

PART 706—[AMENDED]

Accordingly, 32 CFR Part 706 is amended as follows:

1. The authority citation for 32 CFR Part 706 continues to read:
 Authority: 33 U.S.C. 1605.

§ 706.2 [Amended]

2. Table Three of § 706.2 is amended by adding the following vessel:

TABLE 3

Vessel	No.	Masthead lights arc of visibility; rule 21(a)	Side lights arc of visibility; rule 21(b)	Stern light arc of visibility; rule 21(c)	Side lights distance in-board of ship's sides in meters 3(b) annex 1	Stern light, distance forward of stern in meters; rule 21(c)	Forward anchor light, height above hull in meters; 2(K) annex 1	Anchor lights relationship of aft light to forward light in meters 2(K) annex 1
YTB-820	YTB-820	*	*	*	3.08	14.20	*	*

3. Table Four of § 706.2 is amended by adding the following vessel to Paragraph 14:

Vessel No.	Distance in meters of aux. masthead light below minimum required height. Annex I, sec. 2(a)(i)
YTB-820	3.30

regulation for a racing event called the Whatever Festival Hydroplanes. The race will be held annually on the fourth weekend in June in the waters of the Kennebec River, Augusta, ME. This regulation is needed to protect the boating public from the hazards associated with high speed hydroplane racing in confined waters.

EFFECTIVE DATES: This rule is effective October 30, 1995.

FOR FURTHER INFORMATION CONTACT: Lieutenant (Junior Grade) B. M. Algeo, Chief, Boating Affairs Branch, First Coast Guard District, (617) 223-8311.

SUPPLEMENTARY INFORMATION:

Drafting Information

The drafters of this rule are Lieutenant (Junior Grade) B. M. Algeo, Project Manager, First Coast Guard District, and Lieutenant Commander S. R. Watkins, Project Counsel, First Coast Guard District Legal Office.

Background and Purpose

On February 3, 1995, the sponsor, Kennebec Valley Chamber of Commerce, submitted a request to hold a hydroplane race on the Kennebec River, Augusta, ME. The sponsor plans to hold such a race every year in late June. In response, the Coast Guard is establishing a permanent special local regulation on the Kennebec River for this event known as the "Whatever Festival Hydroplanes." This rule establishes a regulated area on the Kennebec River and provides specific guidance to control vessel movement during the race.

This event will include up to 50 hydroplanes competing on a rectangular course at speeds approaching 70 m.p.h. Due to the inherent dangers of a race of this type, vessel traffic will be temporarily restricted to provide for the safety of the spectators and participants.

The sponsor will provide a minimum of four safety boats, two manned with divers, and an EMT rescue ambulance on shore. All sponsor resources will be identified with regatta signs or flags in accordance with American Power Boat Association requirements. A Coast Guard patrol also will be assigned to the event. The race course will be well-marked and patrolled, but due to the speed and proximity of the participating vessels, it is necessary to establish a special local regulation to control spectator and commercial vessel movement within the confined area.

Regulatory History

A Notice of Proposed Rulemaking (NPRM) was published for this rule on 26 April 1995 (60 FR 20463); no comments were received and no changes were made to the original proposal.

Discussion of Rule

The Coast Guard is establishing a special local regulation on specified waters of the Kennebec River, Augusta, Maine. The regulated area will be closed to all traffic annually on the fourth weekend in June. In emergency situations, provisions will be made to establish safe escort by Coast Guard designated vessels for mariners requiring transit through any regulated area. This regulation is needed to

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD01-95-036]

Special Local Regulation: Whatever Festival Hydroplanes, Kennebec River, Augusta, ME

AGENCY: Coast guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is establishing a permanent special local

protect spectators and participants from the hazards that accompany a high speed powerboat race in a confined area.

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 to be so minimal that a full Regulatory Evaluation, under paragraph 10e of the regulatory policies and procedures of DOT, is unnecessary. This conclusion is based on the limited duration of the race, the extensive advisories that will be made to the affected maritime community, and the fact that the event is taking place in an area where the only commercial interests affected are a few marinas.

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 small businesses that are not dominant in their fields and that otherwise qualify as "small business concerns" under section 3 of the Small Business Act (15 U.S.C. 632).

For the reasons discussed in the Regulatory Evaluation, 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.

Collection of Information

This rule contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this rule in accordance with 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 impacts of this special local regulation as well as the Whatever

Festival Hydroplanes race. An Environmental Assessment (EA) was prepared for the Whatever Festival Hydroplanes race for which a Coast Guard Marine Event Permit will be issued. A Finding of No Significant Impact (FONSI) was made; a copy of the EA and FONSI statement are available in the docket. Under paragraph 2.B.2.e.34(h) of COMDTINST 16475.1B, promulgation of this special local regulation is categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 100

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

For the reasons set out in the preamble, the Coast Guard amends 33 CFR part 100 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 and 33 CFR 100.35.

2. A permanent section, § 100.109, is added to read as follows:

§ 100.109 Whatever Festival Hydroplanes, Augusta, ME.

(a) *Regulated Area.* This regulated area includes all waters within the following points and provides a 100 yard minimum safety zone around the race course:

Latitude	Longitude
44°19.01" N	069°46.22" W
44°19.00" N	069°46.18" W
44°18.37" N	069°46.26" W
44°18.36" N	069°46.16" W

(b) *Special Local Regulations.*

(1) Commander, U.S. Coast Guard Group Portland reserves the right to delay, modify, or cancel the race as conditions or circumstances require.

(2) No person or vessel may enter, transit, or remain in the regulated area during the effective period of regulation unless participating in the event or unless authorized by the Coast Guard patrol commander.

(3) Vessels desiring to transit the river may do so without Coast Guard approval as long as the vessel remains outside the regulated areas at specified times. In the event of an emergency, the Coast Guard patrol commander may authorize a vessel to transit through the regulated areas with a Coast Guard designated escort in between race heats. No vessel will be allowed to transit through any portions of the regulated area during the actual race. Vessels encountering emergencies which require transit through the regulated

areas should contact the Coast Guard patrol commander on VHF Channel 16.

(4) Spectator craft are authorized to watch the race from any areas as long as they remain outside the designated regulated areas. There will be no movement of spectator craft during each heat of the race. Spectator craft area expected to remain outside the safety zone during race times unless permission has been granted by the patrol commander.

(5) All persons and vessels shall comply with the instructions of the Commander, U.S. Coast Guard Group Portland or the designated on-scene patrol commander. On-scene patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard. Upon hearing five or more short blasts from a U.S. Coast Guard vessel, the operator of a vessel shall stop immediately, then proceed as directed. Members of the Coast Guard Auxiliary also will be present to inform vessel operators of this regulation and other applicable laws.

(c) *Effective period.* This rule will be effective annually on the fourth weekend in June, at times to be prescribed in a Coast Guard Local Notice to Mariners and a notice in the Federal Register.

Dated: September 14, 1995.

J.L. Linnon,

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

[FR Doc. 95-24107 Filed 9-27-95; 8:45 am]

BILLING CODE 4910-14-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 62

[VA9-3-5469, VA9-8-5474; FRL-5262-7]

Approval and Promulgation of Air Quality Implementation Plans; Virginia (Approval of Miscellaneous Revisions); Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Virginia (Approval of Revision to the Section 111(d) Plan for Sulfuric Acid Mist)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is approving both a State Implementation Plan (SIP) revision and a Section 111(d) plan revision submitted by the Commonwealth of Virginia. These revisions incorporate changes which were adopted by Virginia in 1985 as part of a reorganization of Virginia's air pollution control regulations, and