

course, rather than of a course in DL or LG, or (2) 90 days of sea service on tankers, rather than an unspecified amount of sea service of an unspecified kind. It invites comments.

*Section 13.503 Eligibility requirements: Experience.*

This section allows an applicant for an endorsement as Tankerman-Engineer to combine sea service and satisfactory completion of a DL or LG course for the requisite experience. But STCW, as amended in 1994, requires that the same applicant both satisfactorily complete the appropriate DL or LG course and prove 90 days of sea service on tankers. Therefore, the Coast Guard is inclined to amend this section to require both, rather than some blend of them. It invites comments.

*Section 13.509 Eligibility requirements: Cargo course.*

This section allows an applicant for an endorsement as Tankerman-Engineer to substitute sea service for satisfactory completion of a course in DL or LG. But STCW, as amended in 1994, requires that the same applicant both satisfactorily complete the appropriate DL or LG course and prove 90 days of sea service on tankers. Therefore, the Coast Guard is inclined to amend this section to require both, rather than some blend of them. It invites comments.

Dated: March 15, 1996.

J.C. Card,

*Rear Admiral, U.S. Coast Guard Chief, Office of Marine Safety, Security and Environmental Protection.*

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### 33 CFR Part 165

[CGD02-96-078]

RIN 2115-AA97

#### **Safety Zone; Lower Mississippi River, Mile 631.0 to Mile 635.0**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone on the Lower Mississippi River between mile 631.0 and mile 635.0. This regulation is needed to restrict vessel traffic in the regulated area to prevent a collision with a sunken barge, surveying and salvage equipment and to provide a safe work area for survey and salvage personnel.

**DATES:** This regulation is effective from 11 p.m. on March 12, 1996, and

terminates at 8 a.m. on September 31, 1996.

**FOR FURTHER INFORMATION CONTACT:**

LT Byron Black, Chief, Port Operations, Captain of the Port, 200 Jefferson Avenue, Suite 1301, Memphis, TN 38103, Phone: (901) 544-3941.

**SUPPLEMENTARY INFORMATION:**

**Background and Purpose**

At approximately 10:10 p.m. on March 12, 1996, the M/V ROBERT A KYLE reported that one iron barge had sunk at approximate mile 633.0 on the Lower Mississippi River. The sunken barge's exact location remains unknown and survey operations at Lower Mississippi River mile 633.0 will commence shortly. The navigable channel will be blocked during survey and salvage operations. A safety zone has been established on the Lower Mississippi River from mile 631.0 to mile 635.0 in order to facilitate safe vessel passage. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port.

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. Publication of a notice of proposed rulemaking and delay of effective date would be contrary to the public interest because immediate action is necessary. Specifically, immediate action is necessary to facilitate the survey for the sunken barge's exact location. Harm to the public or environment may result if vessel traffic is not controlled during the operations. As a result, the Coast Guard deems it to be in the public's best interest to issue a regulation immediately.

**Regulatory Evaluation**

This rule 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.

**Collection of information**

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

**Federalism**

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

**Environment**

The Coast Guard considered the environmental impact of this rule and concluded that, under paragraph 2.B.2 of Commandant Instruction M16475.1B (as revised by 59 FR 38654; July 29, 1994), this rule is categorically excluded from further environmental documentation.

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

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

For the reasons set out in the preamble, the Coast Guard amends 33 CFR Part 165 as follows:

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

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

2. A new temporary section 165.T02-078 is added to read as follows:

**§ 165.T02-078 Safety Zone; Lower Mississippi River.**

(a) *Location.* The following area is a Safety Zone: Lower Mississippi River mile 631.0 to mile 635.0.

(b) *Effective dates.* This section is effective from 11 p.m. on March 12, 1996, and terminates at 8 a.m. on September 31, 1996.

(c) *Regulations.* In accordance with the general regulations in § 165.23, entry into this zone is prohibited except as authorized by the Captain of the Port. The Captain of the Port, Memphis, Tennessee, will notify the maritime community of conditions affecting the area covered by this safety zone by Marine Safety Information Radio Broadcast on VHF Marine Band Radio, Channel 22 (157.1 MHz).

Dated: March 12, 1996.

P.L. Mountcastle,

*Lieutenant Commander, USCG, Acting Captain of the Port.*

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