

B. 30 IAC 12-8-8.1, *Renewal*

Indiana proposes to add this section to require a certified blaster to renew his or her certification every three years. The request for renewal must be submitted to the department in writing, on forms supplied by the department, within thirty days prior to expiration of the certificate. The department will approve the renewal request if the certified blaster has worked at least twelve months of the preceding thirty-six as a certified blaster and is not in violation of 310 IAC 12-8-9. If the certified blaster does not renew his or her certification within one year after expiration, the certificate will no longer be renewable. A blaster must then submit a new application for certification. The department will send a renewal notice to each registrant at least two months before expiration of certification. Finally, the renewal notice and all other communications will be sent to the last address the registrant gave to the department. Failure to receive a renewal notice does not relieve the certified blaster of the obligation to renew his or her certification.

III. Public Comment Procedures

Under the provisions of 30 CFR 732.17(h), we are requesting comments on whether the amendment satisfies the applicable program approval criteria of 30 CFR 732.15. If we approve the amendment, it will become part of the Indiana program.

Written Comments

Your written comments should be specific and pertain only to the issues proposed in this rulemaking. You should explain the reason for any recommended change. In the final rulemaking, we will not necessarily consider or include in the Administrative Record any comments received after the time indicated under **DATES** or at locations other than the Indianapolis Field Office.

Public Hearing

If you wish to speak at the public hearing, contact the person listed under **FOR FURTHER INFORMATION CONTACT** by 4:00 p.m., e.s.t. on July 30, 1999. We will arrange the location and time of the hearing with those persons requesting the hearing. If you are disabled and need special accommodations to attend a public hearing, contact the individual listed under **FOR FURTHER INFORMATION CONTACT**. The hearing will not be held if no one requests an opportunity to speak at the public hearing.

You should file a written statement at the time you request the hearing. This will allow us 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. If you are in the audience and have not been scheduled to speak and wish to do so, you will be allowed to speak after those who have been scheduled. We will end the hearing after all persons scheduled to speak and persons present in the audience who wish to speak have been heard.

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. If you wish to meet with us to discuss the amendment, request a meeting by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**. All such meetings are open to the public and, if possible, we will post notices of meetings at the locations listed under **ADDRESSES**. We also make a written summary of each meeting a part of the Administrative Record.

IV. Procedural Determinations

Executive Order 12866

The Office of Management and Budget (OMB) exempts this rule from review under Executive Order 12866 (Regulatory Planning and Review).

Executive Order 12988

The Department of the Interior has conducted the reviews required by section 3 of Executive Order 12988 (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 regulatory programs and program amendments since each program is drafted and promulgated by a specific State, not by OSM. Under sections 503 and 505 of SMCRA (30 U.S.C. 1253 and 1255) and 30 CFR 730.11, 732.15, and 732.17(h)(10), decisions on State regulatory programs and program amendments must be based solely on a determination of whether the submittal is consistent with SMCRA and its implementing Federal regulations and whether the other requirements of 30 CFR Parts 730, 731, and 732 have been met.

National Environmental Policy Act

This rule does not require an environmental impact statement since section 702(d) of SMCRA (30 U.S.C. 1292(d)) provides that agency decisions on 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 corresponding 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. Therefore, this rule will ensure that existing requirements previously published 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 corresponding Federal regulations.

Unfunded Mandates

OSM has determined and certifies under the Unfunded Mandates Reform Act (2 U.S.C. 1502 *et seq.*) that this rule will not impose a cost of \$100 million or more in any given year on local, state, or tribal governments or private entities.

List of Subjects in 30 CFR Part 914

Intergovernmental relations, Surface mining, Underground mining.

Dated: July 7, 1999.

Charles E. Sandberg,

Acting Regional Director, Mid-Continent Regional Coordinating Center.

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 110

[CGD11-99-008]

RIN 2115-AA98

Anchorage Regulation; Los Angeles-Long Beach Harbors, CA

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rule making.

SUMMARY: The Coast Guard proposes to revise the anchorage ground regulations for Los Angeles and Long Beach Harbors. The proposed regulations have been reorganized to improve readability and to update references to other sections of the Code of Federal Regulations. Additionally, construction activity in the port complex has resulted in the creation of landfills in some areas currently designated as anchorages. This proposal eliminates or reconfigures these anchorages to conform with changes in the geography of the harbors. Finally, the Coast Guard proposes additional notification and operating requirements on some vessels which are necessary to ensure the safety of the port complex.

