

to draft or publish an NPRM or a final rule 30 days in advance of its effective date. Publishing a NPRM and delaying its effective date would be contrary to the public interest since immediate action is needed to close a portion of the waterway and protect the maritime public and the movie production crew during periods of restricted maneuvering.

#### Background and Purpose

On August 26, 1999, the Warner Brothers Film Production Company filed a marine event permit with the Coast Guard to begin filming on the waters of Gloucester Harbor, Gloucester, MA. This regulation establishes a safety zone that will close the waters of Gloucester Harbor, Gloucester, MA for short periods of time throughout the hours listed to all vessel traffic except for vessels involved in the production of the movie "The Perfect Storm". The safety zone is in effect daily from 6:30 a.m. to 8:30 p.m. from Tuesday, September 7, 1999, until Saturday, September 25, 1999, and until midnight, September 11, 1999. This safety zone prevents entry into or movement within Gloucester Harbor and it is needed to protect the maritime public and the movie production crew during periods of restricted maneuvering.

#### Regulatory Evaluation

This final 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 the 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 regulation to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary since the safety zone will be limited in duration and marine advisories will be made in advance of the implementation of the safety zone.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard considered whether this rule would have a significant economic impact on a substantial number of small entities. "Small entities" may include (1) small businesses and not-for-profit organizations that are independently owned and operated and are not dominant in their fields and (2)

governmental jurisdictions with populations of less than 50,000.

For the reasons discussed in the Regulatory Evaluation above, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this rule will not have a significant impact on a substantial number of small entities.

#### Collection of Information

This proposal contains no collection of information requirements under the Paperwork Reduction Act of 1995 (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 has considered the environmental impact of this final rule and concluded that, under Figure 2-1, paragraph 34(g), of Commandant Instruction M16475.1C, this final rule is categorically excluded from further environmental documentation. A "Categorical Exclusion Determination" is available in the docket for inspection or copying where indicated under ADDRESSES.

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

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

#### Regulation

For 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, 160.5; 49 CFR 1.46. Section 165.100 is also issued under authority of Sec. 311, Pub. L. 105-383.2.

2. Add temporary section 165.T01-161 to read as follows:

#### § 165.T01-161 Safety Zone: Movie Production, Gloucester, MA.

(a) *Location.* The following area is a safety zone: all the waters of Gloucester Harbor, Gloucester, MA.

(b) *Effective Date.* This section is effective daily from 6:30 a.m. to 8:30 p.m. from September 7 through 10, 1999, and from September 12 through

September 25, 1999, and from 6:30 a.m. until midnight on September 11, 1999.

#### (c) Regulations.

(1) In accordance with the general regulations in section 165.23 of this part, entry into or movement within this zone is prohibited unless authorized by the Captain of the Port Boston.

(2) All persons and vessels shall comply with the instructions of the COTP or the designated onscene U.S. Coast Guard patrol personnel. U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard.

(3) The general regulations covering safety zones in section 165.23 of this part apply.

Dated: September 7, 1999.

#### M.A. Skordinski,

Commander, U.S. Coast Guard, Acting Captain of the Port, Boston, Massachusetts.

[FR Doc. 99-24584 Filed 9-21-99; 8:45 am]

BILLING CODE 4910-15-M

## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

#### 37 CFR Part 2

[Docket No. 990401084-9227-02]

RIN 0651-AB00

#### Trademark Law Treaty Implementation Act Changes; Correction

**AGENCY:** Patent and Trademark Office, Commerce.

**ACTION:** Final rule; correction.

**SUMMARY:** The Patent and Trademark Office published in the **Federal Register** of September 8, 1999, (64 FR 48900) a final rule amending its rules to implement the Trademark Law Treaty Implementation Act of 1998 and to otherwise simplify and clarify procedures for registering trademarks, and for maintaining and renewing trademark registrations. This document corrects four typographical errors in the final rule.

**DATES:** Effective on October 30, 1999.

#### FOR FURTHER INFORMATION CONTACT:

Mary Hannon, Office of Assistant Commissioner for Trademarks, by telephone at (703) 308-8910, extension 137; by facsimile transmission addressed to her at (703) 308-9395; or by mail marked to her attention and addressed to Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513.

**SUPPLEMENTARY INFORMATION:** The Patent and Trademark Office published a final rule in the **Federal Register** of

September 8, 1999, (64 FR 48900) entitled "Trademark Law Treaty Implementation Act Changes." This document amends 37 CFR 2.76(b)(1), 2.88(b)(1), 2.89(a)(3), and 2.89(b)(3) to correct a cross-reference. Specifically, these sections are amended to refer to "§ 2.33(a)" rather than "§ 2.33(a)(2)."

