

(2) Diesel fuel that satisfies the dyeing and marking requirements of § 48.4082-1 (b) and (c) is blended with any other liquid (other than diesel fuel) that contains the type and amount of dye and marker required for diesel fuel dyed and marked in accordance with § 48.4082-1 (b) and (c).

(3) Diesel fuel that is dyed one color in accordance with § 48.4082-1(b) is blended with diesel fuel that is dyed another color in accordance with § 48.4082-1(b).

(4) Diesel fuel that does not satisfy the dyeing and marking requirements of § 48.4082-1 (b) and (c) is blended with diesel fuel that satisfies the dyeing and marking requirements of § 48.4082-1 (b) and (c) and the blending occurs as part of a use described in § 48.4082-4(c) or § 48.6427-8(b)(vi) (C), (D), or (E).

(b) *Effective date.* This section is effective January 1, 1994.

PART 602—OMB CONTROL NUMBERS UNDER THE PAPERWORK REDUCTION ACT

Par. 54. The authority citation for part 602 continues to read as follows:

Authority: 26 U.S.C. 7805.

Par. 55. In § 602.101, paragraph (c) is amended as follows:

1. Removing the following entries from the table:

§ 602.101 OMB Control numbers.

* * * * *
(c) * * *

CFR part or section where identified and described	Current OMB control number
* * * * *	* * * * *
42.5(b)	1545-1206
* * * * *	* * * * *
48.4041-2T	1545-0143
* * * * *	* * * * *
48.4082-2T	1545-1418
48.4101-1	1545-0023
	1545-0725
	1545-0014
48.4101-2T	1545-0725
48.4101-3T	1545-1418
48.4101-4T	1545-1418
* * * * *	* * * * *
48.6427-8T	1545-1418
48.6427-9T	1545-1418
* * * * *	* * * * *

2. Adding entries in numerical order to the table to read as follows:

§ 602.101 OMB Control numbers.

* * * * *
(c) * * *

CFR part or section where identified and described	Current OMB control number
* * * * *	* * * * *
48.4082-2	1545-1418
48.4101-1	1545-1418
48.4101-2	1545-1418
* * * * *	* * * * *
48.6427-8	1545-1418
48.6427-9	1545-1418
* * * * *	* * * * *

Margaret Milner Richardson,
Commissioner of Internal Revenue.

Approved: December 18, 1995.

Leslie Samuels.

Assistant Secretary of the Treasury.

[FR Doc. 96-5586 Filed 3-13-96; 8:45 am]

BILLING CODE 4830-01-P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Subchapter D and Part 81

[CGD 95-053]

RIN 2115-AF16

Removal of 72 Colregs Text From CFR and Revision of Subchapter D Note

AGENCY: Coast Guard, DOT.

ACTION: Direct Final rule; confirmation of effective date.

SUMMARY: On January 2, 1996, the Coast Guard published a direct final rule (61 FR 8) which notified the public of the Coast Guard's intent to remove the text of the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS) from the CFR, which merely duplicates text found in the United States Code. This rule also updates the note containing a list of U.S. territories and possessions where the 72 COLREGS apply. The Coast Guard has not received any adverse comments or any notice of an intent to submit adverse comments objecting to this rule as written. Therefore, this rule will go into effective as scheduled.

DATES: The effective date of the direct final rule is confirmed as April 1, 1996.

FOR FURTHER INFORMATION CONTACT: Diane Schneider-Appleby, Vessel Traffic Management Division (G-MVO), at 202-267-0352.

Dated: March 7, 1996.

G.N. Naccara,

Acting Chief, Office of Marine Safety, Security and Environmental Protection.

[FR Doc. 96-6157 Filed 3-13-96; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 117

[CGD09-95-022]

RIN 2115-AE47

Drawbridge Operation Regulations; Buffalo River, NY

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is changing regulations governing the operation of the Michigan Avenue bridge, mile 1.3, Ohio Street bridge, mile 2.1, South Park Avenue bridge, mile 5.3, and the Conrail railroad bridges at miles 4.02 and 4.39 across the Buffalo River, all at Buffalo, NY, by not requiring drawtenders to be in constant attendance at these bridges. This action will relieve the bridge owners of the burden of having drawtenders in constant attendance at their bridges and still provide for the reasonable needs of navigation.

EFFECTIVE DATE: This rule becomes effective on March 22, 1996.

