

Dated: March 21, 1996.

R.R. Pixa,
*Captain, JAGC, U.S. Navy, Deputy Assistant
 Judge Advocate General (Admiralty).*
 [FR Doc. 96-8211 Filed 4-3-96; 8:45 am]
 BILLING CODE 3810-FF-P

32 CFR Part 706

Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea, 1972; Amendment

AGENCY: Department of the Navy, DOD.
ACTION: Final rule.

SUMMARY: The Department of the Navy is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), to reflect that the Deputy Assistant Judge Advocate General (Admiralty) of the Navy has determined that USS MOUNT HOOD (AE 29) is a vessel of the Navy which, due to its special construction and purpose, cannot fully comply with certain provisions of the 72 COLREGS without interfering with its special

functions as a naval ship. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

EFFECTIVE DATE: March 20, 1996.

FOR FURTHER INFORMATION CONTACT: Captain R. R. Pixa, JAGC, U.S. Navy, Admiralty Counsel, Office of the Judge Advocate General, Navy Department, 200 Stovall Street, Alexandria, VA 22332-2400, Telephone number: (703) 325-9744.

SUPPLEMENTARY INFORMATION: Pursuant to the authority granted in 33 U.S.C. 1605, the Department of the Navy amends 32 CFR Part 706. This amendment provides notice that the Deputy Assistant Judge Advocate General (Admiralty) of the Navy, under authority delegated by the Secretary of the Navy, has determined that certain navigation lights on USS MOUNT HOOD (AE 29), previously certified as not in compliance with 72 COLREGS, now comply with the applicable 72 COLREGS requirements. Specifically, the forward masthead light has been relocated to comply with Annex I, paragraph 3(a).

Moreover, it has been determined, in accordance with 32 CFR Parts 296 and

701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on this vessel in a manner differently from that prescribed herein will adversely affect the vessel's ability to perform its military functions.

List of Subjects in 32 CFR Part 706

Marine safety, Navigation (water), and Vessels.

PART 706—[AMENDED]

Accordingly, 32 CFR Part 706 is amended as follows:

1. The authority citation for 32 CFR Part 706 continues to read:

Authority: 33 U.S.C. 1605.

2. Table Five of § 706.2 is amended by deleting the following entry for USS MOUNT HOOD (AE 29):

§ 706.2 Certifications of the Secretary of the Navy under Executive Order 11964 and 33 U.S.C. 1605.

* * * * *

TABLE FIVE

Vessel	No.	Masthead lights not over all other lights and obstructions. annex I, sec. 2(f)	Forward mast-head light not in forward quarter of ship. annex I, sec. 3(a)	After masthead light less than 1/2 ship's length aft of forward masthead light. annex I, sec. 3(a)	Percentage horizontal separation attained
USS MOUNT HOOD	AE 29	*	*	X	99
		*	*	*	*

Dated: March 20, 1996.

R.R. Pixa,
*Capt., JAGC, U.S. Navy, Deputy Assistant
 Judge Advocate General (Admiralty).*
 [FR Doc. 96-8210 Filed 4-3-96; 8:45 am]
 BILLING CODE 3810-FF-P

32 CFR Part 706

Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea, 1972; Amendment

AGENCY: Department of the Navy, DOD.
ACTION: Final rule.

SUMMARY: The Department of the Navy is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), to reflect that

the Deputy Assistant Judge Advocate General (Admiralty) of the Navy has determined that USS THE SULLIVANS (DDG 68) is a vessel of the Navy which, due to its special construction and purpose, cannot fully comply with certain provisions of the 72 COLREGS without interfering with its special function as a naval ship. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

EFFECTIVE DATE: March 20, 1996.

FOR FURTHER INFORMATION CONTACT: Captain R. R. Pixa, JAGC, U.S. Navy Admiralty Counsel, Office of the Judge Advocate General, Navy Department, 200 Stovall Street, Alexandria, VA 22332-2400, Telephone number: (703) 325-9744.

SUPPLEMENTARY INFORMATION: Pursuant to the authority granted in 33 U.S.C. 1605, the Department of the Navy

amends 32 CFR Part 706. This amendment provides notice that the Deputy Assistant Judge Advocate General (Admiralty) of the Navy, under authority delegated by the Secretary of the Navy, has certified that USS THE SULLIVANS (DDG 68) is a vessel of the Navy which, due to its special construction and purpose, cannot fully comply with the following specific provisions of 72 COLREGS without interfering with its special function as a naval ship: Annex I, paragraph 2(f)(i) pertaining to placement of the masthead light or lights above and clear of all other lights and obstructions; Annex I, paragraph 3(a) pertaining to the location of the forward masthead light in the forward quarter of the vessel, and the horizontal distance between the forward and after masthead lights; and, Annex I, paragraph 3(c) pertaining to placement of task lights not less than two meters

from the fore and aft centerline of the ship in the athwartship direction. The Deputy Assistant Judge Advocate General (Admiralty) has also certified that the lights involved are located in closest possible compliance with the applicable 72 COLREGS requirements.

Moreover, it has been determined, in accordance with 32 CFR Parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on this vessel in a manner differently from that prescribed herein will adversely affect the vessel's ability to perform its military functions.

List of Subjects in 32 CFR Part 706

Marine safety, Navigation (water), and Vessels.

PART 706—[AMENDED]

Accordingly, 32 CFR Part 706 is amended as follows:

1. The authority citation for 32 CFR Part 706 continues to read:

Authority: 33 U.S.C. 1605.

2. Table Four, Paragraph 15 of § 706.2 is amended by adding the following entry:

§ 706.2 Certifications of the Secretary of the Navy under Executive Order 11964 and 33 U.S.C. 1605—[Amended]

Vessel	No.	Horizontal distance from the fore and aft centerline of the vessel in the athwartship direction
USS THE SULLIVANS.	DDG 68	1.87 meters.

3. Table Four, Paragraph 16 of § 706.2 is amended by adding the following entry:

§ 706.2 Certifications of the Secretary of the Navy under Executive Order 11964 and 33 U.S.C. 1605—[Amended]

Vessel	No.	Obstruction angle relative ship's headings
USS THE SULLIVANS.	DDG 68	103.06 thru 112.50°.

4. Table Five of § 706.2 is amended by adding the following entry:

§ 706.2 Certifications of the Secretary of the Navy under Executive Order 11964 and 33 U.S.C. 1605—[Amended]

Vessel	No.	Masthead lights not over all other lights and obstructions. annex I, sec. 2(f)	Forward masthead light not in forward quarter of ship. annex I, sec. 3(a)	After masthead light less than 1/2 ship's length aft of forward masthead light. annex I, sec. 3(a)	Percentage horizontal separation attained
USS THE SULLIVANS	DDG 68	X	X	X	20.5

TABLE FIVE

Dated: March 20, 1996.

R.R. Pixa,
Capt., JAGC, U.S. Navy, Deputy Assistant
Judge Advocate General (Admiralty).

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD05-96-009]

RIN 2115-AE47

Drawbridge Operations; Eltham Drawbridge, Pamunkey River, West Point, VA

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: At the request of the Virginia Department of Transportation (VDOT), Commander, Fifth Coast Guard District

is suspending existing regulations for operation of the Eltham drawbridge on SR 33/30 across the Pamunkey River, mile 1.0, at West Point, Virginia and issuing this temporary final rule. This temporary final rule allows restricted drawbridge openings for all vessels seven days a week throughout the month of May. This is intended to help reduce motor vehicle traffic delays and congestion on the roads and highways linked by this drawbridge while the George P. Coleman Memorial Bridge is closed to motor vehicle traffic while still providing for the reasonable needs of navigation.

DATES: This temporary final rule is effective from May 1, 1996 through May 31, 1996.

FOR FURTHER INFORMATION CONTACT:

Ann B. Deaton, Bridge Administrator, Fifth Coast Guard District, at (804) 398-6222.

SUPPLEMENTARY INFORMATION:

Regulatory Information

A notice of proposed rulemaking (NPRM) was not issued for this temporary final rule. This temporary final rule was requested by the Virginia Department of Transportation in order to minimize traffic delays during replacement of the Coleman Bridge. The Coast Guard believes that this temporary final rule will impose only a minimal burden of limited duration on navigation while reducing traffic delays. For these reasons, the Coast Guard for good cause finds, under 5 U.S.C. 553(b)(3), that notice and public procedure on the notice prior to the effective date of this temporary final rule would be contrary to the public interest and are therefore not necessary.

Background and Purpose

Currently, 33 CFR 117.1023 provides that the Eltham Bridge shall open on signal, except that, on Monday through Friday, it will open for recreational vessels and commercial fishing vessels