DATES: Comments must be received on or before September 13, 1999.

ADDRESSES: Comments should be mailed to Commanding Officer, USCG Marine Safety Office, Los Angeles-Long Beach, 165 N. Pico Ave., Long Beach, CA 90802. The comments and other materials referenced in this notice will be available for inspection and copying at the Marine Safety Office. Normal office hours are between 7:30 a.m. and 4 p.m., Monday through Friday, except holidays. Comments may also be hand delivered to this address.

FOR FURTHER INFORMATION CONTACT: Lieutenant Rob Collier, Chief, Waterways Management Division, Marine Safety Office, Los Angeles-Long Beach, telephone (562) 980-4426.

SUPPLEMENTARY INFORMATION:

Request for Comments

Interested persons are invited to participate in this proposed rulemaking by submitting written views, data or arguments to the office listed under **ADDRESSES** in this preamble. Persons submitting comments should include their names and addresses, identify the docket number for the regulations (CGD11-99-008), the specific section of the proposal which their comments apply, and give reasons for each comment.

The regulations may be changed in light of the comments received. All comments received before the expiration of the comment period will be considered before final action is taken on this proposal. No public hearing is planned, however, one may be held if written requests for a hearing are received and it is determined that the opportunity to make oral presentations will aid in the rule making process.

Background and Purpose

The Coast Guard proposes to revise the anchorage ground regulations, 33 CFR 110.214, for Los Angeles and Long Beach Harbors. The proposed regulations are designed to simplify the current regulations, reconfigure the anchorages with respect to changed geographic conditions and the current chart datum, and incorporate appropriate safety standards where necessary to ensure safe navigation.

Discussion of Proposed Regulations

The current regulation, may be confusing because they mix information of an advisory nature with mandatory regulatory requirements and it is difficult to determine which activities can be performed in various anchorages. Currently, many requirements are listed in paragraph (a), which describes the physical layout of the anchorages, instead of paragraph (b), which contains the general regulations. The proposed regulations are rewritten so that paragraph (a) discusses general requirements relating to all anchorages in this section, including those activities which require Captain of the Port (COTP) permits under the various regulations enforced by the COTP. Proposed paragraph (b) describes only the physical location of each anchorage; the designation of "non-anchorage" areas has been eliminated because the general requirement that vessels may not anchor anywhere outside of designated anchorage areas makes the designation of "non-anchorage" areas redundant and confusing. Proposed paragraph (c) describes specific requirements applicable to individual anchorages, and has been placed in table format. Proposed paragraph (d) describes explosives anchorage requirements.

The proposed regulations eliminate or reconfigure several anchorages to reflect completed and ongoing construction of new facilities in the port complex.

Existing commercial anchorage area "A" will be eliminated by the proposed regulations. As part of the Port of Los Angeles Pier 400 expansion project, this existing anchorage has been replaced by a shallow water habitat area, which is unsuitable as a commercial vessel anchorage. A new commercial anchorage area "A" will be established within a portion of the existing commercial anchorage "C".

Existing commercial anchorages "B" and "C" are also affected by the Pier 400 construction project. The Pier 400 facility will occupy much of these existing anchorage areas, eliminating entirely those portions of these

anchorages within the Port of Los Angeles boundaries. Proposed anchorage area "B" will be located entirely within the southwestern portion of the Port of Long Beach, replacing existing anchorage "C" and naval anchorage "J". Naval anchorage "J" will be eliminated. Anchorage "C" will move from its present location to a new location in the northeastern portion of the Port of Long Beach.

Existing commercial anchorage "D" and naval anchorage "K" will be consolidated into a new commercial anchorage "D".

Although naval anchorages "J" and "K" will be eliminated (becoming part of the reconfigured "B" and "D" commercial anchorages, respectively), the Department of Defense will retain priority for using the eastern portion of proposed anchorage "D".

