public hearing, the hearing will not be held.

Filing of a written statement at the time of the hearing is requested as it will greatly assist the transcriber. Submission of written statements in advance of the hearing will allow OSM officials to prepare adequate responses and appropriate questions.

The public hearing will continue on the specified date until all persons scheduled to speak have been heard. Persons in the audience who have not been scheduled to speak, and who wish to do so, will be heard following those who have been scheduled. The hearing will end after all persons scheduled to speak and persons present in the audience who wish to speak have been heard.

Any disabled individual who has need for a special accommodation to attend a public hearing should contact the individual listed under **FOR FURTHER INFORMATION CONTACT.**

Public Meeting

If only one person requests an opportunity to speak at a hearing, a public meeting, rather than a public hearing, may be held. Persons wishing to meet with OSM representatives to discuss the proposed amendment may request a meeting by contacting the person listed under **FOR FURTHER INFORMATION CONTACT.** All such meetings will be open to the public and, if possible, notices of meetings will be posted at the locations listed under **ADDRESSES.** A written summary of each meeting will be made a part of the Administrative Record.

IV. Procedural Determinations

Executive Order 12866

This rule is exempted from review by the Office of Management and Budget (OMB) under Executive Order 12866 (Regulatory Planning and Review).

Executive Order 12778

The Department of the Interior has conducted the reviews required by section 2 of Executive Order 12778 (Civil Justice Reform) and has determined that, to the extent allowed by law, this rule meets the applicable standards of subsections (a) and (b) of that section. However, these standards are not applicable to the actual language of State and Tribal abandoned mine land reclamations plan and revisions since each plan is drafted and promulgated by a specific State or Tribe, not by OSM. Decisions on proposed abandoned mine land reclamation plans submitted by a State or Tribe must be based solely on a determination of whether the submittal is consistent with Title IV of SMCRA (30 U.S.C. 1231–1243) and whether the other requirements of 30 CFR Parts 884 and 888 have been met.

National Environmental Policy Act

No environmental impact statement is required for this rule since section 702(d) of SMCRA (30 U.S.C. 1292(d)) provides that agency decisions on proposed State regulatory program provisions do not constitute major Federal actions within the meaning of section 102(2)(C) of the National Environmental Policy Act (42 U.S.C. 4332(2)(C)).

Paperwork Reduction Act

This rule does not contain information collection requirements that require approval by OMB under the Paperwork Reduction Act (44 U.S.C. 3507 *et seq.*).

Regulatory Flexibility Act

The Department of the Interior has determined that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The State submittal which is the subject of this rule is based upon counterpart Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. Accordingly, this rule will ensure that existing requirements previously promulgated by OSM will be implemented by the State. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions for the counterpart Federal regulations.

List of Subjects in 30 CFR Part 935

Intergovernmental relations, Surface mining, Underground mining.

Dated: April 4, 1996.

Allen D. Klein,

Regional Director, Appalachian Regional Coordinating Center.

[FR Doc. 96–9429 Filed 4–16–96; 8:45 am]

BILLING CODE 4310–05–M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD 95–054]

RIN 2115–AF17

Regattas and Marine Parades

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: In keeping with the National Performance Review and the President's Regulatory Reinvention Initiative, the Coast Guard examined its program for permitting regattas and other marine events. This proposal would more precisely identify which events require a permit, which events require only notice to the Coast Guard, and which events require neither. These changes are proposed to maintain safety of life during events, while dramatically reducing the burden imposed on the public.

DATES: Comments must be received on or before May 17, 1996.

ADDRESSES: Comments may be mailed to the Executive Secretary, Marine Safety Council (G–LRA/3406) (CGD 95–054), U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593–0001, or may be delivered to room 3406 at the same address between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 267–1477. Comments on collection-of-information requirements must be mailed also to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street NW., Washington, DC 20503, Attn: Desk Officer, U.S. Coast Guard.

