

(d) *Conditions for authorization of disclosure.* The Chief Counsel, subject to the terms of paragraph (e) of this section, may authorize the disclosure of Customs documents or the appearance and testimony of a Customs employee if:

(1) Production of the demanded documents or testimony, in the judgment of the Chief Counsel, are appropriate under the factors specified in § 103.23(a) of this subpart; and

(2) None of the factors specified in § 103.23(b) of this subpart exist with respect to the demanded documents or testimony.

(e) *Limitations on the scope of authorized disclosure.*

(1) The Chief Counsel shall authorize the disclosure of Customs information by a Customs employee without further authorization from Customs officials whenever possible, provided that:

(i) If necessary, Counsel has consulted with the originating component regarding disclosure of the information demanded;

(ii) There is no objection from the originating component to the disclosure of the information demanded; and

(iii) Counsel has sought to limit the demand for information to that which would be consistent with the factors specified in § 103.23 of this part.

(2) In the case of an objection by the originating component, the Chief Counsel shall make the disclosure determination.

William F. Riley,

Acting Commissioner of Customs.

Approved: December 14, 1995.

Dennis M. O'Connell,

Acting Deputy Assistant Secretary of the Treasury.

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DEPARTMENT OF STATE

Bureau of Political-Military Affairs

22 CFR Part 126

[Public Notice 2346]

Amendment to the List of Proscribed Destinations

AGENCY: Department of State.

ACTION: Final rule.

SUMMARY: The Department of State is amending the International Traffic in Arms Regulations (ITAR) to reflect that it is no longer the policy of the United States to deny licenses, other approvals, exports and imports of defense articles and defense services, destined for or originating in the Russian Federation.

All requests for approval involving items covered by the U.S. Munitions List will be reviewed on a case-by-case basis.

EFFECTIVE DATE: April 3, 1996.

FOR FURTHER INFORMATION CONTACT:

Gordon J. Stirling, Office of Arms Export and Export Control Policy, Bureau of Political-Military Affairs, Department of State (202/647-0397).

SUPPLEMENTARY INFORMATION: In connection with the President's policy that U.S. laws and regulations be updated to reflect the end of the Cold War, the Department of State is amending the ITAR to reflect that it is no longer the policy of the United States, pursuant to § 126.1, to deny licenses, other approvals, exports and imports of defense articles and defense services, destined for or originating in the Russian Federation. Requests for licenses or other approvals for Russia involving items covered by the U.S. Munitions List (22 CFR part 121) will no longer be presumed to be disapproved.

This amendment to the ITAR involves a foreign affairs function of the United States and thus is excluded from the major rule procedures of Executive Order 12291 (46 FR 13193) and the procedures of 5 U.S.C. 553 and 554. This final rule does not contain a new or amended information requirement subject to the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

In accordance with 5 U.S.C. 808, as added by the Small Business Regulatory Enforcement Fairness Act of 1996 (the "Act"), the Department of State has found for foreign policy reasons that notice and public procedure under section 251 of the Act is impracticable and contrary to the public interest.

List of Subjects in 22 CFR Part 126

Arms and munitions, Exports.

Accordingly, under the authority of Section 38 of the Arms Export Control Act (22 U.S.C. 2778) and Executive Order 11958, as amended, 22 CFR subchapter M is amended as follows:

1. The authority citation for part 126 continues to read as follows:

Authority: Secs. 2, 38, 40, 42, and 71, Arms Export Control Act, Pub. L. 90-629, 90 Stat. 744 (22 U.S.C. 2752, 2778, 2780, 2791, and 2797); E.O. 11958, 41 FR 4311; E.O. 11322, 32 FR 119; 22 U.S.C. 2658; 22 U.S.C. 287c; E.O. 12918, 59 FR 28206.

§ 126.1 [Amended]

2. Section 126.1 is amended by removing "Russia," from paragraph (a).

Dated: April 23, 1996.

Lynn E. Davis,

Under Secretary of State for Arms Control and International Security Affairs.

[FR Doc. 96-11090 Filed 5-2-96; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[COTP Los Angeles-Long Beach, CA; 96-007]

RIN 2115-AA97

Safety Zone; Dana Point, CA

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone in the navigable waters of the United States offshore from Capistrano Beach to San Mateo Point, California in the vicinity of the 3rd Annual Dana Point Challenge (offshore powerboat race) on May 19, 1996. The safety zone boundaries are as follows: commencing at latitude 33°26.0' N, 117°42.0' W; thence to 33°27.0' N, 117°41.3' W; thence 33°24.0' N, 117°37.0' W; thence to 33°23.2' N, 117°38.0' W; thence returning to the point of beginning. This safety zone is necessary to ensure the safety of contestant and spectator vessels involved with the 3rd Annual Dana Point Challenge. Entry into this zone is prohibited unless authorized by the Captain of the Port.

EFFECTIVE DATE: This safety zone is in effect on May 19, 1996, from 10 a.m. PDT until 4 p.m. PDT.