The boundary of anchorage "E" is being adjusted as a result of a breakwater constructed in the Port of Long Beach adjacent to Pier J. This breakwater reduced the area suitable for anchoring as it extends into existing anchorage "E" and if left unchanged would make it difficult for vessels to enter or depart the Pier J facility when vessels were anchored there. Accordingly, proposed anchorage "E" is being modified to allow vessels an unobstructed passage when entering or departing the terminal at Pier J. Anchorage Area "E" is also being subdivided with the western portion of existing anchorage "E" retaining this designation and the eastern portion of anchorage "E" being slightly reconfigured and renamed as Anchorage "C".

The northern boundary of General Anchorage "N" has been adjusted due to the establishment of boating slips in the northern portion of the anchorage. These boating slips provide the opportunity to moor to a dock instead of anchoring.

General Anchorage Area "O" will be eliminated by the proposed regulations. This area is being filled and is not currently used as an anchorage.

Boundaries for the explosives anchorage and existing anchorages "F" and "G" will not change. Finally, this rulemaking does not affect anchorage Area "A-2" which is established as a special anchorage area described in 33 CFR 110.100.

Although several anchorages are being eliminated or reconfigured by the proposed regulations, a sufficient number of anchorages are believed available to meet the both current and anticipated future needs of the port complex. Importantly, the construction of terminals and/or landfills in U.S.

navigable waters was the subject of a separate permit process administered by the U.S. Army Corps of Engineers. The proposed anchorage areas are designed to most effectively meet the demands of vessels desiring to anchor within Los Angeles and Long Beach Harbors.

Finally, certain outdated practices and procedures have been eliminated or changed and new procedures to better ensure the safety of navigation and the protection of the environment have been added. The regulations also conform to the current definitions of explosives, cargoes of particular hazard and certain dangerous cargoes which have been revised in other sections of 33 CFR. Requirements to obtain permits for certain activities such as the handling or carriage of explosives, and extended anchorage stays are all explicitly detailed. Watchkeeping and other general requirements pertinent to commercial vessels at anchorage are set forth in section (a). Additionally, some activities such as bunkering and lightering are permissible only in specified anchorage locations and are prohibited in others. These are outlined in section (c) which discusses requirements and procedures which vary from anchorage to anchorage.

Regulatory Evaluation

This proposal is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require and 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 Department of Transportation Regulatory Policies and Procedures (DOT) (44 FR 11040, February 26, 1979). The Coast Guard expects the impact of this rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary.

The proposed regulation only make substantive changes in anchorage designations to conform with the changed geography of the harbor and to best make use of available water. Some of the proposed designated procedures reflect various additions to, and changes in, existing regulatory requirement; however, they are all proposed in the interest of safe navigation and protection of the port complex, and most of the mariners affected already practice these procedures as a matter of prudent seamanship.

Small Entities

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

must consider whether this proposal will have a significant economic impact on a substantial number of small entities. "Small entities" may include small businesses and not-for-profit organizations that are not dominate in their respective fields, and governmental jurisdictions with populations less than 50,000. For the same reasons set forth in the Regulatory Evaluation, the Coast Guard certifies under 5 U.S.C. 605(b) that this proposal, if adopted, is not expected to have a significant economic impact on any substantial number of entities, regardless of their size.

Assistance for Small Entities

In accordance with section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-121), the Coast Guard wants to assist small entities in understanding this proposed rule so that they can better evaluate its effects on them and participate in the rule making process. If your small business or organization is affected by this rule and you have questions concerning its provisions or options for compliance, please contact LT Rob Collier, Coast Guard Marine Safety Office Los Angeles-Long Beach, at the address listed in ADDRESSES.

Collection of Information

This rule contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

This proposal has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that the proposed rule making 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 proposed rule and concluded that under section 2.B.2 of Commandant Instruction M16475.1C, Figure 2-1, paragraph (34) (f), it will have no significant environmental impact and it is categorically excluded from further environmental documentation. No new anchorage areas are being established, and existing anchorages are merely being reconfigured or eliminated. A Categorical Exclusion Determination and Environmental Analysis Checklist have been completed and are available in the rulemaking docket.

Unfunded Mandates

Under the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4), the Coast Guard must consider whether this proposed rule will result in an annual expenditure by state, local, and tribal governments, in the aggregate of \$100 million (adjusted annually for inflation). If so, the Act requires that a reasonable number of regulatory alternatives be considered, and that from those alternatives, the least costly, most cost-effective, or least burdensome alternative that achieves the objective of the rule be selected.