The Executive Secretary maintains the public docket for this rulemaking. Comments will become part of this docket and will be available for inspection or copying at room 3406, U.S. Coast Guard Headquarters, between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Mr. Carlton Perry, Auxiliary, Boating, and Consumer Affairs Division, (202) 267–0979. A copy of this notice may be obtained by calling the Coast Guard Customer Infoline at 1–800–368–5647 or, in Washington, DC, 267–0780.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views, or arguments. Persons submitting

comments should include their names and addresses, identify this rulemaking (CGD 95–054) and the specific section of this proposal to which each comment applies, and give the reason for each comment. Please submit two copies of all comments and attachments in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. Persons wanting acknowledgment of receipt of comments should enclose stamped, self-addressed postcards or envelopes.

The Coast Guard will consider all comments received during the comment period. It may change this proposal after review of the comments.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the Marine Safety Council at the address under **ADDRESSES.** The request should include the reasons why a hearing would be beneficial. If it determines that the opportunity for oral presentations will aid this rulemaking, the Coast Guard will hold a public hearing at a time and place announced by a later notice in the Federal Register.

Regulatory History

On December 26, 1995, the Coast Guard published a notice withdrawing a rule entitled ''Regattas and Marine Parades'' (60 FR 66772) (CGD 87–087). That rulemaking, CGD 87–087, had focused only on determining how far in advance of an event an application should be submitted and how far in advance of the event a permit should be issued. In keeping with the National Performance Review, CGD 87–087 has been replaced with the present rulemaking (CGD 95–054), which addresses a broader range of issues, including whether permitting could be reduced or eliminated altogether.

Accordingly, on December 26, 1995, the Coast Guard also published an advance notice of proposed rulemaking (CGD 95–054) (ANPRM) entitled ''Regattas and Marine Parades; Permit Application Procedures'' in the Federal Register (60 FR 66773). The ANPRM requested comments on how the existing program could be improved and to what extent permitting should be required. Most of the comments received responded to the question of how much time before the scheduled date of an event must an application for a permit be submitted.

Background and Purpose

The Coast Guard is authorized, in its discretion, to issue regulations to promote safety of life on navigable waters during regattas and marine parades (33 U.S.C. 1233). Though not required by Congress to do so, the Coast Guard chose to exercise this discretionary authority by implementing a permitting system for regattas or marine parades and, in certain instances, issuing temporary local regulations in conjunction with those permits. Under the current regulations (33 CFR part 100), the sponsors of an organized water event of limited duration which is conducted according to a prearranged schedule must submit an application for a regatta or marine parade permit. The District Commander then decides whether the event will introduce extra or unusual hazards to the safety of life on navigable waters and, if it will, requires a permit. The Coast Guard issued approximately 3,100 permits in 1995. Only about three permit applications were denied. For any event not found to require a permit, the application was so noted and returned to the applicant.

In keeping with the President's Regulatory Reinvention Initiative, the Coast Guard is engaged in a comprehensive review of its regulations to eliminate overly burdensome, unnecessary, and obsolete requirements. On review of the regatta and marine parade regulations in 33 CFR part 100, the Coast Guard identified several areas for improving customer service and efficiency.

The Coast Guard believes it can better serve the public by focusing more precisely on traditional Coast Guard tools to protect our waterways, enforce our laws, ensure the safety of our ports and waterways, search for and rescue persons in distress, and maintain maritime aids to navigation. By focusing more precisely on its unique capabilities and using the tools with which it is most familiar, the Coast Guard believes it will improve its ability to promote the safety of life during marine events, without imposing the burden of extensive paperwork and administrative responsibilities that result from permitting requirements.

Under the law, the Coast Guard is authorized to issue the regulations it deems necessary to promote safety of life during regattas and marine parades. The law neither mentions nor mandates permits as the necessary or appropriate procedure to be used. Permitting has become costly and time consuming for applicants and the Coast Guard. Based on its past experience with near universal permit approval, the Coast Guard does not believe continuing the use of this tool is consistent with either the President's Regulatory Reinvention Initiative or other National Performance Review recommendations. Moreover, it is not necessary to achieve the statutory purpose. Instead, the Coast Guard believes it can more effectively promote its primary role in regattas (i.e., protecting the safety of life) by exercising its authority to control navigation under the Ports and Waterway Safety Act (33 U.S.C. 1221–1232), by issuing temporary regulations, or, when practicable, by deploying its own vessels and aircraft to enforce the law, rather than by issuing permits which in themselves do not ensure safety.

