

fruit and that the opportunity should be made available to market lower quality fruit to meet demand. This proposal could allow more fruit to be marketed.

In order to prevent confusion in the marketplace and to clearly differentiate shipments of "CTFA Utility" fruit from better quality fruit, this proposal requires that containers of "CTFA Utility" fruit be conspicuously marked with the words "CTFA Utility". In addition, shipments of such fruit would be required to meet the same container, pack, and container marking requirements in effect for shipments of higher quality fruit.

This proposed rule reflects the Department's appraisal of the need to revise the quality and container requirements for California nectarines and peaches as specified. The Department believes that this rule may have a beneficial impact on producers, handlers, and consumers of California nectarines and peaches.

Based on available information, the Administrator of the AMS has determined that this action would not have a significant economic impact on a substantial number of small entities.

A 30-day comment period is provided to allow interested persons to respond to this proposal. All written comments timely received will be considered before a final determination is made on these matters.

List of Subjects

7 CFR Part 916

Marketing agreements, Nectarines, Reporting and recordkeeping requirements.

7 CFR Part 917

Marketing agreements, Peaches, Pears, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR Parts 916 and 917 are proposed to be amended as follows:

PART 916—NECTARINES GROWN IN CALIFORNIA

1. The authority citation for 7 CFR Part 916 continues to read as follows:

Authority: 7 U.S.C. 601–674.

2. Section 916.350 is amended by adding a new paragraph (d) to read as follows:

§ 916.350 California Nectarine Container and Pack Regulation.

* * * * *

(d) During the period April 1 through October 31, 1996, each container or package when packed with nectarines meeting CTFA Utility requirements,

shall bear the words "CTFA Utility" marked on all containers and packages, along with all other required container markings, in letters of 3/4 inch minimum height on the principal display panel. Consumer bags or packages must also be clearly marked on the bag or package as "CTFA Utility" along with other required markings.

3. Section 916.356 is amended by revising paragraph (a)(1) to read as follows:

§ 916.356 California Nectarine Grade and Size Regulation.

(a) * * *

(1) Any lot or package or container of any variety of nectarines unless such nectarines meet the requirements of U.S. No. 1 grade: Provided, that nectarines 2 inches in diameter or smaller, shall not have fairly light colored, fairly smooth scars which exceed an aggregate area of a circle 3/8 inch in diameter, and nectarines larger than 2 inches in diameter shall not have fairly light colored, fairly smooth scars which exceed an aggregate area of a circle 1/2 inch in diameter: Provided further, That an additional tolerance of 25 percent shall be permitted for fruit that is not well formed but not badly misshapen. Provided further, that, during the period April 1 through October 31, 1996, any handler may handle nectarines if such nectarines meet CTFA Utility quality requirements. The term CTFA Utility means nectarines that have been inspected by the Federal or Federal-State Inspection Service and meet the requirements of the U.S. No. 2 grade as defined in the United States Standards for Grades of Nectarines [7 CFR 51.3145 through 51.3160], except that misshapened fruit and fruit with serious damage due to scarring would be permitted. The Federal or Federal-State Inspection Service shall make final determinations on maturity through the use of color guides or such other tests as determined appropriate by the inspection agency.

* * * * *

PART 917—FRESH PEARS AND PEACHES GROWN IN CALIFORNIA

1. The authority citation for 7 CFR Part 917 continues to read as follows:

Authority: 7 U.S.C. 601–674.

2. Section 917.442 is amended by adding and reserving a new paragraph (c) and adding paragraph (d) to read as follows:

§ 917.442 California Peach Container and Pack Regulation.

* * * * *

(d) During the period April 1 through November 23, 1996, each container or package when packed with peaches meeting CTFA Utility requirements, shall bear the words "CTFA Utility" marked on all containers and packages, along with all other required container markings, in letters of 3/4 inch minimum height on the principal display panel. Additional consumer bags or packages must also be clearly marked on the bag or package as "CTFA Utility" along with other required markings.

3. Section 917.459 is amended by revising paragraph (a)(1) to read as follows:

§ 917.459 California Peach Grade and Size Regulation.

(a) * * *

(1) Any lot or package or container of any variety of peaches unless such peaches meet the requirements of U.S. No. 1 grade: Provided, that an additional 25 percent tolerance shall be permitted for fruit with open sutures which are damaged, but not seriously damaged. Provided, that, during the period April 1 through November 23, 1996, any handler may handle peaches if such peaches meet CTFA Utility quality requirements. The term CTFA Utility means peaches that have been inspected by the Federal or Federal State Inspection Service and meet the requirements of the U.S. No. 2 grade as defined in the United States Standards for Grades of Peaches [7 CFR 51.1210 through 51.1223], except that misshapened fruit and fruit with serious damage due to scarring would be permitted. The Federal or Federal-State Inspection Service shall make final determinations on maturity through the use of color chips or other tests as determined appropriate by the inspection agency.

* * * * *

Dated: February 26, 1996.