No state, local or tribal government entities will be affected by this rule, so this rule will not result in annual or aggregate costs of \$100 million or more. Therefore, the Coast Guard is exempt from any further regulatory requirements under the Unfunded Mandates Act.

Other Executive Orders on the Regulatory Process

In addition to the statutes and Executive Orders already addressed in this preamble, the Coast Guard considered the following executive orders in developing this rule and reached the following conclusions:

E.O. 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights. This Rule will not effect a taking of private property or otherwise have taking implications under this Order.

E.O. 12875, Enhancing the Intergovernmental Partnership. This Rule will not impose, on any State, local, or tribal government, a mandate that is not required by statute and that is not funded by the Federal government.

E.O. 12988, Civil Justice Reform. This Rule meets applicable standards in section 3(a) and 3(b)(2) of this Order to minimize litigation, eliminate ambiguity, and reduce burden.

E.O. 13045, Protection of Children from Environmental Health Risks and Safety Risks. This Rule is not an economically significant rule and does not concern an environmental risk to safety disproportionately affecting children.

List of Subjects in 33 CFR Part 110

Anchorage grounds.

Proposed Regulation

For the reasons set out in the preamble, Coast Guard proposes to amend Subpart B of Part 110, Title 33, Code of Federal Regulations, as follows:

PART 110—[AMENDED]

1. The authority citation for part 110 continues to read as follows:

Authority: 33 U.S.C. 471, 1221 through 1236, 2030, 2035, and 2071; 49 CFR 1.46; and, 33 CFR 1.05–1(g).

2. Section 110.214 is revised to read as follows:

§ 110.214 Los Angeles, and Long Beach Harbors, California.

(a) *General Regulations.*

(1) *Anchorage Assignment.* (i) Unless otherwise directed by the Captain of the Port Los Angeles-Long Beach, the pilot stations for the Port of Long Beach and the Port of Los Angeles will assign the use of commercial anchorages within their jurisdictions (Long Beach and Los Angeles Harbors respectively). All anchorages outside (seaward) of the federal breakwater will be assigned by the Los Angeles-Long Beach Vessel Traffic Information Service (VTIS). The master, pilot, or person in charge of a vessel must notify the appropriate pilot station (for anchorages inside the federal breakwater) or the VTIS (for anchorages outside the federal breakwater) of their intention to anchor, upon anchoring, and at least fifteen minutes prior to departing an anchorage. All anchorage assignments will be made as described in this part unless modified by the Captain of the Port.

(ii) Radio communications for port entities governing anchorages are as follows: Los Angeles-Long Beach Vessel Traffic Information Service, call sign "LA-Long Beach Traffic," Channel 14 VHF-FM; Los Angeles Port Pilots, Channel 73 VHF-FM; Long Beach Port Pilots, Channel 74 VHF-FM.

(iii) The exact boundary separating the Port of Long Beach from the Port of Los Angeles is published in local Port Tariffs. For purposes of this rule, Long Beach waters are those east, and Los Angeles waters are those west, of the following locations:

(A) Inner Harbor: The Henry Ford (Badger Avenue) Bridge.

(B) Middle Harbor: The Pier 400 Transportation Corridor.

(C) Outer Harbor: The western boundary of Commercial Anchorage B.

(2) *Required approvals, permits and notifications.*

(i) No vessel may anchor anywhere within Los Angeles or Long Beach harbors for more than 10 consecutive

days unless an extended anchorage permit is obtained from the captain of the Port. In determining whether an extended anchorage permit will be granted, consideration will be given, but not necessarily limited to: the current and anticipated demands for anchorage space within the harbor, the duration requested, the condition of the vessel, and the reason for the request.

(ii) No vessel while carrying, loading, or unloading diversion 1.1 or 1.2 materials as defined in 49 CFR 173.50, or Cargoes of Particular Hazard (COPH) as defined in 33 CFR 126.10, or Certain Dangerous Cargoes (CDC) as defined in 33 CFR 160.203, may anchor without first obtaining a permit issued by the Captain of the Port.

(iii) Vessels requiring use of an explosives anchorage should contact the Captain of the Port at least 24 hours prior to the anticipated need for the explosives anchorage to allow for proper activation of that anchorage.