The permit program has grown large, vague, and unwieldy. The existing regulations are not clear as to which events require a permit. By their terms, the existing regulations apply to ''organized water events of limited duration which are conducted according to a prearranged schedule.'' In application, however, they have been applied to a broad array of water-related activities, including fireworks displays and swimming events, which seem to be outside the traditional concept of a regatta or marine parade. The Coast Guard is concerned that the categories of events being issued permits may have grown beyond the scope envisioned by Congress when it focused the statute on ''regattas and marine parades.'' The result is that some sponsors incur the costs and burdens of preparing and submitting an application only to find out later that one is not required.

Moreover, with the enactment of the National Environmental Policy Act (NEPA) (42 U.S.C. *et seq.*), the Coast Guard's role in marine events has shifted away from its sole statutory obligation of protecting safety of life. Instead, the act of issuing permits has had the legal effect of making these essentially private events subject to time consuming analysis designed to ensure that the Coast Guard complies with the NEPA requirements applicable to major Federal actions. Before the Coast Guard issues a requested permit, which it almost always does, it must assess the environmental impact of the proposed event and prepare the appropriate documentation. Compliance with NEPA can delay approval of a permit for up to 120 days or more.

If the Coast Guard is not issuing a permit, there is no major Federal action triggering the Coast Guard's obligation to meet the requirements of NEPA. Notwithstanding the fact that the Coast Guard would no longer have duties under NEPA, environmental requirements would still be appropriately addressed. First, event sponsors and participants are still required to comply with all applicable environmental laws, apart from the Coast Guard's approval of a permit. The

fact is that while eliminating the need for a permit means that there would be no Federal pre-event review of the environmental effect of a regatta, assessments under NEPA require only that a Federal decision-maker be informed of the environmental consequences, but do not mandate that a particular result be chosen. Therefore, removing this step from the process is not expected to have any adverse environmental effect. Indeed, the minimal number of regatta permits that the Coast Guard has denied, on any grounds, supports this expectation. Nevertheless, the Coast Guard is conducting an environmental analysis of this proposal, as discussed later in this preamble.

Because the Coast Guard's review of its regatta permit program indicates that virtually all applications for permits are approved (some after consultation with the Coast Guard), the Coast Guard believes most events are conducted in a safe and responsible manner, not because a permit was issued but, rather, because sponsors of these events are inherently law abiding people who routinely consult with the Coast Guard to ensure their events are conducted safely. Requiring a long and complex process, leading to additional Federal evaluations and paperwork, for even small events is not warranted. Instead, the Coast Guard believes it can fulfill its statutory mandate with a much simpler process that both reduces the burden on the public and allows the Coast Guard to do what it does best. It is therefore proposing a much simpler method for regulating these events.

Discussion of Proposed Rule

The objective of this proposal is to promote safety of life during marine events, while eliminating unnecessarily burdensome regulations. This proposal would amend 33 CFR part 100 as necessary to accomplish the following:

(1) Continue with permitting only when it is needed to advance the statutory purpose of promoting safety of life during marine events. The Coast Guard receives and reviews more than 3,000 permit applications in a typical year and approves all but about 3 of them. Obviously, this is a great burden on the legal and environmental resources of the Coast Guard, as well as the public. This rulemaking would remove the need for unnecessary applications and provide a clearer guide, to District Commanders and the few remaining applicants, as to what major events threaten safety of life to the extent that they require the review and preparation inherent in issuing a permit. This rulemaking should require substantially fewer permits each year, very possibly fewer than 20 per year nationwide. As necessary, factors relating to the permitting procedure; such as information required to be submitted and minimum time needed to process a permit, would be adjusted to adequately handle this more precisely defined category.

(2) Identify a second category of events that are not large enough to raise a clear question regarding their safety, but indicate the need for the Coast Guard to be informed. The sponsor of an event in this category need only give the Coast Guard advance notice of the event in writing. In response, the Coast Guard may decide whether any of its operational resources should be allocated to protect the safety of life and property at the event, whether it should issue general regulations or Captain of the Port orders under the Ports and Waterways Safety Act, or whether it should disseminate information to waterway users by such means as local or broadcast Notices to Mariners.

