route without delay or sudden course changes. The redesignation of the area would reflect its actual use as an anchorage for large passenger vessels. The slow or erratic operation of small vessels in the former safety zone has made it very difficult for large vessels to safely maneuver to and from anchor. The requirement that transiting vessels proceed through the anchorage directly, without delay or sudden course changes, would make the final approach, anchoring, and departure of very large passenger vessels, safer for the vessels involved.

Discussion of Comments and Changes

The Coast Guard received comments from 134 persons regarding the proposed rule. The comments included oral comments made at the public meeting, 2 petitions with multiple signatures, 5 letters from small businesses and 1 letter from a private individual. Responses to these comments and changes made in the proposed rule are discussed in the following paragraphs.

The most frequent comments addressed the northward extension of the seven-knot boundary to Channel Island. Of the 134 persons that commented on the proposed rule (several persons commented on multiple aspects of the proposed rule), 129 commented on the northward extension. Three comments favored the proposed extension of the seven-knot boundary to Channel Island. Six comments were opposed to any extension of the seven-knot boundary; and 120 comments favored a slight extension of the zone. One hundred and five persons stated that an extension of Wolf Point would be appropriate. Fifteen persons stated that an extension to Tongass Narrows Buoy 9 was needed but to extend the zone no further than Tongass Narrows Lighted Buoy 10.

These comments also raised the concern of possible financial impact on the charter sport fishing industry. This was due to the proposed extension of the seven-knot zone boundary northward 3 nautical miles to Channel Island, which may have increased charter vessel transit time by as much as 50 minutes during a 5-hour charter. The Coast Guard believes that an extension of the current boundary from Charcoal Point, northward, is necessary to provide a safe operating area for the Ketchikan International Airport Ferry, for floatplanes using the Ketchikan International Airport floatplane facility and for vessels using the facilities at Petro Alaska's fuel pier. The Coast Guard agrees that an extension of the seven-knot zone to Tongass Narrows Buoy 9 would satisfy these safety concerns. Additionally, this northerly extension of the boundary (approximately 1600 yards) results in an increase in transit time of just 13 minutes round trip (for a vessel that would otherwise have traveled at 21

knots). The Coast Guard believes that the economic impact of this small increase in transit time on the charter sport fishing industry or other vessels is minor when considering the enhanced safety benefits provided to floatplanes, ferry traffic and fueling operations.

Two persons commented on the southern boundaries of the seven-knot speed limit. One comment stated that the existing boundary of Idaho Rock was appropriate. One comment recommended modifying the southern boundaries in the east channel, to the Coast Guard Base; and in the west channel, to a line running from East Clump light to Pennock Reef light to the southern most point of Radenbough Cove on Pennock Island. The Coast Guard, after due consideration, agrees that the southern boundaries of the zone can be reduced. The southern boundaries of the speed zone are moved northward approximately 1000 yards in the east channel and 3000 yards in the west channel. The new boundaries will be marked by Tongass Narrows East Channel Regulatory Buoy and Tongass Narrows West Channel Regulatory Buoy, respectively. These buoys are white, cylindrical buoys with an orange line at the top and bottom and an orange circle containing the words ''7 knots''.

The Coast Guard believes that the decrease in transit times for charters in the southern reaches of Tongass Narrows more than offsets the slight increase in transit time for charters in the northern reaches of Tongass Narrows.

Twenty comments were received regarding the size exemption for vessels 26 feet or under. Of these comments, 15 were in the form of a petition and stated that there should be an exemption for planing hull vessels. This suggested exemption would allow planing hull vessels 26 feet or under in length to operate at any speed within the seven-knot zone and would create a speed corridor for planing hull vessels from 26–40 feet in length from Tongass Narrows Buoy 9 to Channel Island. This petition favored keeping the seven-knot speed limit for displacement hull vessels and extending the limit for displacement hull vessels to Channel Island. The petition also stated that the proposed rule would create a financial advantage for those charter operators using vessels of 26 feet in length or less. One comment recommended reducing the size of the exempted vessels to 24 feet and one favored an exemption for only open skiffs. One comment received favored an exemption for planing hull vessels and vessels of 26 feet or less in length; and 2 comments recommended keeping the 26 feet or less length limit for all vessels, regardless of hull type.