(iv) Except with the prior approval of the Captain of the Port, or, in the case of an emergency, with approval of the Captain of the Port immediately subsequent to anchoring, no commercial vessel greater than 1600 gross tons may anchor in Los Angeles-Long Beach Harbor unless it maintains the capability to get underway within 30 minutes. Any vessel unable to meet this requirement must immediately notify the Captain of the Port and make arrangements for an adequate number of tugs to respond to the vessel within 30 minutes notice.

(v) In anchorages where lightering is authorized, the Captain of the Port must be notified at least 4 hours in advance of a vessel conducting lightering operations (see 33 CFR 156.118).

(3) *Other General Requirements.*

(i) When at anchor, all commercial vessels greater than 1600 gross tons shall, at all times, have a licensed deck officer on watch and maintain a continuous radio listening watch unless subject to one of the exemptions in paragraph 3(i)(a) through 3(i)(c). The radio watch must be on CH-13 VHF-FM when anchored inside the federal breakwater, and on CH-14 VHF-FM or on CH-16 VHF-FM when anchored outside the federal breakwater, except for unmanned barges; vessels which have less than 100 gallons of oil or fuel onboard regardless of how the fuel is carried; and other vessels receiving

advance approval from the Captain of the Port.

(ii) When sustained wind speeds exceed 40 knots, all anchored commercial vessels greater than 1600 gross tons shall ensure their propulsion plant is placed in immediate standby and a second anchor is made ready to let go. Vessels unable to comply with this requirement must immediately notify the Captain of the Port. In such case, the Captain of the Port may require the vessel to have one or more tugs standing by to render immediate assistance.

(4) *Prohibitions.* Within Los Angeles Harbor, Long Beach Harbor, and the Los Angeles-Long Beach Precautionary Area, except for emergency reasons, or with the prior approval of the Captain of the Port, vessels are prohibited from anchoring outside of designated anchorage areas. In the event a vessel anchors outside a designated anchorage area for emergency reasons, the master, pilot, or person in charge of the vessel shall:

(i) position the vessel so as to minimize the danger to other vessels and facilities;

(ii) immediately notify the Captain of the Port by the most expeditious means of the vessel's location and the reason(s) for the emergency anchoring; and

(iii) move the vessel as soon as the emergency condition prompting anchoring outside a designated area abates, or as soon as ordered to move by the Captain of the Port, whichever occurs sooner.

(5) *Exemption from rules.* The Captain of the Port may, upon request, or whenever he/she deems appropriate, authorize a deviation from any rule in this section.

(b) *The anchorage grounds.* Locations of anchorage grounds are as described in this section. Specific requirements for individual anchorages are contained in paragraphs (c) and (d) of this section. All coordinates referenced use datum: NAD 83.

(1) *Commercial Anchorage A (Los Angeles Harbor).* A circular area with a radius of 400 yards (approximately 366 meters), centered in position 33°–43'–19.2"N, 118°–14'–18.5"W.

(2) *Commercial Anchorage B (Long Beach Harbor).*

An area enclosed by a line joining the following coordinates:

	Latitude	Longitude
Beginning point	33°–44'–37.0"N	118°–13'–00.0"W
Thence south/southeast to	33°–44'–12.0"N	118°–12'–36.2"W
Thence southeast to	33°–43'–38.2"N	118°–11'–36.9"W
Thence southwest to	33°–43'–26.1"N	118°–11'–47.2"W

	Latitude	Longitude
Thence west to	33°-43'-26.1"N	118°-12'-22.7"W
Thence west/southwest to	33°-42'-58.9"N	118°-13'-53.0"W
Thence north/northwest to	33°-44'-15.3"N	118°-14'-26.6"W
Thence northeast to	33°-44'-25.1"N	118°-14'-15.6"W
Thence southeast to	33°-44'-22.8"N	118°-13'-51.0"W
Thence east/northeast to the beginning point.		

(3) *Commercial Anchorage C (Long Beach Harbor).*

An area enclosed by a line joining the following coordinates:

	Latitude	Longitude
Beginning point	33°-44'-20.0"N	118°-08'-26.2"W
Thence west to	33°-44'-23.5"N	118°-09'-32.6"W
Thence north to	33°-44'-52.8"N	118°-09'-33.2"W
Thence southeast to	33°-44'-25.2"N	118°-08'-26.2"W
Thence south to the beginning point.		