FOR FURTHER INFORMATION CONTACT: Lieutenant Mark T. Cunningham, Chief, Port Safety and Security Division, Marine Safety Office Los Angeles-Long Beach, 165 N. Pico Avenue, Long Beach, CA 90802; (310) 980-4454.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, a notice of proposed rule making was not published for this regulation and good cause exists for making it effective in less than 30 days after Federal Register publication. Publication of a notice of proposed rulemaking and delay of its effective date would be contrary to the public interest since the details of the safety zone boundaries and marine event permit were not finalized until a date fewer than 30 days prior to the event date.

Discussion of Regulation

This regulation is necessary to ensure the safety of contestant and spectator vessels involved with the 3rd Annual Dana Point Challenge powerboat race. The planned course of the race is approximately one mile offshore and extends from Capistrano Beach to San Mateo Point, California. Many spectator vessels (estimated 500–600 in 1995) have previously attended this event. In past years, contestants (approximately 20–25) had to speed around spectator vessels which had wandered into the race lanes. By deterring the large amount of expected spectator vessel traffic from entering into the designated race lanes, the risk of high speed collisions can be greatly reduced from that of previous Dana Point Challenges. This safety zone will be enforced by U.S. Coast Guard personnel. The Coast Guard Auxiliary, the Dana Point Harbor Patrol and the Dana Point Challenge event staff will assist in the enforcement of the safety zone. Persons and vessels are prohibited from entering into, transiting through, or anchoring within the Safety Zone unless authorized by the Captain of the Port of his designated representative.

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 (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this regulation to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of the Department of Transportation is unnecessary.

Collection of Information

This regulation 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 regulation 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.

Environmental Assessment

The Coast Guard has considered the environmental impact of this regulation and concluded that under section 2.B.2. of Commandant Instruction M16475.1B it will have no significant environmental impact and it is categorically excluded from further environmental documentation. An environmental analysis checklist has been completed and a Marine Event permit has been issued.

List of Subject in 33 CFR Part 165

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

Regulation

In consideration of the foregoing, Subpart F of Part 165 of Title 33, Code of Federal Regulations, is amended as follows:

PART 165—[AMENDED]

1. The authority citation for 33 CFR 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 section 165.T11–057 is added to read as follows:

§ 165.T1157 Safety Zone: Dana Point, CA

(a) *Location.* The following area constitutes a safety zone on the navigable waters in the vicinity of Capistrano Beach and San Mateo Point, California, specifically:

North-West corner: 33°26.0' N, 117°42.0' W;
North-East corner: 33°27.0' N, 117°41.3' W;
North-East corner: 33°24.0' N, 117°37.0' W;
North-West corner: 33°23.2' N, 117°38.0' W.

This area measures approximately five nautical miles by one nautical mile. (Datum: NAD 83)

(b) *Effective Date.* This safety zone is effective at 10 A.M. PDT and terminates at 2 P.M. PDT on May 19, 1996 unless canceled earlier by the Captain of the Port.

(c) *Regulations.* The general regulations governing safety zones contained in 33 CFR 165.23 apply. No person or vessel may enter or remain within the safety zone without the permission of the Captain of the Port Los Angeles-Long Beach, California or his designated representative.

Dated: April 24, 1996.

E. E. Page,

Captain, U.S. Coast Guard, Captain of the Port, Los Angeles-Long Beach, California.

[FR Doc. 96–10998 Filed 5–2–96; 8:45 am]

BILLING CODE 4910–14–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[PP 6F3333 and FAP2H5640/R2234; FRL–5365–6]

RIN 2070–AB78

Cyromazine; Pesticide Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final Rule.

SUMMARY: This rule establishes a tolerance for combined residues of the insecticide cyromazine (*N*-cyclopropyl-1,3,5-triazine-2,4,6-triamine) and its major metabolite melamine, 1,3,5-triazine-2,4,6-triamine calculated as cyromazine in or on the raw agricultural commodity (RAC) tomato. The regulation to establish a maximum permissible level for residues of the insecticide was requested in a petition submitted by the CIBA-Geigy Corporation, P.O. Box 18300, Greensboro, NC 27419.

EFFECTIVE DATE: This regulation becomes effective May 3, 1996.

ADDRESSES: Written objections and hearing requests, identified by the document control number, [PP 6F3333 and FAP2H5640/R2234], may be submitted to: Hearing Clerk (1900), Environmental Protection Agency, Rm. M3708, 401 M St., SW., Washington, DC 20460. A copy of any objections and hearing requests filed with the Hearing Clerk should be identified by the document control number and submitted to: Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, bring copy of objections and hearing requests to Rm. 1132, CM#2, 1921 Jefferson Davis Hwy., Arlington, VA 22202. Fees accompanying objections shall be labeled "Tolerance Petition Fees" and forwarded to: EPA Headquarters Accounting Operations Branch, OPP (Tolerance Fees), P.O. Box 360277M, Pittsburgh, PA 15251. An electronic copy of objections and hearing requests filed with the Hearing Clerk may be submitted to OPP by sending electronic mail (e-mail) to: opp-docket@epamail.epa.gov.

Copies of electronic objections and hearing requests must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Copies of electronic objections and hearing requests must be identified by the docket number [PP 6F3333 and