

Order 12866. Therefore, no regulatory impact analysis has been prepared.

The requirements of the Unfunded Mandates Reform Act of 1995 (Public Law 104-5) do not apply to non-notice rules issued under 5 U.S.C. 553(b).

Regulatory Flexibility Analysis

Because no notice of proposed rulemaking is required for the rule under 5 U.S.C. 553(b), the requirements of the Regulatory Flexibility Act, Public Law 96-354, 94 Stat. 1165, 5 U.S.C. 601 *et seq.* pertaining to regulatory flexibility analysis, do not apply to this rule. See 5 U.S.C. 601(2). In any event, this rule will not have a significant economic impact on a substantial number of small entities. The obligations and responsibilities established under the regulations to be removed from title 29 ceased with the Fiscal Year ending September 30, 1992.

Document Preparation. This document was prepared under the direction and control of Maria Echaveste, Administrator, Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor.

List of Subjects in 29 CFR Parts 502 and 503

Administrative practice and procedures, Agriculture, Aliens, Farmers, Immigration, Investigations, Penalties, Reporting requirements, Transportation.

Promulgation of Final Rule

For the reasons set out in the preamble:

PART 502—[REMOVED]

1. Under the authority of 5 U.S.C. 301 and Reorganization Plan Number 6 of 1950 (64 Stat. 1263) and 5 U.S.C. 552-556, Title 29, Code of Federal Regulations, is hereby amended by removing part 502.

PART 503—[REMOVED]

2. Under the authority of 5 U.S.C. 301 and Reorganization Plan Number 6 of 1950 (64 Stat. 1263) and 5 U.S.C. 552-556, Title 29, Code of Federal Regulations, is hereby amended by removing part 503.

Signed at Washington, D.C., on this 20th day of October, 1995.

Maria Echaveste,

Administrator, Wage and Hour Division.

[FR Doc. 95-26534 Filed 10-25-95; 8:45 am]

BILLING CODE 4510-27-M

29 CFR Parts 517 and 526

Training Wage and Seasonal Industry Provisions Under the Fair Labor Standards Act

AGENCY: Wage and Hour Division, Employment Standards Administration, Labor.

ACTION: Final rule; removal of regulations.

SUMMARY: The Department of Labor is issuing a final rule to remove the regulations found at 29 CFR parts 517 and 526, which were promulgated under the Fair Labor Standards Act (FLSA). These regulations implement provisions of the FLSA which have ended or were repealed by subsequent amendments. The training wage authorization under 29 CFR part 517 expired March 31, 1993, and the partial exemptions from the FLSA's overtime requirements for employees in industries of a seasonal nature or for employees in industries with annual recurring seasonal peaks of operation were repealed by 1974 amendments effective December 31, 1976. These regulations do not affect the current operation of any program and are being removed from the CFR.

EFFECTIVE DATE: This rule is effective November 27, 1995.

FOR FURTHER INFORMATION CONTACT: Richard M. Brennan, Acting Director, Division of Policy and Analysis, Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Room S-3506, 200 Constitution Avenue NW., Washington, DC 20210; telephone (202) 219-8412. This is not a toll free number.

SUPPLEMENTARY INFORMATION:

I. Paperwork Reduction Act

This rule contains no reporting or recordkeeping requirements subject to the Paperwork Reduction Act of 1980 (Pub. L. 96-511). Information collection requirements under these regulations, previously approved by the Office of Management and Budget, have expired.

II. Background

Section 6 of The Fair Labor Standards Amendments of 1989 (Public Law 101-157), enacted on November 17, 1989, among other provisions, permitted employers to pay employees under the age of 20 a training wage rate of at least 85 percent of the minimum wage for up to 90 days. Different employers were permitted to pay the employee the training wage for an additional 90 days if such employer(s) provided on-the-job training in accordance with criteria established by the Secretary. The new

training wage provisions were effective from April 1, 1990 through March 31, 1993, and were implemented by Regulations, 29 CFR part 517, on March 1, 1990 (55 FR 7450). Because the training wage authority ceased on March 31, 1993, the regulations at 29 CFR part 517 do not effect the current operation of any program.

Regulations, 29 CFR part 526, were promulgated pursuant to partial overtime exemptions in §§ 7 (c) and (d) of the FLSA for employers employing employees in an industry found by the Secretary to be of a seasonal nature; or for employers who employ employees in industries found by the Secretary to be characterized by marked annual recurring peaks of operation, or to be of a seasonal nature and engaged in the handling, packing, storing, preparing, first processing, or canning of any perishable agricultural or horticultural commodities in their raw or natural state. The exemptions provided by §§ 7 (c) and (d) were repealed by Section 19 of the Fair Labor Standards Amendments of 1974 (Public Law 93-259, enacted April 8, 1974, 88 Stat. 55), effective as of December 31, 1976. The regulations at 29 CFR part 526 do not affect the current operation of any program.

For the above reasons, the Department has decided that it is no longer necessary to continue publication of these regulations in future editions of title 29, and the regulations are, therefore, being removed from the CFR.

