

(b) *Effective Dates.* This section becomes effective on January 30, 1995 and will terminate on March 31, 1995.

(c) *Regulations.* The general regulations under § 165.23 which prohibit entry into the described zone without the authority of the Captain of the Port, St. Louis, apply.

Dated: January 25, 1995.

**S.P. Cooper,**

*Captain, U.S. Coast Guard, Captain of the Port, St. Louis, Missouri.*

[FR Doc. 95-3431 Filed 2-9-95; 8:45 am]

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### 33 CFR Part 165

[COTP Huntington 95-001]

RIN 2115-AA97

#### **Safety Zone; Ohio River, Mile 308.0 to 310.0, Symmes Creek, Chesapeake, OH, and Adjacent Landside Areas**

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a safety zone on the Ohio River, at the entrance to Symmes Creek, Chesapeake, Ohio, and all adjacent landside areas within a 1,000 foot radius of each specific explosive detonation site. This regulation is needed to control vessel, vehicular, and pedestrian traffic in the regulated area to prevent potential safety hazards for transiting vessels and the general public resulting from the demolition of the 6th Street Bridge at mile 308.7, Ohio River, Huntington, West Virginia. Vessel movements within this safety zone are permitted under the criteria set forth in this regulation.

**EFFECTIVE DATES:** This regulation is effective at 6 a.m. EST on February 1, 1995. It terminates on June 1, 1995 at 8 p.m. EDT, unless terminated sooner by the Captain of the Port Huntington.

**FOR FURTHER INFORMATION CONTACT:** LT Sean Moon, Chief of the Port Operations Department, Captain of the Port, Huntington, West Virginia at (304) 529-5524.

#### **SUPPLEMENTARY INFORMATION:**

##### **Drafting Information**

The drafters of this regulation are LT Sean Moon, Project Officer, Marine Safety Office, Huntington, West Virginia and LT S. Moody, Project Attorney, Second Coast Guard District Legal Office.

##### **Regulatory History**

In accordance with 5 U.S.C. 553, a notice of proposed rulemaking was not

published for this regulation and good cause exists for making it effective in less than 30 days after **Federal Register** publication. Following normal rulemaking procedures would have been impracticable. Specifically, anticipated demolition operations, including explosive detonations, as part of a bridge removal project at mile 308.7, Ohio River, Huntington, West Virginia, have created a situation which presents an immediate hazard to navigation, life, and property. As a result, the Coast Guard deems it to be in the public's best interest to issue a regulation immediately.

##### **Background and Purpose**

The activity requiring this regulation is a bridge demolition undertaken as a part of the new bridge construction under United States Coast Guard Bridge Permit Number 4-90-2 dated May 25, 1990. The Captain of the Port Huntington did not receive notice of the explosive and demolition operations until January 18, 1995. C.J. Mahan Construction Company of Grove City, Ohio, working under contract for the State of West Virginia, completed construction of the new bridge on November 2, 1994. The bridge permit included the requirement that the old bridge be demolished within 180 days of completion of the new bridge. Landside dismantling of the old bridge began shortly after completion of the new bridge. Waterside demolition operations, involving the use of crane barges and explosives in and near the navigation channel, will begin on or about February 1, 1995 at mile 308.7 on the Ohio River. Completion of the bridge removal is expected to occur on or before June 1, 1995. Bridge spans and bridge piers will be removed in sections, one at a time, over a period of several months. In addition to the explosive hazard associated with several different detonations, the regular presence of a crane barge, tow boats and submerged steel will pose an obstructive hazard to waterborne traffic operating in the vicinity of the project work site. In order to provide for the safety of vessel and vehicular traffic and the general public, the Captain of the Port Huntington intends to regulate vessel traffic in that portion of the Ohio River and Symmes Creek where the explosives and steel removal operations will be taking place, and to work with local law enforcement officials to secure all landside areas within a 1,000 foot radius of each specific blast site until the hazard from the explosive detonations is mitigated.

During critical phases of the demolition project, the affected portions of the Ohio River, the entrance to

Symmes Creek, and adjacent landside areas in proximity to the blast site will be subject to periodic closures. No vessels will be allowed to transit either waterway when blasting and steel removal operations will affect safe navigation. Additionally, local law enforcement officials will secure landside areas as appropriate to safeguard the general public from the explosive hazard during detonations.