(4) *Commercial Anchorage D (Long Beach Harbor).*

An area enclosed by a line beginning near the east end of the Long Beach Breakwater and joining the following coordinates:

	Latitude	Longitude
Beginning point	33°-43'-27.2"N	118°-08'-12.6"W
Thence west to	33°-43'-27.2"N	118°-10'-46.5"W
Thence north to	33°-43'-51.0"N	118°-10'-46.5"W
Thence northeast to	33°-44'-18.5"N	118°-10'-27.2"W
Thence east to	33°-44'-18.5"N	118°-08'-12.6"W
Thence south to the beginning point.		

(5) *Commercial Anchorage E (Long Beach Harbor).*

An area enclosed by a line joining the following coordinates:

	Latitude	Longitude
Beginning point	33°-44'-55.3"N	118°-09'-40.2"W
Thence southwest to	33°-44'-18.5"N	118°-09'-56.8"W
Thence west to	33°-44'-18.5"N	118°-10'-27.2"W
Thence northwest to	33°-44'-27.6"N	118°-10'-41.0"W
Thence west/northwest to	33°-44'-29.0"N	118°-10'-57.4"W
Thence north/northwest to	33°-45'-06.4"N	118°-11'-09.5"W
Thence northeast to	33°-45'-15.2"N	118°-10'-46.1"W
Thence southeast to the beginning point.		

(6) *Commercial Anchorage F (outside of Long Beach Breakwater).*

The waters southeast of the Long Beach Breakwater bounded by a line connecting the following coordinates:

	Latitude	Longitude
Beginning point	33°-43'-05.1"N	118°-07'-59.0"W
Thence west to	33°-43'-05.1"N	118°-10'-36.5"W
Thence south/southeast to	33°-40'-23.0"N	118°-08'-35.3"W
Thence east to	33°-40'-23.0"N	118°-06'-03.0"W
And thence north/northwest to the beginning point.		

(7) *Commercial Anchorage G (outside of the Middle Breakwater).*

The waters south of the Middle Breakwater bounded by a line connecting the following coordinates:

	Latitude	Longitude
Beginning point	33°-43'-05.4"N	118°-11'-18.0"W
Thence west to	33°-43'-05.4"N	118°-12'-18.7"W
Thence west/southwest to	33°-42'-25.9"N	118°-14'-19.2"W
Thence southeast to	33°-41'-40.3"N	118°-13'-05.2"W
Thence east/northeast to	33°-42'-08.8"N	118°-11'-36.8"W
And thence north/northeast to the beginning point.		

(8) *General Anchorage N (Los Angeles Harbor).*

The waters near Cabrillo Beach shoreward of a line connecting the following coordinates:

	Latitude	Longitude
	33°-42'-55.9"N	118°-16'-44.4"W
	33°-42'-26.8"N	118°-16'-33.9"W

(9) *General Anchorage P (Long Beach Harbor).*

The waters within an area beginning at Alamitos Bay West Jetty Light "1" and connecting the following coordinates:

	Latitude	Longitude
Beginning point	33°-44'-14.5"N	118°-07'-19.2"W
Thence northwest to	33°-44'-20.6"N	118°-07'-31.7"W
Thence northwest	33°-45'-06.5"N	118°-09'-34.0"W
Thence along the eastern shoreline of Island White to the lighted marker at	33°-45'-13.5"N	118°-09'-34.0"W
Thence northwest to	33°-45'-37.1"N	118°-10'-38.5"W
Thence north/northwest to	33°-45'-49.4"N	118°-10'-38.8"W
And thence east/southeast along the Long Beach shoreline and the Alamitos Bay West Jetty to the beginning point.		