(3) Identify a third category of events that are of such a nature or minimal size that the risk of the event leading to a loss of life is truly minimal, thereby obviating the need for the Coast Guard to take any action. Neither a permit nor notice to the Coast Guard would be required.

Subparts A and B. The proposal would divide part 100 into subpart A (general) consisting of §§ 100.01 through 100.50 and subpart B (special local regulations issued by District Commanders) consisting of § 100.100 to the end of the part.

Proposed § 100.15. This section is new and would specify that all marine events must be conducted in a safe and lawful manner.

Proposed §§ 100.17 and 18. These new sections would replace existing §§ 100.15 and 100.20 on permitting procedure. Section 100.17 would require that the Coast Guard be notified in writing of all events involving over 50 participating vessels. If, after reviewing the information submitted for the notice under § 100.17, the District Commander determines that a permit is required, the additional information in § 100.18 concerning safety measures and potential environmental impact must be submitted. The vast majority of events would fall into the notice-only category, with only about 20 a year nationwide expected to fall into the permit category.

Proposed § 100.19. This new section would provide a procedure for appeals of decisions by the District Commander on permitting under § 100.18.

Proposed § 100.50. This section on penalties refers to the statute (33 U.S.C. 1236). The penalties that may be assessed for violating a provision of this part or a regulation or order issued under this part have been statutorily increased from $250/$500 to $2,500/$5,000.

Regulatory Evaluation

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

For events no longer required to have a permit, this proposal would eliminate the cost of preparing and submitting an application. Even for events that just require written notice to the Coast Guard, the only cost incurred in submitting the readily available information called for would be the cost of postage. For the few events that would require a permit, there would be an increase in the amount of information that must be included in the application. However, this additional information would allow the Coast Guard to conduct the necessary NEPA analysis in a more timely manner. Because of the drastic decrease in the number of permits, the additional information required for a permit would still lead to a markedly reduced burden on most sponsors. This information concerns the potential impact of the event on the environment and is needed to assist the Coast Guard in analyzing those impacts and evidencing compliance with environmental laws. The cost of compiling this information would vary greatly depending on the nature and location of the event.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this proposal, if adopted, will 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) government jurisdictions with populations of less than 50,000.

As this proposal would affect entities large and small, the assessment under the ''Regulatory Evaluation'' section of this preamble applies to small entities as well.

Therefore, the Coast Guard certifies under 5 U.S.C. 605(b) that this proposal, if adopted, will not have a significant economic impact on a substantial number of small entities. If, however, you think that your business or organization qualifies as a small entity and that this proposal will have a significant economic impact on your business or organization, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and in what way and to what degree this proposal will economically affect it.

Collection of Information

Under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget (OMB) reviews each proposed rule that contains a collection-of-information requirement to determine whether the practical value of the information is worth the burden imposed by its collection. Collection-of-information requirements include reporting, recordkeeping, notification, and other, similar requirements.

This proposal would reduce the number of respondents (sponsors of events) required to provide information to the Coast Guard from about 3,100 a year to less than 1,500 a year. This reduction would result from the proposed requirement limiting written notice only to events involving more than 50 participating vessels (proposed § 100.17(a)). For the 1,500 respondents required to give notice, the collection-of-information burden would remain about the same as under the existing permit application requirements in § 100.15(c). Of these, only about 20 would be required to provide the additional information in proposed § 100.18.

This proposal contains new collection-of-information requirements in §§ 100.17, 100.18, and 100.19. The following particulars apply to the increase in the OMB-approved burden that would result from collection of additional environmental information by the 20 or so applicants for a permit under proposed § 100.18:

DOT No: 2115.

OMB Control No.: 2115–0017.

Administration: U.S. Coast Guard.

Title: Regattas and Marine Parades.

Need for Information: To comply with various environmental laws.

Proposed Use of Information: To assist in the preparation of environmental documentation required before the Coast Guard may issue a permit.

Frequency of Response: Once of each event requiring a permit.

Burden Estimate: The burden would be in preparing and submitting the additional environmental information required, the impact of which would vary with the event.