Notification of river and creek closure will be made via Broadcast Notice to Mariners at periods 24 hours, 2 hours, and 5 minutes prior to each blast. Notification will be via VHF radio channel 16.

During all river and creek entrance closures, two boats will be available for the security of the closed river area. The boats will be placed up and down river of the blasting area. These boats will patrol and warn any recreational/commercial vessel traffic of the impending blast.

No blasting will be permitted unless all river and creek traffic is removed to a safe location outside of the blasting area. No blasting will take place when there is restricted visibility (the contractor must be able to see from bank to bank before blasting). No blasting will take place unless the river stage is at or below 5 feet above normal pool and falling.

Unless overtaken by circumstances, periodic river and creek closures will be less than 24 hours in duration. Closures of Symmes Creek will be very abbreviated, during blasting operations only. Closures of the Ohio River will be during blasting and clearing operations and will remain in effect until the river is cleared and the safety of transiting vessels is ensured. Local law enforcement officials will restrict access and secure landside areas as necessary to protect the public from explosive hazards. Road closures, evacuations, and other appropriate security measures will be imposed for abbreviated periods only.

When the blasting and obstructive hazards have been mitigated, the Captain of the Port Huntington will reopen the river and creek. Notification of the reopening of the river and creek will be via VHF radio on channel 16. The entrance to Symmes Creek will be reopened to vessel traffic entering the Ohio River upon the conclusion of each blasting operation. Vessels transiting to or from Symmes Creek must contact the on scene contractor vessels for passing instructions to ensure safe operation within the safety zone. Local law enforcement officials will reopen landside areas immediately upon conclusion of blasting operations.

Notice of this safety zone and updates on periodic closures will also be published in the Local Notice to Mariners.

The establishment of this safety zone regulation ensures that vessels will not transit on the Ohio River in the vicinity of the blasting area during explosive detonations or when the main channel is obstructed by submerged steel to eliminate attendant risks associated with these operations. The Captain of the Port will also work with local law enforcement officials to protect the safety of the general public in adjacent landside areas. The safety zone also ensures that communication is established between the contractors and vessels transiting the waters within the safety zone during the non-critical phases of the demolition project. With proper communication between both parties, the contractor is assured of having ample time to comply with any request to relocate work boats temporarily to allow a vessel to navigate through the safety zone.

#### Regulatory Evaluation

This regulation 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 under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this regulation to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary, due to the limited duration of actual river closures.

#### Small Entities

The Coast Guard finds that the impact on small entities is not substantial. Therefore, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq*) that this temporary rule will not have a significant economic impact on a substantial number of small entities.

#### Collection of Information

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

#### Federalism Assessment

The Coast Guard has analyzed this regulation under the principles and criteria contained in Executive Order 12612 and has determined that it does

not raise sufficient federalism implications to warrant the preparation of a Federalism Assessment.

#### Environmental Assessment

The Coast Guard considered the environmental impact of this regulation and concluded that, under section 2.B.2 of Commandant Instruction M16475.1B, this regulation is categorically excluded from further environmental documentation. A Categorical Exclusion Determination is available in the docket for inspection.

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

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

#### Temporary Regulation

In consideration of the foregoing, Subpart F of Part 165 or Title 33, Code of Federal Regulations, is amended as follows:

#### PART 165—[AMENDED]

1. The authority citation for Part 165 continues to read as follows:

**Authority:** 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1(g), 6.04–1, 6.04–6, and 160.5; 49 CFR 1.46.

2. A temporary section 165.T02–002 is added, to read as follows:

#### § 165.T02–002 Safety Zone: Ohio River, Symmes Creek, and Adjacent Landside Areas

(a) *Location.* The Ohio River between 308.0 and 310.0, the entrance to Symmes Creek, Chesapeake, Ohio, and adjacent landside areas within 1,000 feet of each specific blast site are established as a safety zone.

(b) *Effective dates.* This section becomes effective on February 1, 1995 at 6 a.m. EST. It terminates on June 1, 1995 at 8 p.m. EDT, unless terminated sooner by the Captain of the Port Huntington.

(c) *Regulations.* (1) Except with the permission of the Captain of the Port, all vessels must:

(i) Remain outside the safety zone during all periods of closure, as announced by Coast Guard Broadcast Notice to Mariners and as enforced on scene by personnel from the Coast Guard Marine Safety Office Huntington, WV.

