

Dated: March 25, 1996.

T.L. Rice,

Captain, U.S. Coast Guard, Captain of the Port, Wilmington, NC.

[FR Doc. 96-9434 Filed 4-16-96; 8:45 am]

BILLING CODE 4910-14-M

### 33 CFR Part 165

[CGD 05-96-012]

RIN 2115-AA97

#### Safety Zone: Smith Creek, Vicinity of Wilmington, NC

AGENCY: Coast Guard, DOT.

ACTION: Temporary rule.

**SUMMARY:** The Coast Guard Captain of this Port, Wilmington, is establishing a safety zone in the Smith Creek and tributaries near the New Hanover International Airport near Wilmington, North Carolina. The safety zone encompasses the waters of the Smith Creek and tributaries between the 23rd Street Bridge and a bend in the creek between the two runways. The safety zone is needed to protect people, vessels, and property from safety hazards associated with a high speed, aerobatic performance by the U.S. Air Force Thunderbirds. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port.

**EFFECTIVE DATES:** From 12 p.m. (noon) to 5 p.m. April 19, 20, and 21, 1996 unless sooner terminated by the Captain of the Port.

**FOR FURTHER INFORMATION CONTACT:** LTJG K.J. DeLooff, USCG, Project Officer, c/o Commanding Officer, U.S. Coast Guard Marine Safety Office, 272 North Front Street, Wilmington, North Carolina 28401-3907. Phone: (910) 343-4895, Extension 108.

**SUPPLEMENTARY INFORMATION:** K.J. DeLooff, project officer for the project attorney, Fifth Coast Guard District.

#### Discussion of Regulation

The New Hanover International Airport hosts a biannual air show on April 20-21, 1996. The U.S. Air Force Thunderbirds will be performing on both days and practicing on April 19, 1996. The maneuvers performed by the Thunderbirds are risky and an extensive area has to be closed of personnel to protect public safety in the event of a crash or other disaster. The Coast Guard is establishing a safety zone to prevent damage or injury which could result from the practice session and performances and will prevent vessels from transiting during the time the Thunderbirds are flying over the area.

The safety zone will be effective from 12 p.m. (noon) to 5 p.m. on April 19, 20, and 21, 1996 unless terminated sooner by the Captain of the Port Wilmington (COTP). The actual times the waterway will be closed may vary depending on the actual times of the performance and practice session, which are weather dependent. Before enforcement of the safety zone, the Captain of the Port will announce via VHF channel 16 that this section will be enforced and the waterway will be closed to traffic. Vessels from either the U.S. Coast Guard or New Hanover County International Airport will patrol the safety zone to inform and control vessel traffic.

The safety zone includes:

The waters of the Smith Creek from the 23rd Street Bridge at approximately 34°15.5' North, 078°55.2' West to a bend in Smith Creek between two runways at approximately 34°15.5' North, 078°54.4' West.

In accordance with 5 U.S.C. 553, a notice of proposed rulemaking was not published for this regulation and good cause exists for making this regulation effective in less than 30 days after Federal Register publication. Publishing a NPRM and delaying the effective date would be contrary to the public interest since immediate action is needed to protect mariners from potential hazards associated with potential risks of operation of high performance aircraft and the aerobatic maneuvers of the Thunderbirds. The final schedule for this event and other related activities was not finalized and communicated to the Coast Guard in sufficient time to allow for a period for comments.

#### Assessment

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 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 rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary.

#### Collection of Information

This rule contains no information collection 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 paragraph 2.B.2.e(34) of Commandant Instruction M16475.1B (amended by 59 FR 38654), this rule is categorically excluded from further environmental documentation.

#### List of Subjects in 33 CFR Part 165

Harbors, Marine Safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons set out in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

#### PART 165—[AMENDED]

1. The authority citation for Part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05-1(g), 6.04-1, 6.04-6, and 160.5; 49 CFR 1.46.

2. A new temporary section 165.T5012 is added to read as follows:

#### § 165.T5012 Safety Zone: Smith Creek, Wilmington, North Carolina.

(a) *Location.* The following area is a safety zone:

(1) The waters of the Smith Creek and tributaries from the 23rd Street Bridge at approximately 34°15.5' North, 078°55.2' West to a bend in Smith Creek between two runways at approximately 34°15.5' North, 078°54.4' West. (Datum: NAD83) (b) This section is effective from 12 p.m. (noon) to 5 p.m. April 19, 20, and 21, 1996, unless terminated earlier by the Captain of the Port (COTP), Wilmington, NC. (c) No person or vessel may enter the safety zone without the permission of the COTP or his designated representative. (d) The COTP or his designated representative will announce times during which this section will be enforced. (e) The COTP or his designated representative may be contacted at the Marine Safety Office, Wilmington, NC by telephone at (910) 343-4895 or by radio on VHF-FM channel 16.

Dated: March 12, 1996.