Executive Order 12866/Section 202 of the Unfunded Mandates Reform Act of 1995

This rule is not a "significant regulatory action" within the meaning of Executive Order 12866. The regulations at 29 CFR parts 517 and 526 do not affect the current operation of any program, and their removal from title 29 will not: (1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; (2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; (3) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in Executive Order 12866. Therefore, no regulatory impact analysis has been prepared.

The requirements of the Unfunded Mandates Reform Act of 1995 (Public Law 104-5) do not apply to non-notice rules issued under 5 U.S.C. 553(b).

Regulatory Flexibility Analysis

Because no notice of proposed rulemaking is required for the rule under 5 U.S.C. 553(b), the requirements of the Regulatory Flexibility Act, Public Law 96-354, 94 Stat. 1165, 5 U.S.C. 601 *et seq.* pertaining to regulatory flexibility analysis, do not apply to this rule. See 5 U.S.C. 601(2). In any event, this rule will not have a significant economic impact on a substantial number of small entities. The obligations and responsibilities established under the regulations to be removed from title 29 have either ceased or have been repealed.

Document Preparation. This document was prepared under the direction and control of Maria Echaveste, Administrator, Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor.

List of Subjects

29 CFR Part 517

Employment, Investigations, Labor, Law enforcement, Training.

29 CFR Part 526

Agriculture, Employment, Labor, Wages.

Promulgation of Final Rule

For the reasons set out in the preamble:

PART 517—[REMOVED]

1. Under the authority of 5 U.S.C. 301 and Reorganization Plan Number 6 of 1950 (64 Stat. 1263) and 5 U.S.C. 552-556, Title 29, Code of Federal Regulations, is hereby amended by removing part 517.

PART 526—[REMOVED]

2. Under the authority of 5 U.S.C. 301 and Reorganization Plan Number 6 of 1950 (64 Stat. 1263) and 5 U.S.C. 552-556, Title 29, Code of Federal Regulations, is hereby amended by removing part 526.

Signed at Washington, D.C., on this 20th day of October, 1995.

Maria Echaveste,

Administrator, Wage and Hour Division.

[FR Doc. 95-26533 Filed 10-25-95; 8:45 am]

BILLING CODE 4510-27-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD05-95-023]

Drawbridge Operation Regulations; York River, Yorktown, VA

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is adopting as final the interim rule published in the Federal Register on June 14, 1995, changing the regulations governing the operation of the drawbridge across York River, mile 7.0, at Yorktown, Virginia, by extending the periods of restricted bridge openings during the morning and evening rush hours. This is intended to provide relief to highway traffic during the extended rush hours on the roads and highways linked by this drawbridge, while still providing for the reasonable needs of navigation.

EFFECTIVE DATE: This rule is effective on November 27, 1995.

FOR FURTHER INFORMATION CONTACT:

Ann B. Deaton, Bridge Administrator, Fifth Coast Guard District, at (804) 398-6222.

SUPPLEMENTARY INFORMATION:

Drafting Information: The principal persons involved in drafting this document are Linda L. Gilliam, Project Manager, Bridge Administration Section, and CAPT R. A. Knee, Project Counsel, Fifth Coast Guard District Legal Office.

Regulatory History

On June 14, 1995, the Coast Guard published an interim final rule with request for comments entitled York River, Yorktown, Virginia, in the Federal Register (60 FR 31246). The comment period ended September 12, 1995. The Coast Guard received no comments on the interim final rule. On July 7, 1995, the Coast Guard issued Public Notice 5-857 requesting comments on the interim final rule. The comment period ended September 12, 1995. The Coast Guard received no comments on the public notice. A public hearing was not requested and one was not held.

Background and Purpose

The Virginia Department of Transportation requested further regulation of the George P. Coleman Memorial Bridge across York River, mile 7.0, at Yorktown, Virginia, during the morning and evening rush hours. The Coast Guard is extending the periods of restricted bridge openings during the

morning and evening rush hours by requiring the bridge to remain closed from 5 a.m. to 8 a.m. and from 3 p.m. to 7 p.m., Monday through Friday, except Federal holidays, year round. Vessels in distress, or in an emergency situation will be allowed passage through the bridge at any time as stated in Title 33 CFR 117.31(b).

The Virginia Department of Transportation's (VDOT) request was based in part on traffic problems associated with current construction of a new bridge at this location. VDOT also cited an increase in highway traffic crossing the bridge since the Park Service recently closed access to Route 17 at the Colonial Parkway and a change in the operating schedule of the Newport News Shipbuilding and Drydock which has resulted in motorists crossing the bridge earlier in the morning and later in the evening.

In developing this schedule, the Coast Guard considered all views, and believes this final rule will not unduly restrict vessel passage through the bridge, since vessel operators can plan transits around the operating schedule. The Coast Guard believes that it is in the public interest to further limit openings of the Coleman Bridge.

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.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the U.S. Coast Guard must consider whether this final 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 field and that otherwise qualify as "small business concerns" under section 3 of the Small Business Act (15 U.S.C. 632). Because it expects the impact of this rule to be minimal, the Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a