(ii) Communicate with the contract vessel M/V MISS MAY or M/V MICHAEL D on channel 16 VHF–FM to arrange for safe passage through the safety zone at all other times, providing at least twenty (20) minutes advance notice prior to transiting through the regulated area.

(iii) Provide the contract vessel M/V MISS MAY or M/V MICHAEL D at least twenty (20) minutes advance notice to

move/suspend operations in any case where the transiting vessel operator believes the safe passage of any vessel or tow is jeopardized by the presence/operation of the crane barge during operations not involving river closure.

(2) Except with the permission of the Captain of the Port, vessels involved with the 6th Street Bridge demolition operations must:

(i) M/V MISS MAY or M/V MICHAEL D: Communicate with and arrange safe passage through the safety zone for all vessels not involved in the demolition project.

(ii) M/V MISS MAY or M/V MICHAEL D: Initiate appropriate broadcast notices to local mariners over channel 16 VHF–FM 24 hours, 2 hours, and 5 minutes prior to initiation of blasting operations.

(iii) M/V MISS MAY or M/V MICHAEL D: Ensure that all vessel traffic is outside the area of the safety zone and the waterside blast area is secured prior to any explosive detonation, with that information effectively communicated to the contractors conducting the blasting.

(iv) M/V MISS MAY or M/V MICHAEL D: Monitor operations involving steel and debris removal after each detonation and, following clearance of the river, the conduct of subsequent subsurface sweeps of the main channel.

(v) M/V MISS MAY or M/V MICHAEL D: Notify the Coast Guard Captain of the Port Huntington once a successful sweep has determined that the Ohio River main shipping channel is clear (a minimum underwater clearance of 20 feet below normal river pool), with no obstructions to impede the safe navigation of vessels.

(vi) All other contract vessels: Relocate to a safe area prior to any blasting operations.

(3) Except with the permission of the Captain of the Port, C. J. MAHAN CONSTRUCTION COMPANY must:

(i) Not detonate explosives if a vessel not involved with the blasting operation is inside the safety zone, or if any contract vessel has not relocated to a safe distance away from the blast area, as verified and communicated by the M/V MISS MAY or M/V MICHAEL D.

(ii) Not initiate any blasting operations until local law enforcement officials have verified and communicated that landside security is established and that landside portions of the safety zone are clear.

(iii) Not initiate any blasting operations in periods of restricted visibility (operator must ensure there is clear bank-to-bank visibility).

(4) Except with the permission of the Captain of the Port, all pedestrians and vehicular traffic must remain outside the affected landside portions of the safety zone, as enforced by local law enforcement officials.

(5) The Captain of the Port may, upon request, authorize a deviation from any rule in this section if he determines that the proposed operations can be done safely.

(6) The Captain of the Port may direct the movement of any vessel within the safety zone as appropriate to ensure the safe navigation of vessels through the safety zone.

Dated: January 23, 1995, 5 pm e.s.t.

**F.A. Nyhuis,**

*Commander, U.S. Coast Guard, Captain of the Port, Huntington, WV.*

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**POSTAL SERVICE**

**39 CFR Part 20**

**Discontinuation of Authorization to Use Domestic Postal Money Orders Internationally**

**AGENCY:** Postal Service.

**ACTION:** Final rule.

**SUMMARY:** The Postal Service is discontinuing the Semidomestic Money Order Service. The domestic money order form is no longer being used for payments to Anguilla; Antigua and Barbuda; Bahamas; Barbados; Belize; British Virgin Islands; Canada; Dominica; Grenada; Jamaica; Montserrat; St. Christopher and Nevis; St. Lucia; St. Vincent and the Grenadines; and Trinidad and Tobago. In place of the domestic form, the Postal Service will use the international postal money order form (MP1) when issuing a money order for payment in these countries.

**EFFECTIVE DATE:** March 1, 1995.

**FOR FURTHER INFORMATION CONTACT:** Al Gillum, (703) 905-3818.

**SUPPLEMENTARY INFORMATION:** The Postal Service has received numerous complaints from foreign postal administrations regarding the acceptance of domestic postal money orders by the banking system in those countries. This practice circumvents the policies and procedures regarding the acceptance of international postal money orders agreed to within the Universal Postal Union.