(10) *General Anchorage Q (Long Beach Harbor/Alamitos Bay/Anaheim Bay).*

The waters within an area described as follows:

	Latitude	Longitude
Beginning point	33°-44'-36.0"N	118°-08'-13.0"W
Thence east/southeast to	33°-44'-20.6"N	118°-07'-31.7"W
Thence along a line described as an arc, radius of 460 meters (approximately 1509 feet) centered on	33°-44'-12.5"N	118°-07'-16.5"W
Thence northwest to	33°-44'-04.8"N	118°-07'-1.0"W
Thence north/northeast to	33°-44'-11.1"N	118°-07'-13.0"W
Thence east/southeast to	33°-44'-24.0"N	118°-07'-04.1"W
Thence east/southeast to	33°-44'-22.5"N	118°-06'-57.0"W
Thence along the shoreline of Seal Beach and Anaheim Bay W. Jetty to	33°-43'-39.1"N	118°-06'-06.8"W
Thence west/southwest to	33°-43'-27.8"N	118°-07'-39.9"W
Thence northwest to	33°-43'-38.4"N	118°-07'-48.2"W
Thence west to	33°-43'-38.4"N	118°-08'-12.9"W
and thence north to the beginning point.		

(11) *Explosives Anchorage (Long Beach Harbor).*

A circular area with a radius of 1,909 yards (1,745 meters), centered in position 33°43'37.0" N, 118°09'05.3" W.

(c) *Individual anchorage requirements:*

(1) Table 110.214(c) lists anchorage grounds, identifies the purpose of each anchorage, and contains specific regulations applicable to certain

anchorage. Requirements for the explosives anchorage are contained in paragraph (d) of this section.

(2) The geographic boundaries of each anchorage are contained in paragraph (b) of this section.

TABLE 110.214(C)

Anchorage	General location	Purpose	Specific regulations
A	Los Angeles Harbor	Commercial	Note a.
B	Long Beach Harbor .....	.....do	Do.
C .....	.....do .....	.....do	Notes a,g.
D .....	.....do	Comm'l and Naval	Notes a,b,g.
E .....	.....do	Commercial	Notes c.
F	Outside Breakwater .....	.....do	Notes c,g.
G .....	.....do .....	.....do	Notes c,d.
N	Los Angeles Harbor	Small Craft	Note e.
P	Long Beach Harbor .....	.....do	Note f.
Q .....	.....do .....	.....do	Notes c,g.

Notes: a. Bunkering and lightering are permitted.

b. West of 118°-09'-48" W priority for use of the anchorage will be given to commercial vessels over 244 meters (approximately 800 feet). East of 118°-09'-48" W priority for use of the anchorage will be given to Naval and Public vessels, vessels under Department of Defense charter, and vessels requiring use of the explosives anchorage.

c. Bunkering and lightering are prohibited.

d. This anchorage is within a Regulated navigation area and additional requirements apply as set forth in 33 CFR 165.1109(e).

e. This anchorage is controlled by the Los Angeles Port Police. Anchoring, mooring and recreational boating activities conforming to applicable City of Los Angeles ordinances and regulations are allowed in this anchorage.

f. This anchorage is controlled by the Long Beach Harbor Master. Anchoring, mooring and recreational boating activities conforming to applicable City of Long Beach ordinances and regulations are allowed in this anchorage.

g. When the explosives anchorage is activated portions of this anchorage lie within the explosives anchorage and the requirements of paragraph (d) of this section apply.

(d) *Explosives Anchorage (Long Beach Harbor):*

(1) Priority for use of this anchorage shall be given to vessels carrying, loading, or unloading division 1.1, 1.2, 1.3, or 1.4 (explosive) materials as defined in 49 CFR 173.50, or Cargoes of Particular Hazard (COPH) as defined in 33 CFR 126.10, or Certain Dangerous Cargoes (CDC) as defined in 33 CFR 160.203.

(2) Vessels requiring the use of this anchorage shall notify the Captain of the Port at least 24 hours in advance of their intentions including the estimated times of arrival, departure, net explosive weight, and whether the vessel will be loading or unloading. Vessels may not use this anchorage without first obtaining a permit issued by the Captain of the Port.

(3) No vessel containing more than 680 metric tons (approximately 749 tons) of net explosive weight (NEW) may anchor in this anchorage;

(4) Bunkering and lightering operations are permitted in the explosives anchorage, except that vessels engaged in the loading or unloading of explosives shall not simultaneously conduct bunkering or lightering operations.

(5) Each anchored vessel loading, unloading or laden with explosives, must display a red flag of at least 1.2 square meters (approximately 16 square feet) in size by day, and at night the flag must be illuminated by spotlight;

(6) When a vessel displaying the red flag occupies the explosives anchorage, no other vessel may anchor within the Explosives Anchorage.