Additionally, several comments were received that pointed out that the 26 feet or less exemption split the charter sport fishing industry and provided an unfair advantage to those persons running charters on vessels of 26 feet in length or less.

The Coast Guard agrees that the proposed rule would unintentionally create an unfair advantage for a portion of the charter sport fishing industry. The Coast Guard considered the recommendations to exempt planing hull vessels from the seven-knot speed limit but does not agree. This is because an exemption based on hull type would most likely split the charter or other commercial fishing fleets and cause unfair economic advantages. In addition, an exemption based on hull type would be very difficult to enforce due to the variety of hull types and nomenclature. Therefore, the Coast Guard has changed the exemptions in the interim rule to read ''no vessel, except floatplanes during landings and take-offs and non-commercial, open skiffs of less than 20 feet in length shall exceed a speed of seven-knots * * *''

Two comments were received regarding the re-designation of the safety zone to an anchorage. One comment was in favor of the change and the other questioned if the proposed change would impact the waterfront operation. The Coast Guard intends for this rule to allow free and unrestricted access to waterfront facilities as is the current practice. This portion of the rule remains unchanged.

No comments were received concerning the exemption of floatplans during take-offs and landings. This portion of the rule remains unchanged.

One hundred and five comments were received regarding the degree and focus of enforcement of the existing seven-knot rule. The Coast Guard recognizes the need for fair and equitable enforcement and anticipates the interim rule will help achieve these ends.

One comment was received regarding the removal of 2 underwater obstructions. This comment is outside the scope of this rule making and is therefore not addressed in the interim rule. The comment was forwarded to the U.S. Army Corps of Engineers for review and consideration.

Discussion of Interim Rule

The interim rule changes the existing seven-knot speed zone on Tongass Narrows. The new speed zone is bounded on the north by Tongass Narrows Buoy 9; marked by a green can buoy located at the northwest end of the Ketchikan International Airport. The southern boundaries are reduced in the east channel to a point just northwest of the City of Saxman at approximate position 55°19′ 22.0″ N, 131°36′40.5″ W, and in the west channel at approximate position 55°19′ 28.5″ N, 131°39′09.7″ W. A regulatory buoy, that is white with an orange line at the top and bottom and an orange circle with the words ''7 knots'', will mark these positions.

The interim rule exempts ''non-commercial, open skiffs of less than 20 feet in length'' from the seven-knot speed limit. The existing rule was applicable to all vessels regardless of size or type. Because of the unique nature of Tongass Narrows, many of the local residents must commute between the islands in small open skiffs. These commuters may have to make numerous trips each day regardless of weather. The existing rule caused undue delay and may have caused increased safety risks for this class of vessels. The proposed rule attempted to exempt vessels 26 feet in length or less but had the unintended affect of splitting the charter sport fishing industry; thereby giving a competitive advantage to smaller charter vessels. The Coast Guard agrees that this economic impact is unacceptable and has withdrawn that exemption from the interim rule.

By exempting ''non-commercial, open skiffs of less than 20 feet in length'', the traffic congestion in the affected areas of Tongass Narrows should be eased and the safety of the non-commercial operators in open skiffs enhanced. With the exemption for these entities, they will be able to depart from, or transit through the congested areas more quickly. This in turn should ease congestion and reduce navigational conflicts that have arisen between slow moving small boats and cruise ships and other large waterway users and will allow them to spend less time on the water during periods of inclimate weather. Large wakes would not become a problem because the exemption is limited to smaller vessels and because Tongass Narrows regularly experiences substantial wave action that is equivalent to the wake from these smaller vessels. The speed limit will be retained for all other vessels, except floatplanes.

Due to safety considerations, the Coast Guard has determined there is good cause to make this rule effective immediately upon publication instead of waiting the usual 30-day period required by 5 U.S.C. 553(d). The immediate implementation is needed so that the interim rule may be in place by the beginning of the 1999 summer boating season.

The Coast Guard encourages persons to comment on the effectiveness of the interim rule, especially during the busy summer season. The Coast Guard will review all written comments received and oral comments made at the public hearing and will consider these comments prior to the publishing of the Final Rule in the fall of 1999.