The Postal Service is committed to enforcing the agreements with its foreign partners. A concerted effort is

being made to restrict the negotiation of domestic postal money orders to the United States and its possessions and territories, and the Freely Associated States (FAS). Possessions and territories are American Samoa (including Manua Island, Swain's Island, Tutuila Island); Baker Island; Guam; Howland Island; Jarvis Island; Johnston Island; Kingman Reef; Midway Island; Navassa Island; Northern Mariana Islands (including Rota Island; Saipan Island, Tinian Island); Palmyra Island; Puerto Rico; Sand Island; U.S. Virgin Islands (including St. Croix Island; St. John Island, St. Thomas Island); and Wake Island. The FAS are Marshall Islands (including Ebeye Island, Majuro Island); Palau (including Koror Island); and Micronesia (including Chuuk (Truk) Island, Kosrae Island, Pohnepi Island, Yap Island).

Semidomestic Money Order Service permits the negotiation of domestic postal money orders in the countries listed in the Summary. In order to restrict uniformly the negotiation of domestic postal money orders to the United States and its possessions and territories and to the FAS, it is necessary to discontinue Semidomestic Money Order Service.

In light of the foregoing, the Postal Service hereby adopts the following amendments to the International Mail Manual, which is incorporated by reference in the Code of Federal Regulations. See 39 CFR 20.1.

**List of Subjects in 39 CFR Part 20**

Foreign relations, International postal service.

**PART 20—[AMENDED]**

1. The authority citation for 39 CFR part 20 continues to read as follows:

**Authority:** 5 U.S.C. 552(a); 39 U.S.C. 401, 404, 407, 408.

2. Chapter 3 of the International Mail Manual is amended by revising subchapter 390 as follows:

**CHAPTER 3—SPECIAL SERVICES**

\* \* \* \* \*

**390 Supplementary Services**

**391 International Money Orders**

\* \* \* \* \*

[Revise section 391.11 by deleting "and Semi-Direct Service" to read as follows:]

International postal money order service is available to transfer funds to individuals or firms in countries that have entered into agreements with the United States Postal Service for the exchange of postal money orders. International postal money orders sent

by Direct Service may be sent by letter mail or Express Mail International Service (EMS).

\* \* \* \* \*

[Revise section 391.2 by replacing "three" in the first sentence with "two"; by deleting section 391.2a in its entirety and renumbering sections 391.2b and 391.2c to sections 391.2a and 391.2b, respectively; and by adding the countries in the Summary to the renumbered section 391.2b to read as follows:]

Postal money orders are exchanged with countries in one of two ways:

a. Standard international postal money orders. This method uses the Authorization to Issue an International Money Order form set. See Individual Country Listings.

b. Direct international postal money orders. This method uses the pink international postal money order form (MP1). The following countries accept this form: Anguilla, Antigua and Barbuda, Bahamas, Barbados, Belize, Bolivia, British Virgin Islands, Canada, Cape Verde, Costa Rica, Dominica, Dominican Republic, Ecuador, El Salvador, Grenada, Guyana, Honduras, Jamaica, Japan, Mali, Mexico, Montserrat, Nigeria, Panama, St. Christopher and Nevis, St. Lucia, St. Vincent and the Grenadines, Sierra Leone, and Trinidad and Tobago. Money orders issued by these countries in U.S. dollars, with the exception of Jamaica and Trinidad and Tobago, are negotiable in the United States. There will be no money orders issued in Bolivia, Cape Verde, Dominican Republic, Ecuador, Honduras, Mexico, Nigeria, Panama, and Sierra Leone for payment in the United States. The MP1 cards issued in Japan for payment in the United States must be shown in U.S. dollars preceded by the capital letters "USD."

Money orders issued in Mali for payment in the United States will be the standard international postal money order.

[Revise section 391.3 by replacing "three" with "two" in the first sentence; by deleting section 391.3a in its entirety and renumbering section 391.3c to section 391.3a; and by adding the countries in the Summary to the renumbered section 391.3a to read as follows:]

There are two separate fees for international money orders:

a. The fee for money orders payable in countries that accept the pink international postal money order form (MP1) is \$3 per money order. These countries are:

Anguilla