Sharon Bomer Lauritsen,
Deputy Director, Fruit and Vegetable Division.
[FR Doc. 96–4871 Filed 3–1–96; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD01–95–168]

RIN 2115–AE46

Special Local Regulation: World's Fastest Lobster Boat Race, Moosabec Reach, Jonesport, ME

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to establish a permanent special local regulation for the World's Fastest Lobster Boat Race. The event will be held annually on the observed Independence Day in the waters of Moosabec Reach, Jonesport, ME. This regulation is needed to protect the boating public from the hazards associated with high speed powerboat racing in confined waters.

DATES: Comments must be received on or before May 3, 1996.

ADDRESSES: Comments should be mailed to Commander (b), First Coast Guard District, Captain John Foster Williams Federal Building, 408 Atlantic Ave., Boston, MA 02110-3350, or may be hand delivered to Room 428 at the same address, between 8 a.m. and 4 p.m., Monday through Friday, except federal holidays. Comments will become part of this docket and will be available for inspection or copying at the above address.

FOR FURTHER INFORMATION CONTACT: Lieutenant (jg) B.M. Algeo, Chief, Boating Affairs Branch, First Coast Guard District, (617) 223-8311.

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 notice (CGD01-95-168), the specific section of the proposal to which each comment applies, and give reasons for each comment. The Coast Guard requests that all comments and attachments be submitted in an 8½" x 11" unbound format suitable for copying and electronic filing. If that is not practical, a second copy of any bound material is requested. Persons requesting acknowledgment of receipt of comments should enclose a stamped, self-addressed postcard or envelope.

The Coast Guard will consider all comments received during the comment period. It may change this proposal in view of the comments. The Coast Guard plans no public hearing. Persons may request a public hearing by writing to Commander (b), First Coast Guard District at the address under **ADDRESSES**. The request should include reasons why a hearing would be beneficial. If it is determined 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.

Discussion of Proposed Amendments

The World's Fastest Lobsterboat Race is a local, traditional event that has been held for many years in Jonesport, ME. In the past, the Coast Guard has promulgated individual regulations for each year's running of the race. Given the recurring nature of the event, the Coast Guard desires to establish a permanent regulation for this event. The proposed regulation would establish a regulated area on Moosabec Reach and would provide specific guidance to control vessel movement during the race.

This event includes up to 60 power-driven lobster boats competing in heats on a marked course at speeds approaching 25 m.p.h. The Coast Guard will assign a patrol to the event, and the race course will be marked. However, due to the speed, large wakes, and proximity of the participating vessels, it is necessary to establish a special local regulation to control spectator and commercial vessel movement within this confined area. Spectator craft are authorized to watch the race from any area as long as they remain outside the designated regulated area.

The proposed section will be effective annually on the observed Independence Day holiday or as published in a Coast Guard Notice to Mariners. A rain date may be established and announced in a Coast Guard Notice to Mariners. In emergency situations, the Coast Guard patrol commander may establish escort procedures for vessels requiring transit through the regulated area.

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 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 (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact to be so minimal that a full Regulatory Evaluation, under paragraph 10e of the regulatory policies and procedures of DOT, is unnecessary. This conclusion is based on the limited duration of the race, the extensive advisories that will be made to the affected maritime community, and the minimal restrictions the regulation places on vessel traffic.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard

must consider the economic impact on small entities of a rule for which a general notice of proposed rulemaking is required. "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, the Coast Guard certifies under 5 U.S.C. 605(b) that this proposal will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This proposal 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 proposal in accordance with 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 has considered the environmental impacts of this proposal and concluded that, under paragraph 2.B.2.e.34(h) of COMDTINST 16475.1B (as revised by 59 FR 38654, July 29, 1994), this proposal is a regulation issued in conjunction with an annually issued regatta or marine parade permit and is categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 100

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

Proposed Regulation

For the reasons set out in the preamble, the Coast Guard proposes to amend 33 CFR part 100 as follows:

PART 100—[AMENDED]

1. The authority citation for part 100 continues to read as follows:

Authority: 33 U.S.C. 1233; 49 CFR 1.46 and 33 CFR 100.35.

2. A permanent section, § 100.110, is added to read as follows:

§ 100.110 World's Fastest Lobster Boat Race, Jonesport, ME.

(a) *Regulated Area.* The regulated area includes all waters of Moosabec Reach within the following points (NAD 83):

<i>Latitude</i>	<i>Longitude</i>
44°31'36" N	067°36'54" W
44°31'48" N	067°34'42" W
44°31'36" N	067°34'42" W
44°31'18" N	067°36'54" W

(b) *Special local regulations.* (1) The Coast Guard patrol commander may delay, modify, or cancel the race as conditions or circumstances require.

(2) No person or vessel may enter, transit, or remain in the regulated area unless participating in the event or unless authorized by the Coast Guard patrol commander.

(3) Vessels encountering emergencies which require transit through the regulated area should contact the Coast Guard patrol commander on VHF Channel 16. In the event of an emergency, the Coast Guard patrol commander may authorize a vessel to transit through the regulated area with a Coast Guard designated escort.