Respondents: Sponsors of events. Approximately 20 per year nationwide.

Form(s): None required. Existing Form CG–4423 (Application for Approval of Marine Event) would no longer be used.

Average Burden Hours Per Respondent: This would vary depending under the potential environmental impact of the event.

The Coast Guard has submitted the requirements to OMB for review under section 3504(g) of the Paperwork Reduction Act. Persons submitting comments on the requirements should submit their comments both to OMB and to the Coast Guard where indicated under **ADDRESSES.**

Federalism

The Coast Guard has analyzed this proposal under the principles and criteria contained in Executive Order 12612 and has determined that this proposal does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard is preparing an Environmental Assessment of this proposal. It will be announced by notice of availability in the Federal Register and made available in the rulemaking docket for inspection or copying where indicated under **ADDRESSES.** If the environmental assessment indicates that the proposal could have a significant impact on the environment, certain measures may be incorporated into the final rule to mitigate any potentially adverse environmental effect.

The Coast Guard is specifically interested in receiving specific data and comments regarding any anticipated impact that this rule and the accompanying reduction in Coast Guard's obligations under NEPA may have on environmentally sensitive areas including, but not limited to, those areas having natural, historical, or cultural significance. Anecdotal observations are not solicited. However, the Coast Guard specifically requests documented example and suggestions as to what actions can or should be taken to mitigate any anticipated adverse impact.

List of Subjects in 33 CFR Part 100

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

For the reasons set out in the preamble, the Coast Guard proposes to amend 33 CFR chapter I, subchapter G, as follows:

PART 100—[AMENDED]

1. The heading to subchapter G is revised to read as follows:

SUBCHAPTER G—MARINE EVENTS

2. The authority citation for part 100 is revised to read as follows:

Authority: 33 U.S.C. 1233; 49 CFR 1.46.

3. The heading for part 100 is revised to read as follows:

PART 100—MARINE EVENTS

4. Before § 100.01, add a subpart heading to read as follows:

Subpart A—General

5. Sections 100.01 and 100.05 are revised to read as follows:

§ 100.01 Purpose.

This part prescribes the requirements for holding a marine event in the navigable waters of the United States.

§ 100.05 Definitions.

As used in this part—

District Commander means the Commander of the Coast Guard district in which the marine event will be held.

Marine event or *event* means an organized event of limited duration held on the water according to a prearranged schedule.

Regatta or *marine parade* means a marine event.

State authority means an official or agency of a State having power under the laws of the State to regulate marine events on waters over which the State has jurisdiction.

6. Section 100.15 is revised to read as follows:

§ 100.15 General requirements for events.

No marine event may be conducted in such a manner that its participants violate the navigational rules that apply in the location where the event is held.

7. Sections 100.17, 100.18, and 100.19 are added to read as follows:

§ 100.17 Notice of event.

(a) The sponsor of a marine event shall notify the Coast Guard of the event if it involves more than 50 participating vessels.

(b) The notice must be in writing and contain the following information:

(1) The name of the sponsor of the event.

(2) Name, address, and telephone number of the person in charge of the event.

(3) The date and time the event is scheduled to begin and end.

(4) The nature of the event (for example, marine parade, powerboat race, or sailboat race).

(5) The location of the event as shown on a chart or drawing.

(6) The number of watercraft expected, including watercraft of spectators.

(7) An explanation of why the event is not likely to endanger human life and what steps will be taken to ensure that result.

(c) The notice must be submitted to the District Commander at least 120 days before the event is scheduled to begin.

(d) If, after reviewing the notice, the District Commander determines that the event is likely to result in the loss of human life unless special precautions are taken, that officer may prohibit the sponsor from conducting the event unless that officer first grants the sponsor a permit.

§ 100.18 Additional information required.

(a) When a permit is required under § 100.17(d), the sponsor of the event shall submit the following additional information to the District Commander at least 120 days before the event is scheduled to begin:

(1) A detailed plan of how the sponsor plans to conduct the event without loss of life.

(2) A statement of whether the event will be held in or near the critical habitat of any endangered or threatened species and, if so, what steps will be taken to avoid adverse impacts on any member of the species.