ADDRESSES: Documents concerning this regulation are available for inspection and copying at 1240 East Ninth Street, Room 2083D, Cleveland, OH 44199-2060 between 6:30 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (216) 522-3993.

FOR FURTHER INFORMATION CONTACT: Mr. Scot M. Striffler, Project Manager, Bridge Branch at (216) 522-3993.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, good cause exists for making this final rule effective less than 30 days after publication in the Federal Register. A delay in effective date is impracticable and contrary to the public interest because the schedule changes set forth in this rule will be implemented by the City of Buffalo on March 22, 1996. A delay is also unnecessary because a notice of proposed rulemaking was published and the Coast Guard queried the affected navigation interests prior to this action and received no objections.

Regulatory History

On October 26, 1995, the Coast Guard published a notice of proposed rulemaking entitled "Drawbridge Operation Regulations; Buffalo River, NY" in the Federal Register (60 FR 54823). No comments were received. A public hearing was not requested and therefore, was not held.

Background and Purpose

The City of Buffalo requested and received approval to remove drawtenders from its bridges during the

winter months on an annual basis in accordance with 33 CFR 117.45.

The City requested that it not be required to keep a drawtender in constant attendance at the Ohio Street bridge and that the drawtender from the Michigan Avenue bridge be used as a roving drawtender to open the Ohio Street bridge for the passage of vessels. Additionally, the city requested that the South Park Avenue bridge, and two Conrail railroad bridges, be allowed to remove drawtenders throughout the year with a requirement to open on signal only when notice is received at least four hours in advance of a vessel's time of intended passage through the draws.

The Coast Guard determined that the removal of drawtenders from these bridges, the advance notice requirement, and the establishment of a roving drawtender at Michigan Avenue bridge would not seriously impact navigation or business on the Buffalo River.

Discussion of Comments and Changes

No comments were received in response to the notice of proposed rulemaking. The Coast Guard queried navigation interests prior to this action and received no objections. Language to amend Appendix A of Part 117 (Drawbridges equipped with radiotelephones) did not appear in the NPRM but has been added to this final rule to facilitate efficient communication between vessels and the Michigan Avenue drawtender, and to enhance safety. In order to clarify radiotelephone procedures, paragraph (f) in the NPRM was revised and moved to paragraph (b)(3) in the final rule.

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. We conclude this because the impact on navigation is minimal and all marine interests in the area agreed to the change during preliminary discussions. Also, the requirement to maintain a marine radiotelephone will enable the roving

drawtender to keep in communication with a transiting vessel, which will allow the vessel to begin approaching the draw in a more timely manner.

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 field and otherwise qualify as "small business concerns" under section 3 of the Small Business Act (15 U.S.C. 632). Since the final rule allows the owners of the highway and railroad bridges to remove drawtenders from the bridges where there is not significant vessel traffic on the Buffalo River, and because those vessels that would transit the river during these times can do so by giving notice in advance of their time of intended passage through the draw, the Coast Guard certifies under 5 U.S.C. 605(b) that this final rule will not have a significant 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 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 considered the environmental impact of this rule and concluded that, under section 2.B.2.e.(32)(e) of Commandant Instruction M16475.1B, promulgation of operating requirements or procedures for drawbridges is categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 117

Bridges.

For reasons set out in the preamble, 33 CFR Part 117 is revised as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for Part 117 continues to read as follows.

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05-1(g); section 117.255 also issued

under the authority of Pub. L. 102-587, 106 Stat. 5039.

2. § 117.773 is revised to read as follows:

§ 117.773 Buffalo River.

(a) The draw of the Michigan Avenue bridge, mile 1.3, at Buffalo, shall operate as follows:

(1) From March 22 through December 15, the draw shall open within 20 minutes of signal. However, the draw need not open from 7:30 a.m. to 9 a.m., and from 4 p.m. to 5:45 p.m., Monday through Saturday.

(2) From December 16 through March 21, the draw shall open on signal if notice is given at least 4 hours in advance of a vessel's time of intended passage through the draw.

(b) The draw of the Ohio Street bridge, mile 2.1, at Buffalo, shall operate as follows:

(1) From March 22 through December 15, the draw shall open on signal within 20 minutes after a request is made to the Michigan Avenue drawtender. However, the draw need not open from 7:30 a.m. to 9 a.m., and from 4 p.m. to 5:45 p.m., Monday through Saturday.

(2) From December 16 through March 21, the draw shall open on signal if notice is given at least 4 hours in advance of a vessel's time of intended passage through the draw.