In rule FR Doc. 99-22957, published on September 8, 1999, (64 FR 48900), make the following corrections:

**§ 2.76 [Corrected]**

1. On page 48922, in the third column, in § 2.76, in paragraph (b)(1) introductory text, in line 5, correct "§ 2.33(a)(2)" to read "§ 2.33(a)".

**§ 2.88 [Corrected]**

2. On page 48923, in the second column, in § 2.88, in paragraph (b)(1) introductory text, in line 3 from the top of the column, correct "§ 2.33(a)(2)" to read "§ 2.33(a)".

**§ 2.89 [Corrected]**

3. On page 48923, in the third column, in § 2.89, in paragraph (a)(3), in line 2 from the top of the column, correct "§ 2.33(a)(2)" to read "§ 2.33(a)".

4. On page 48923, in the third column, in § 2.89, in paragraph (b)(3), in line 5, correct "§ 2.33(a)(2)" to read "§ 2.33(a)".

Dated: September 17, 1999.

**Albin F. Drost,**

*Acting Solicitor.*

[FR Doc. 99-24676 Filed 9-21-99; 8:45 am]

BILLING CODE 3510-16-P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 180**

[OPP-300918; FRL-6381-7]

RIN 2070-AB78

**2,6-Diisopropylnaphthalene; Temporary Exemption From the Requirement of a Tolerance**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** This regulation establishes a temporary exemption from the requirement of a tolerance for residues of the biochemical pesticide 2,6-diisopropylnaphthalene (2,6-DIPN) when applied/used to inhibit sprouting in potatoes held in storage. Platte Chemical Company submitted a petition to EPA under the Federal Food, Drug, and Cosmetic Act, as amended by the Food Quality Protection Act of 1996 requesting the temporary tolerance

exemption. This regulation eliminates the need to establish a maximum permissible level for residues of 2,6-DIPN. The temporary tolerance exemption will expire on September 22, 2000.

**DATES:** This regulation is effective September 22, 1999. Objections and requests for hearings, identified by docket control number OPP-300918, must be received by EPA on or before November 22, 1999.

**ADDRESSES:** Written objections and hearing requests may be submitted by mail, in person, or by courier. Please follow the detailed instructions for each method as provided under Unit VIII. To ensure proper receipt by EPA, your objections and hearing requests must identify docket control number OPP-300918 in the subject line on the first page of your response.

**FOR FURTHER INFORMATION CONTACT:** By mail: Driss Benmhend, c/o Product Manager (PM) 90, Biopesticides and Pollution Prevention Division (7511C), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460; telephone number: (703-308-9525); and e-mail address: benmhend.driss@epa.gov.

**SUPPLEMENTARY INFORMATION:**

**I. General Information**

*A. Does This Action Apply to Me?*

You may be affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected categories and entities may include, but are not limited to:

Categories	NAICS	Examples of Potentially Affected Entities
Potato Processors	311	Food manufacturing

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in the table could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether or not this action might apply to certain entities. If you have questions regarding the applicability of this action to a particular entity, consult the person listed under "FOR FURTHER INFORMATION CONTACT."

*B. How Can I Get Additional Information, Including Copies of This Document and Other Related Documents?*

1. *Electronically.* You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at <http://www.epa.gov/>. To access this document, on the Home Page select "Laws and Regulations" and then look up the entry for this document under the "Federal Register--Environmental Documents." You can also go directly to the **Federal Register** listings at <http://www.epa.gov/fedrgstr/>.

2. *In person.* The Agency has established an official record for this action under docket control number OPP-300918. The official record consists of the documents specifically referenced in this action, and other information related to this action, including any information claimed as Confidential Business Information (CBI). This official record includes the documents that are physically located in the docket, as well as the documents that are referenced in those documents. The public version of the official record does not include any information claimed as CBI. The public version of the official record, which includes printed, paper versions of any electronic comments submitted during an applicable comment period is available for inspection in the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305-5805.

**II. Background and Statutory Findings**

In the **Federal Register** of November 25, 1998 (63 FR 65204) (FRL-6039-7), EPA issued a notice pursuant to section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a, as amended by the Food Quality Protection Act (FQPA) (Public Law 104-170) announcing the filing of a pesticide tolerance petition by Platte Chemical Company, 419 18th Street, Greeley, CO 80632. This notice included a summary of the petition prepared by the petitioner Platte Chemical Company. There were no comments received in response to the notice of filing.

The petition requested that 40 CFR part 180 be amended by establishing a temporary exemption from the requirement of a tolerance for residues of 2,6-DIPN.

New section 408(c)(2)(A)(i) of the FFDCA allows EPA to establish an