(3) A statement of whether the event will be held in or near an area designated as environmentally sensitive by a Federal, State, or local environmental agency and, if so, what adverse impacts it will have on the area and what steps will be taken to avoid or mitigate the impacts.

(4) Evidence of coordination and consultation about the event with all Federal, State, or local environmental agencies to identify critical habitats and environmentally sensitive areas, to identify whether any agency indicated the event will have an adverse impact on the environment, and to identify any steps an agency recommended to avoid or reduce the adverse impact.

(5) A statement that the event will be conducted in compliance with all requirements under the Clean Air Act (42 U.S.C. 1857 *et seq.*), the Clean Water Act (33 U.S.C. 1321), and the Noise Control Act (42 U.S.C. 4901 *et seq.*).

(6) A statement of whether the event is to be located on or near any sites or properties of historic or archaeological importance or significance to Native Americans.

(7) If the State in which the event will be held has an approved coastal zone management plan, a determination from the event's sponsor that the event is consistent with the enforceable policies of that plan, as well as evidence showing that the State has either concurred, or been asked to concur, in that determination.

(8) A statement of the consideration of the potential adverse effects of the event on critical habitats, environmentally sensitive areas, historic and archaeological sites, sites of importance to Native Americans, and the manner in which the event has been planned to avoid or reduce those adverse effects.

(9) Any other information deemed necessary by the District Commander, such as information to assist the Coast Guard in preparing required environmental documents on the event, including, when appropriate, an agreement to implement any mitigation measures suggested by an agency of the Federal, State, or local government charged with protecting natural resources.

(b) After review of the information submitted, the District Commander issues a permit to the sponsor or notifies the sponsor of the reasons why the event, as planned, does not qualify for a permit. If, after consultation with the Coast Guard, the sponsor modifies the event to qualify for a permit, the District Commander issues a permit to the sponsor. Otherwise, the District Commander notifies the sponsor that the request for a permit is denied.

§ 100.19 Appeals.

Any person adversely affected by a determination of a District Commander under § 100.18(b) may submit a petition to Chief, Office of Navigation Safety and Waterway Services, Commandant (G–N), U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593–0001 within 7 days of the date of the determination. After considering all relevant material presented, the Coast Guard notifies the petitioner of the decision. The decision by the Commandant (G–N) is final agency action.

§§ 100.25 and 100.30 [Removed]

8. Sections 100.25 and 100.30 are removed.

9. Section 100.35 is revised to read as follows:

§ 100.35 Special local regulations.

(a) The District Commander may issue regulations to promote safety of life on the navigable waters immediately before, during, and immediately after a marine event.

(b) The regulations may establish an area within which vessels are excluded, their entry is limited, or their movement is restricted.

(c) The District Commander may provide notice of the regulations by means of broadcast or local notices to mariners.

10. Section 100.50 is revised to read as follows:

§ 100.50 Penalties.

For violating a provision of this part or a regulation or order issued under this part, the person or organization is subject to penalties under 33 U.S.C. 1236.

11. Before § 100.101, add a new subpart B heading and § 100.100 to read as follows:

Subpart B—Special Local Regulations

§ 100.100 Purpose of subpart.

(a) This subpart prescribes regulations for particular recurring marine events.

(b) Geographical coordinates used in this subpart are not intended for plotting on maps and charts referenced to the North American Datum of 1983 (NAD 83), unless the coordinates are labeled NAD 83. Coordinates without an NAD 83 reference may be plotted on maps or charts with an NAD 83 reference only after application of the appropriate corrections published on the map or chart.

Dated: April 11, 1996.

Rudy K. Peschel,

Rear Admiral, U.S. Coast Guard, Chief, Office of Navigation Safety and Waterway Services.

[FR Doc. 96–9436 Filed 4–16–96; 8:45 am]

BILLING CODE 4910–14–M

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33 CFR Part 117

[CGD13–96–004]

Drawbridge Operation Regulations; Oregon Slough, OR

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: At the request of the Burlington Northern Santa Fe Railroad, the Coast Guard is proposing a change to the regulations governing the operation of the railroad swingspan bridge across Oregon Slough, Portland,