Note: When the explosives anchorage is activated, portions of Anchorages "C", "D", "F" and "Q" are encompassed by the explosives anchorage.

Dated: June 18, 1999.

T.H. Collins,

Vice Admiral, USCG, Commander, Eleventh Coast Guard District.

[FR Doc. 99-17906 Filed 7-14-99; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Part 2530

[WO-320-00-4212-02]

Indian Allotments

AGENCY: Bureau of Land Management, Interior.

ACTION: Proposed rule; notice of reopening of comment period.

SUMMARY: The Bureau of Land Management (BLM) hereby gives notice that it is reopening the comment period on a Notice of Proposed Rule, which was published in the **Federal Register** on October 16, 1996 (61 FR 53887). The comment period for the proposed rule expired on November 15, 1996. The proposed rule erroneously stated that the information requirements in the rule were not subject to the provisions of the Paperwork Reduction Act. BLM is reopening the comment period on the proposed rule for 60 days to accept comments on the information requirements and on any other aspects of the proposed rule.

DATES: Submit all comments by September 13, 1999. Comments received after the closing date may not be considered in preparing the final rule.

ADDRESSES: Send all comments related to the information aspects of the proposed rule to: Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: Interior Desk Officer (1004-NEW), 725 17th St., NW, Washington, DC. Please send a copy of your comments to: Administrative Record, Bureau of Land Management, 1849 C St., NW, Mail Stop 401 LS, Washington, DC 20240 or e-mail them to WoComment@blm.gov.

FOR FURTHER INFORMATION CONTACT: Jeff Holdren, Lands and Realty Group, (202) 452-7779, e-mail: jeff_holdren@blm.gov, for information about BLM's Indian allotment program. Carole Smith, Regulatory Affairs Group, (202) 452-0367, e-mail: carole_smith@blm.gov, for the information collection aspects of the proposed rule. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service between 8 a.m. and 8 p.m., Eastern time.

SUPPLEMENTARY INFORMATION: On October 16, 1996, BLM published a notice of a proposed rule in the **Federal Register**. This rule at 43 CFR part 2530 would revise the provisions on Indian allotments to: (1) Identify the requirements for Indian allotments, (2) describe the steps that a person must take to file an application for an Indian allotment on BLM-administered lands and on public domain lands within national forests, (3) impose an application processing fee of \$100 per application, (4) clarify various requirements, including how to apply for a trust patent, and (5) present the material in plain language.

The comment period closed on November 15, 1996. Only one comment was received. To give individuals who did not comment during the initial 30-

day comment period a chance for a longer time to consider the proposed regulations, BLM is reopening the comment period for an additional 60 days.

Discussion of Statute and Proposed Regulations

Section 4 of the Indian General Allotment Act of February 8, 1887 (43 U.S.C. 1740) provides that, if you are an Indian eligible for an allotment, you may apply for an allotment to the BLM office having jurisdiction over the lands covered by your application. Your eligibility depends upon your being able to furnish documentation from the Bureau of Indian Affairs that shows you are an Indian who meets the requirements of the Act. If you are eligible, your minor child is also qualified to file for an allotment under the Act.

The regulations at 43 CFR part 2530 implement the provisions of the Act. The proposed regulations update the current regulations to incorporate changes that have occurred since 1972, when the current regulations became effective. These include changes describing how BLM will process applications to include provisions relating to the National Environmental Policy Act, the Federal Land Policy and Management Act (FLPMA), and the laws relating to hazardous substances. FLPMA requirements including meeting the planning requirements and the 2-year notification to grazing permittees and lessees.

The proposed regulations would also require a \$100 filing fee to reimburse BLM partially for processing each application.

The proposed regulations at § 2530.10 specify what lands are available for an Indian allotment and would: (1) Affirm that approving an Indian allotment is at BLM's discretion, (2) require that BLM ensure that the lands under application are valuable for agriculture or grazing, and suitable physically and economically, and (3) provide that lands otherwise appropriated or segregated from surface entry are not available for selection.

The proposed regulations would also:

- Renumber current sections of the regulations, as described in the earlier notice (61 FR 53888),

- Add provisions at § 2530.10 to inform applicants of the need to select lands properly classified for settlement under the Act,

- Substantially streamline current regulatory provisions at § 2530.13 by substituting a general reference to the requirement that an applicant for an Indian allotment submit documentation