T. L. Rice,

*Captain, U. S. Coast Guard, Captain of the Port, Wilmington, NC.*

[FR Doc. 96-9431 Filed 4-16-96; 8:45 am]

BILLING CODE 4910-14-M

## DEPARTMENT OF EDUCATION

### 34 CFR Part 682

RIN 1840-AC21

#### Federal Family Education Loan Program

**AGENCY:** Department of Education.

**ACTION:** Final regulations.

**SUMMARY:** The Secretary amends the regulations governing the Federal Family Education Loan Program to add the Office of Management and Budget (OMB) control number to certain sections of the regulations. These sections contain information collection requirements approved by OMB. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The Secretary takes this action to inform the public that these requirements have been approved and affected parties must comply with them.

**EFFECTIVE DATE:** These regulations are effective on July 1, 1996.

**FOR FURTHER INFORMATION CONTACT:** Patricia Newcombe, FFELP Policy Section Chief, Policy Development Division, Policy, Training, and Analysis Service, U.S. Department of Education, 600 Independence Avenue, SW., (Room 3053, ROB-3), Washington, DC 20202. Telephone (202) 708-8242. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m. Eastern time, Monday through Friday.

**SUPPLEMENTARY INFORMATION:** Final regulations for the Federal Family Education Loan Program were published in the Federal Register on December 1, 1995 (60 FR 61750). Compliance with information collection requirements in certain sections of these regulations was delayed until those requirements were approved by OMB under the Paperwork Reduction Act of 1995. OMB approved the information collection requirements in the regulations on November 30, 1995. The information collection requirements in these regulations will therefore become effective with all of the other provisions of the regulations on July 1, 1996.

### Waiver of Proposed Rulemaking

It is the practice of the Secretary to offer interested parties the opportunity to comment on proposed regulations. However, the publication of OMB control numbers is purely technical and does not establish substantive policy. Therefore, the Secretary has determined under 5 U.S.C. 553(b)(B), that public comment on the regulations is unnecessary and contrary to the public interest.

#### List of Subjects in 34 CFR Part 682

Administrative practice and procedure, Colleges and universities, Education, Loan programs-education, Reporting and recordkeeping requirements, Student aid, Vocational education.

Dated: April 9, 1996.

David A. Longanecker,

*Assistant Secretary for Postsecondary Education.*

The Secretary amends Part 682 of Title 34 of the Code of Federal Regulations as follows:

#### PART 682—FEDERAL FAMILY EDUCATION LOAN PROGRAM

1. The authority citation for Part 682 continues to read as follows:

Authority: 20 U.S.C. 1071 to 1087-2, unless otherwise noted.

##### § 682.207 [Amended]

2. Section 682.207 is amended by adding the OMB control number following the section to read as follows: “(Approved by the Office of Management and Budget under control number 1840-0538)”

§§ 682.209, 682.210, 682.211, 682.401, 682.412, 682.603, 682.604, 682.605 [Amended]

3. Sections 682.209, 682.210, 682.211, 682.401, 682.412, 682.603, 682.604, and 682.605 are amended by republishing the OMB control number following each section to read as follows: “(Approved by the Office of Management and Budget under control number 1840-0538)”

[FR Doc. 96-9374 Filed 4-16-96; 8:45 am]

BILLING CODE 4000-01-P

## PANAMA CANAL COMMISSION

### 35 CFR Part 70

RIN 3207-AA37

#### Procedures for Changing Rules of Measurement or Rates of Tolls Technical Amendment

**AGENCY:** Panama Canal Commission.

**ACTION:** Final rule.

**SUMMARY:** The Panama Canal Commission hereby amends its procedures for changing the rules of measurement and rates of tolls for use of the Panama Canal. The amendment simply removes the President from any formal participation in these procedures. This revision is mandated by a recent Congressional enactment which transferred the President's authority to approve such changes to the Commission. Those portions of the rule providing for notice and public hearing remain the same. Thus, the procedural rights of the users of the Panama Canal are unaffected by this amendment.

**EFFECTIVE DATE:** April 17, 1996.

**FOR FURTHER INFORMATION CONTACT:** John A. Mills, Secretary, Panama Canal Commission, 1825 I Street NW, Suite 1050, Washington, DC 20006-5402; Telephone: (202) 634-6441; Facsimile: (202) 634-6439; or John L. Haines, Jr., General Counsel, Panama Canal Commission, Unit 2300, APO AA 34011-2300; Telephone: 011-507-272-7511; Facsimile: 011-507-272-3748.

**SUPPLEMENTARY INFORMATION:** The Panama Canal Commission hereby amends 35 CFR Part 70 in accordance with the statutory language contained in Subtitle B of Title XXXV of the National Defense Authorization Act for Fiscal Year 1996, Public Law 104-106, which was signed into law on February 10, 1996. Sections 3527 and 3528 of that law amended sections 1601 and 1604 of the Panama Canal Act of 1979, 22 U.S.C. 3791 and 3794, by transferring final authority for effecting changes in the measurement rules and toll rates for use of the Canal from the President to the Canal Commission. This final rule merely implements this statutory mandate by deleting current sections 70.14 and 70.15 which set forth the President's now-terminated role in the toll-setting and measurement-rule procedure and amending section 70.16 to reflect Congress' placement of final authority for such changes with the Commission.

The Commission is proceeding with the issuance of a final rule instead of a proposed rule with a request for comments because the rule merely