(4) All persons and vessels shall comply with the instructions of the on-scene Coast Guard patrol commander. On-scene patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard. Upon hearing five or more short blasts from a U.S. Coast Guard vessel, the operator of a vessel shall proceed as directed. Members of the Coast Guard Auxiliary will also be present to inform vessel operators of this regulation and other applicable laws.

(c) *Effective period.* This section is in effect from 10 a.m. to 1 p.m. annually on the observed Independence Day holiday, unless otherwise specified in a Coast Guard Notice to Mariners.

Dated: February 20, 1996.

J.L. Linnon,

*Rear Admiral, U.S. Coast Guard Commander,
First Coast Guard District.*

[FR Doc. 96-4919 Filed 3-1-96; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 100

[CGD 09-95-017]

RIN 2115-AE46

Special Local Regulation; Detroit Grand Prix, Detroit River, Fleming Channel and Scott Middle Ground, MI

AGENCY: Coast Guard, DOT.

ACTION: Notice of termination.

SUMMARY: This rulemaking project was initiated to adopt regulations requiring a "NO STOPPING ZONE" in the Fleming Channel, and a "CAUTION AREA" in the Scott Middle Ground of the Detroit River during the annual Detroit Grand Prix held on Belle Isle. The project is no longer necessary due

to a further review of the event by the Coast Guard that determined mariners observing the Inland Navigation Rules will be able to safely watch the event. The Coast Guard is therefore terminating further rulemaking under docket number CGD09-95-017.

FOR FURTHER INFORMATION CONTACT:

Marine Science Technician Second Class Jeffrey M. Yunker, Ninth Coast Guard District, Aids to Navigation Branch, 1240 East Ninth Street, Cleveland, Ohio 44199-2060, (216) 522-3990.

SUPPLEMENTARY INFORMATION:

Regulatory History

On July 26, 1995, the Coast Guard published a Notice of Proposed Rulemaking entitled Special Local Regulation; Detroit Grand Prix, Detroit River, Fleming Channel and Scott Middle Ground, MI in the Federal Register (60 FR 38291). The deadline for the submission of comments was September 25, 1995. The Coast Guard received one comment on the proposal. The proposal recommended both the "NO-STOPPING ZONE" and "CAUTION AREA" be made into anchorage areas. The recommended size of the anchorage area in the Scott Middle Ground would also be greatly decreased. Further review of the event's history was conducted by Coast Guard Group Detroit and Coast Guard Station Belle Isle. It was determined that no regulated areas are required for this event. Mariners will be able to safely watch the event while adhering to the Inland Navigation Rules. Regulations were first written for this event in 1992. The event was expected to draw an estimated 2000 spectator craft which could pose hazards to navigation in the area. A large number of spectator craft has not been encountered during the event due to the poor visibility of the event from the water. Because there is no further need for regulations during the Detroit Grand Prix, the Coast Guard is terminating further rulemaking under docket number CGD09-95-017.

Dated: February 15, 1996.

G. F. Woolever,

*Rear Admiral, U.S. Coast Guard, Commander,
Ninth Coast Guard District.*

[FR Doc. 96-4921 Filed 3-1-96; 8:45 am]

BILLING CODE 4910-14-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 122, 123, 403, and 501

[FRL-5432-8]

National Pollutant Discharge Elimination System Permit Application Requirements for Publicly Owned Treatment Works and Other Treatment Works Treating Domestic Sewage

AGENCY: Environmental Protection Agency.

ACTION: Extension of comment period.

SUMMARY: The Environmental Protection Agency (EPA) announces that the public comment period for the National Pollutant Discharge Elimination System (NPDES) Permit Application Requirements for Publicly Owned Treatment Works and Other Treatment Works treating Domestic Sewage proposed rulemaking (60 FR 62546, December 6, 1995) will be extended from March 6, 1996 to March 29, 1996 due to the effects of the recent Federal government shutdown. EPA is proposing to revise its NPDES permit application requirements and to develop a new permit application form, Form 2A, in order to streamline the permit application process for POTWs and improve the quality of permits issued to those facilities. The Agency is also proposing permit application requirements and an application form, Form 2S, for Treatment Works Treating Domestic Sewage to provide permit writers with the information necessary to issue effective permits for these facilities. In developing these proposed forms and application requirements, the Agency has consulted with State and municipal representatives and has addressed their concerns. As a result, the proposed forms and applications would minimize the burden on permittees and permitting authorities and result in greater environmental protection through more effective NPDES permits.

DATES: In order to be considered, comments must be received on or before March 29, 1996.

ADDRESSES: Comments should be addressed to Municipal and Sludge Application Rule Comment Clerk, Water Docket MC-4101; United States Environmental Protection Agency, 401 M Street SW., Washington, DC, 20460. Commenters are also requested to submit an original and 3 copies of their written comments as well as an original and 3 copies of any attachments, enclosures, or other documents referenced in the comments.