Regulatory Evaluation

This interim 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 interim rule to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary. This is because the regulation is designed to reduce the impacts of the speed limit upon waterway users. With regards to the northward extension of the seven-knot zone, the majority of the comments received on the proposed rule recognized the need for a slow speed area in the vicinity of the Ketchikan International Airport Ferry Terminal and the Ketchikan International Airport Floatplane Facility, but objected to the full extension to Channel Island. After reviewing the comments submitted and listening to the oral arguments, the Coast Guard concurred and has revised the northern boundary. The Coast Guard also reduced the boundaries on the southern end of the zone to further reduce the impact of the present regulation to vessel operators. The new requirement to proceed directly, without erratic maneuvering, through the anchorage area, is expected, in combination with the relaxation of the speed limit for non-commercial open skiffs, to result in less congestion and quicker and safer transits for all users over the course of the summer season.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard considers whether this interim rule will have significant economic impacts on a substantial number of small entities. ''Small entities'' include small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard believes there may be some impact to small entities, but that it will be minimal or non-existent, based on the extensive comments received from the charter sport fishing industry. This is because the area bounded by the seven-knot zone is reduced substantially on the southern end and is extended only slightly in the northern portion of Tongass Narrows. This reduction in the overall size of the speed zone will ease the transit times of the charter sport fishing community. Although no comment was received regarding the economic impacts on other users, the Coast Guard believes such impact will generally be beneficial because the combination of regulatory changes should reduce congestion and navigational conflicts throughout the waterway and make transits safer and more efficient for all user groups. 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. If however, you think that your business or organization qualifies as a small entity and that this proposed rule will have a significant economic impact on your business or organization, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and in what way and to what degree this proposed rule will economically affect it.

Collection of Information

This interim rule does not provide for a collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this interim rule under the principles and criteria contained in E.O. 12612 and has determined that this interim rule does not have sufficient implications for federalism to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard considered the environmental impact of this interim rule and concluded that under figure 2–1, paragraph (34)(g) of COMDTINST M18475.1C, this interim rule is categorically excluded from further environmental documentation because it establishes a regulated navigation area. A ''Categorical Exclusion Determination'' is available in the docket for inspection or copying where indicated under **ADDRESSES**.

Unfunded Mandates

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) and E.O. 12875, Enhancing the Intergovernmental Partnership, (58 FR 58093; October 28, 1993) govern the issuance of Federal regulations that require unfunded mandates. An unfunded mandate is a regulation that requires a State, local, or tribal government or the private sector to incur direct costs without the Federal Government's having first provided the funds to pay those costs. This rule will not impose an unfunded mandate.

Taking of Private Property

This rule will not effect a taking of private property or otherwise have taking implications under E.O. 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of E.O. 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this proposed rule under E.O. 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not concern an environmental risk to health or risk to safety that may disproportionately affect children.

List of Subjects

33 CFR Part 110

Anchorage grounds.

33 CFR Part 162

Navigation (water), Waterways.

33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and record keeping requirements, Security Measures, Waterways.

Regulation

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 162 as follows:

PART 162—[AMENDED]

1. The authority citation for Part 162 continues to read as follows:

Authority: 33 U.S.C. 1231; 49 CFR 1.46.

2. Revise § 162.240(b) to read as follows:

§ 162.240 Tongass Narrows, Alaska; navigation.

* * * * *

(b) No vessel, except for floatplanes during landings and take-offs and non-commercial, open skiffs of less than 20

feet in length, shall exceed a speed of seven knots in the region of Tongass Narrows East Channel Regulatory Buoy at position 55°19′22.0″ N 131°36′40.5″ W and Tongass Narrows West Channel Regulatory Buoy at position 55°19′28.5″ N 131°39′09.7″ W, respectively.

* * * * *

PART 110—[AMENDED]

PART 165—[AMENDED]

3. The authority citation for part 110 continues to read as follows:

Authority: 33 U.S.C. 471, 33 U.S.C. 2071; 33 CFR 1.05–1(g); 49 CFR 1.46. Section 110.1a and each section listed in it are also issued under 33 U.S.C. 1223 and 1231.

4. 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), 6.04–6, and 160.5; 49 CFR 1.46. Section 165.100 is also issued under the authority of sec. 311, Pub. L. 105–383.

§ 165.1705 [Redesignated as § 110.231 and revised]

5. Section 165.1705 is redesignated as § 110.231 and is revised to read as follows:

§ 110.231 Ketchikan Harbor, Alaska, Large Passenger Vessel Anchorage.

(a) *The anchorage grounds. Ketchikan Harbor, Alaska, Large Passenger Vessel Anchorage.* The waters of Ketchikan harbor, Ketchikan, Alaska, enclosed by the following boundary lines: A line from Thomas Basin Entrance Light ''2'' to East Channel Lighted Buoy ''4A'', to Pennock Island Reef Lighted Buoy ''PR'', to Wreck Buoy ''WR6'', then following a line bearing 064 degrees true to shore. This anchorage is effective 24 hours per day from 1 May through 30 September, annually.

(b) *The regulations.* (1) When transiting through the anchorage, all vessels using propulsion machinery shall proceed across the anchorage by the most direct route and without unnecessary delay. Sudden course changes within the anchorage are prohibited.

(2) No vessels, other than a large passenger vessel of over 1600 gross tons, (including ferries), may anchor within the anchorage without the express consent of the Captain of the Port, Southeast Alaska.

Dated: May 14, 1999.

A. Regalbuto,

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

[FR Doc. 99–13935 Filed 6–1–99; 8:45 am]

BILLING CODE 4910–15–M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR PART 117

[CGD08–99–033]

RIN 2115–AE47

Drawbridge Operating Regulation; Massalina Bayou, FL

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule; request for comments.

SUMMARY: The Commander, Eighth Coast Guard District is temporarily changing the regulation governing the operation of the Tarpon Dock bascule span drawbridge across Massalina Bayou, mile 0.0, at Panama City, Bay County, Florida. The draw of the bridge may remain closed o navigation from 9 p.m. until 11 p.m. on July 4, 1999. This temporary rule is issued to facilitate movement of vehicular traffic associated with a fireworks display. Presently the draw opens on signal at all times.

DATES: This rule is effective from 9 p.m. to 11 p.m. on July 4, 1999. Comments must be received on or before June 28, 1999

ADDRESSES: The public docket and all documents referred to in its notice are available for inspection or copying at the office of the Eighth Coast Guard District, Bridge Administration Branch, Hale Boggs Federal Building, room 1313, 501 Magazine Street, New Orleans, Louisiana 70130–34396 between 7 a.m. and 4 p.m. Monday through Friday, except Federal holidays. You may also mail comments to the address given above or deliver them to the same address between 7 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Phil Johnson, Bridge Administration Branch, at the address given above. Telephone (504) 589–2965.

SUPPLEMENTARY INFORMATION:

Requests for Comments

The Coast Guard encourages interested parties to participate in this rulemaking by submitting written data, views, or arguments. Persons submitting comments should include their names and addresses, identify this rulemaking (CGD08–99–033) and the specific section of this document to which each comment applies, and give the reason for each comment. Please submit two copies of all comments and attachments in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. Persons wanting acknowledgment of receipt of comments should enclose stamped, self-addressed postcards or envelopes. The Coast Guard will consider all comments received during the comment period. This temporary rule may be changed in view of the comments.

Background

The City of Panama City, Florida requested a temporary rule, changing the operation of the Tarpon Dock bascule span drawbridge. The rule is needed to accommodate the additional volume of vehicular traffic that the fireworks display is expected to generate.

Discussion of Temporary Rule

The Tarpon Dock bascule span drawbridge across Massalina Bayou has a vertical clearance of 7 feet above mean high water in the closed-to-navigation position and unlimited in the open-to-navigation position. Navigation on the waterway consists primarily of commercial fishing vessels, sailing vessels and other recreational craft.

A comment period is being provided for interested parties to express their views. If comments are received, the Coast Guard may change this rule.

Regulatory Evaluation

This temporary rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential cost 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 temporary rule to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary. This is because the number of vessels impaired during the closed-to-navigation period is minimal.

All commercial vessels still have ample opportunity to transit this waterway before and after the two-hour closure on July 4, 1999.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this temporary rule will have a significant economic impact on a substantial number of small entities. ''Small entities'' may include small businesses, not-for-profit organizations that are independently owned and operated and are not