(3) In addition to the standard signals required for requesting the bridge to open, the owners of this bridge shall maintain and monitor a marine radiotelephone for use by the Michigan Avenue drawtender for receiving requests for opening the Ohio Street bridge. The drawtender shall maintain communications with any transiting vessel until the vessel has cleared both the Ohio Street and Michigan Avenue draws.

(c) The draws of the Conrail railroad bridges, miles 4.02 and 4.39, both at Buffalo, shall open on signal if notice is given at least 4 hours in advance of a vessel's time of intended passage through the draws.

(d) The South Park Avenue bridge, mile 5.3, at Buffalo, shall open on signal if notice is given at least 4 hours in advance of a vessel's time of intended passage through the draw. However, the draw need not open from 7 a.m. to 8:30 a.m., and from 4:30 p.m. to 6 p.m., Monday through Saturday.

(e) The periods when the bridges need not open on signal prescribed in paragraphs (a)(1), (b)(1), and (d) in this section shall not be effective on Sundays, and on New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day,

or days observed in lieu of any of these under State law.

3. Appendix A to Part 117 is amended by adding the Buffalo River under the

State of New York subheading to read as follows:

APPENDIX A TO PART 117.—DRAWBRIDGES EQUIPPED WITH RADIOTELEPHONES

Waterway	Mile	Location	Bridge name and owner	Call sign	Calling channel	Working channel
*	*	*	*	*	*	*
New York:						
*	*	*	*	*	*	*
Buffalo River ...	1.3	Buffalo	Michigan Ave., Buffalo City	WXY 998	16	13
*	*	*	*	*	*	*

Dated: February 15, 1996.
 G.F. Woolever,
*Rear Admiral, U.S. Coast Guard, Commander,
 Ninth Coast Guard District.*
 [FR Doc. 96-6055 Filed 3-13-96; 8:45 am]
BILLING CODE 4910-14-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 418

Fertilizer Manufacturing Point Source Category

CFR Correction

In title 40 of the Code of Federal Regulations, parts 400 to 424, revised as of July 1, 1995, on page 336, in § 418.12 paragraphs (a), (b), and (c) introductory text were inadvertently removed and the source note appearing under the first table should be removed. The omitted text should precede the table and read as follows:

§ 418.12 Effluent limitations and guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

* * * * *

(a) Subject to the provisions of paragraphs (b) and (c) of this section, the following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available: There shall be no discharge of process wastewater pollutants to navigable waters.

(b) Process wastewater pollutants from a calcium sulfate storage pile runoff facility operated separately or in combination with a water recirculation system designed, constructed and operated to maintain a surge capacity equal to the runoff from the 10-year, 24-

hour rainfall event may be discharged, after treatment to the standards set forth in paragraph (c) of this section, whenever chronic or catastrophic precipitation events cause the water level to rise into the surge capacity. Process wastewater must be treated and discharged whenever the water level equals or exceeds the mid point of the surge capacity.

(c) The concentration of pollutants discharged in process wastewater pursuant to the limitations of paragraph (b) shall not exceed the values listed in the following table:

* * * * *

BILLING CODE 1505-01-D

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 65

Changes in Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Final rule.

SUMMARY: Modified base (1% annual chance) flood elevations are finalized for the communities listed below. These modified elevations will be used to calculate flood insurance premium rates for new buildings and their contents.

EFFECTIVE DATES: The effective dates for these modified base flood elevations are indicated on the following table and revise the Flood Insurance Rate Map(s) in effect for each listed community prior to this date.

ADDRESSES: The modified base flood elevations for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the following table.

FOR FURTHER INFORMATION CONTACT: Michael K. Buckley, P.E., Chief, Hazard

Identification Branch, Mitigation Directorate, 500 C Street, SW, Washington, DC 20472, (202) 646-2756.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency makes the final determinations listed below of the final determinations of modified base flood elevations for each community listed. These modified elevations have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Associate Director has resolved any appeals resulting from this notification.

The modified base flood elevations are not listed for each community in this notice. However, this rule includes the address of the Chief Executive Officer of the community where the modified base flood elevation determinations are available for inspection.

The modifications are made pursuant to Section 206 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR Part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified base flood elevations are the basis for the floodplain management measures that the community is required to either adopt or to show evidence of being already in effect in order to qualify or to remain qualified for participation in the National Flood Insurance Program (NFIP).

These modified elevations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact