"000196" and inserting in its place "000069."

Effective date: July 5, 1983.

(Sec. 512(i) and (n), 82 Stat. 347, 350-351 (21 U.S.C. 360b(i) and (n)))

Dated: June 28, 1983.

Max L. Crandall,

Associate Director for Surveillance and Compliance.

[FR Doc. 83-17903 Filed 7-1-83; 8:45 am]

BILLING CODE 4160-01-M

21 CFR Part 558

New Animal Drugs for Use In Animal Feeds; Salinomycin

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of a new animal drug application (NADA) filed by A. H. Robins Co. providing for use of a premix containing salinomycin to make a finished broiler feed used for preventing coccidiosis caused by certain *Eimeria* spp.

EFFECTIVE DATE: July 5, 1983.

FOR FURTHER INFORMATION CONTACT: Adriano R. Gabuten, Bureau of Veterinary Medicine (HFV-135), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-4913.

SUPPLEMENTARY INFORMATION:

A. H. Robins Co., 1211 Sherwood Ave., P.O. Box 26609, Richmond, VA 23261, filed NADA 128-686 to provide for use of 30 grams salinomycin (salinomycin sodium biomass) per pound of premix to make finished broiler feeds containing 40 to 60 grams salinomycin per ton of broiler feed for the prevention of coccidiosis caused by *Eimeria tenella, E. necatrix, E. acervulina, E. brunetti, E. mivati,* and *E. maxima.* The medicated feed is to be fed continuously as the sole ration to broiler chickens only and is not to be fed to laying chickens. The NADA is approved and the regulations are amended accordingly. The basis of approval is discussed in the freedom of information (FOI) summary.

In accordance with the freedom of information provisions of Part 20 (21 CFR Part 20) and § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)), a summary of safety and effectiveness data and information submitted to support approval of this application may be seen in the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857, from 9 a.m. to 4 p.m., Monday through Friday.

The Bureau of Veterinary Medicine has carefully considered the potential environmental effects of this action and has concluded that the action will not have a significant impact on the human environment and that an environmental impact statement therefore will not be prepared. The Bureau of Veterinary Medicine's finding of no significant impact and the evidence supporting this finding, contained in an environmental impact analysis report (pursuant to 21 CFR 25.1(j)), may be seen in the Dockets Management Branch (address above).

List of Subjects in 21 CFR Part 558

Animal drugs, Animal feeds.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10) and redelegated to the Bureau of Veterinary Medicine (21 CFR 5.83), Part 558 is amended by adding new § 558.550 to read as follows:

PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

§ 558.550 Salinomycin.

(a) *Approvals.* Premix level of salinomycin sodium biomass equivalent to 30 grams of salinomycin sodium activity per pound to No. 000031 in § 510.600(c) of this chapter.

(b) *Assay limit.* Premix: 100 to 120 percent of labeled amount. Finished feed: 80 to 120 percent of labeled amount of drug.

(c) *Conditions of use.* It is used in complete broiler feeds as follows:

(1) *Amount per ton.* 40 to 60 grams.

(2) *Indications for use.* For the prevention of coccidiosis caused by *Eimeria tenella, E. necatrix, E. acervulina, E. maxima, E. brunetti,* and *E. mivati.*

(3) *Limitations.* Feed continuously as sole ration. Do not feed to layers. Not approved for use with pellet binders. May be fatal if accidentally fed to adult turkeys or horses.

Effective date. July 5, 1983.

(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i)))

Dated: June 27, 1983.

Lester M. Crawford,

Director, Bureau of Veterinary Medicine.

[FR Doc. 83-17904 Filed 7-1-83; 8:45 am]

BILLING CODE 4160-01-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Parts 1, 92, and 161

[CGD 78-079b]

St. Marys River Vessel Traffic Service

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: This final rule, in conjuction with the final rule for CGD 78-079a which was published on April 14, 1983 at 48 FR 16059, transfers and revises the anchorage and navigation regulations for the St. Marys River, Michigan. The existing anchorage and navigation regulations are outdated and do not entirely reflect current practices on the waterway. The new regulations, the majority of which correspond with the existing regulations, will benefit the user by modernizing the existing rules, removing outdated requirements, and arranging the regulations in a format that is common to other vessel traffic management measures.

EFFECTIVE DATE: August 4, 1983.

FOR FURTHER INFORMATION CONTACT: Mr. Edward J. LaRue, Jr., (202) 426-4958.

SUPPLEMENTARY INFORMATION: On January 5, 1981, the Coast Guard published a Notice of Proposed Rulemaking (NPRM) regarding these regulations (46 FR 946). Interested persons were requested to submit comments and five letters were received from individuals, professional organizations, and other Federal agencies. The comments, suggestions, and actions taken are summarized under "Discussion of Comments".

On March 1, 1983, the Inland Navigation Rules came into effect on the Great Lakes. Because several sections of the existing St. Marys River regulations (33 CFR Part 92) were in conflict with the statutory Inland Navigation Rules, the Coast Guard published a final rule on April 14, 1983 (CGD 78-079a; 48 FR 16059) solely to eliminate those conflicts. That rulemaking deleted six sections of the existing St. Marys River regulations. The deletion of these sections was discussed in the NPRM. Although several comments were received, none addressed any of the deleted sections. The purpose of the expedited action was to eliminate the conflicts in the rules before the Great Lakes navigation season was in full swing.

This action deals with the remainder of the regulations discussed in the NPRM.

Discussion of Comments

Two comments generally supported the proposed regulations. One suggested the changes were overdue.

One comment requested an extension of the comment period in order to allow the industry to evaluate the impact of the regulations and to seek input from experienced masters. The comment period was extended 45 days. One additional submission was received from the organization which requested the extension.

Two comments (from the same source) suggested that the proposed vessel traffic service (VTS) regulations were elaborate and an extensive change from the existing requirements. The Coast Guard does not believe this to be the case. Although the format of the rules was changed considerably to correspond with other VTS regulations, changes in the requirements have been relatively minor. For example, radiotelephone reports are required by the existing regulations. The VTS rules further outline the procedures to be used when making the calls and require several additional calls but do not change the nature or purpose of the calls. Specific requirements of the communications rules will be discussed further on in the text.

One comment questioned the legitimacy of issuing these regulations under the authority of the Ports and Waterways Safety Act (PWSA) (33 U.S.C. 1221 et seq.) instead of the specific St. Marys River statute (33 U.S.C. 474). In many areas the Coast Guard has overlapping authority to perform its functions. In this case, both the St. Marys River statute and the PWSA give the Coast Guard authority to prescribe regulations governing the movement of vessels in the St. Marys River area. The Coast Guard is exercising the authority of the PWSA because it is more comprehensive and more recently enacted.

One comment noted that by using the authority of the PWSA, the maximum penalty for violation of the regulations would be increased to $25,000. The comment questioned the need for this higher penalty system. St. Marys River is the only area in the United States where a statute other than the PWSA authorizes vessel traffic management regulations. This action brings the St. Marys River area in step with the rest of the United States in terms of the penalty provisions for violation of vessel traffic management regulations.

One comment anticipates delays in transit and additional communications equipment. The only new requirement in these rules that might cause a delay is a slight lowering of the speed limit in the area of De Tour Passage. This will be discussed under the appropriate section (§ 161.880). Regarding additional equipment, the Coast Guard purposely proposed that the communications rules apply to those vessels which already were required to have VHF-FM equipment. This was intended to avoid requiring the purchase of additional equipment.

One comment questions whether the present system is unsafe and whether a safer system is needed. Though the present system is not unsafe, the Coast Guard believes that some improvements are necessary and the burden of the improvements on the industry is negligible. For instance, some of the language in the existing regulations is out of date and some provisions were in conflict with the Inland Navigation Rules. Changes of this nature could not be avoided. The format and style common to VTS regulations is used because the Coast Guard feels that it is simpler and perhaps safer if all the VTS regulations in the U.S. are similarly worded. Several additional security calls are included so the Coast Guard can monitor a vessel's progress through the entire St. Marys River area. In the Coast Guard's judgment, this provides an additional safety factor.

Taken as a whole, these regulations modernize and in some cases simplify the navigation requirements in the St. Marys River. The Coast Guard maintains its position that navigation safety will be enhanced by these rules.

One comment concerning § 161.803 objected to extending the northern boundary of the VTS Area into Whitefish Bay. In the existing regulations, the northern limit of the regulated area is Point Iroquois; however, downbound vessels are required to notify Soo Control when they are abeam of Ile Parisienne in Whitefish Bay. The Coast Guard is enlarging the system to include Ile Parisienne because that is where a downbound vessel actually enters the system. The change is primarily an administrative matter. It neither expands the Coast Guard's authority nor adds any burden to the mariner.

One comment concerning proposed § 161.826 suggested that the Coast Guard was changing the time standard used on the Great Lakes by requiring the zone time in effect in the VTS Area to be used in reports. This requirement was mistakenly included in the proposed regulations. In other VTS's with a large proportion of foreign shipping using a variety of time standards, this type of requirement is a necessity. In the St. Marys River, time is not required to be reported because Soo Control personnel observe the time when they log the reports. In view of this practice, § 161.826 and the reference to time in § 161.832 have been deleted.

One comment concerning § 161.828 recommended that the registered horsepower be provided in the initial report of towing vessels. The Coast Guard does not believe this is necessary because several publications which contain this information for Great Lakes vessels are readily available to personnel at Soo Control.

A second comment on this section stated that the number of reports required on entry into the VTS is not clear because of the conflict in the wording between proposed §§ 161.828 and 161.834. When a vessel enters the VTS Area from Whitefish Bay or Lake Huron, an initial report is required at Ile Parisienne or De Tour respectively. When getting underway within the VTS Area or when entering the system at a location other than Ile Parisienne or De Tour, the 15 to 30 minute advance report is required. The wording of § 161.828 has been changed to state this more clearly.

A third comment on § 161.828 questioned the need to report destination (if outside the VTS Area) and type of cargo, since this information is included in the Lock Report. The comment suggested that broadcasting a vessel's cargo and destination might give a competitor some commercial advantage. In order to avoid the possibility of interfering with commercial competition and because the information is available elsewhere, the Coast Guard has deleted the requirement for reporting type of cargo and destination (if outside the VTS Area). The Coast Guard will continue to require vessels to report their destination in the VTS Area, as it is important for projecting future vessel movements in the Area.

Two comments concerning § 161.834 suggest that additional movement reporting points are excessive and may distract the conning officer from his primary duty of insuring safe passage. The main reason for the additional proposed reporting point is to allow the Coast Guard to monitor a vessel's progress through the entire VTS Area and thus be able to anticipate potentially dangerous situations. Under the present system this is not possible. Since a movement report should normally take no more than 10 seconds, and considering the value of the information to the Coast Guard, the burden on the mariner is minimal. Section 161.811 allows the mariner, in an emergency, to deviate from the VTS

regulations to the extent necessary to avoid endangering persons, property, or the environment. Thus, if a mariner felt it would be unsafe to make a movement report in a particular situation, the mariner would not be required to do so. For these reasons, the Coast Guard is issuing § 161.834 as proposed.

One comment concerning § 161.842 suggested that the Coast Guard was amplifying the casualty reporting requirements. Although the wording in § 161.842 is somewhat different from that in existing § 92.79, the intent is the same and the types of reportable casualties are the same. The burden on the master is lessened somewhat in that the master is no longer required to report the information to the Corps of Engineers, in addition to the Coast Guard. For these reasons, the Coast Guard is issuing § 161.842 as proposed.

One comment concerning § 161.844 objected to the fact that ferry vessels on a fixed route and schedule are exempted from certain reporting requirements. One of the very real concerns on the entire Great Lakes, however, is congestion on VHF–FM frequencies. The Coast Guard has attempted to avoid requiring radio reports where information could be obtained efficiently in other ways. In this case, the ferry vessels have published schedules which allow the mariner to estimate a ferry vessel's location at any given time. If a ferry vessel is not following the schedule, it is no longer exempted from the reporting requirements. The ferry routes are quite limited and their locations provide good visibility under normal conditions. During reduced visibility, the waterway can be closed to navigation. An additional justification for the exemption is the outstanding safety records of the ferry vessels, which indicates that requirements are not needed.

A second comment concerning § 161.844 suggested that this section should clearly define what deviations from routes and schedules a ferry operator must report. Soo Control is provided with the ferry routes and schedules and is in the best position to determine what constitutes a deviation from them. The suggested type of strict definition was specifically left out of the regulations in order to allow for normal variations in service throughout the year and to rely on the judgment of the local Coast Guard representatives. For these reasons, the Coast Guard is issuing § 161.844 as proposed.

One comment concerning § 161.880 objects to the Coast Guard imposing a speed limit in the area of De Tour Passage. The Coast Guard proposed to reduce the existing speed limit (17 m.p.h.) to 14 m.p.h. As discussed in the NPRM, the reduction is aimed at reducing wake damage to shore property and moored vessels which has been reported in the vicinity of De Tour Village. The distance involved is approximately 6 to 8 miles (whether upbound or downbound) and would amount to less than 10 minutes of time lost. Because of the anticipated lessening of damage to shore property and moored vessels, and considering the minimal delays to be incurred by vessels subject to the speed limit, the Coast Guard is issuing § 161.880 as proposed.

Additional Information

Since the publication of the NPRM, the Inland Navigational Rules (33 U.S.C. 2001–2073) have come into effect on the Great Lakes, superseding the Great Lakes Rules of the Road and Pilot Rules. This means that references to the Great Lakes Rules of the Road and Pilot Rules in the NPRM are no longer accurate. The wording of the final rule has been changed to reflect this development.

Regulatory Evaluation

This rulemaking action is considered to be "non-major" under Executive Order 12291 (46 FR 13193; February 19, 1981) and is classified as "non-significant" under Department of Transportation Order 2100.5, "Policies and Procedures for Simplification, Analysis and Review of Regulations," dated May 22, 1980.

The vessels required to make radiotelephone reports are already required to have the necessary radiotelephone equipment by "The Agreement between the United States of America and Canada for Promotion of Safety on the Great Lakes by Means of Radio, 1973", which is implemented by the Vessel Bridge-to-Bridge Radiotelephone Act (33 U.S.C. 1201/1208). No vessels are required to purchase additional radiotelephone equipment.

The existing regulations already require radiotelephone reports. The final rule requires several more of the same type of report so the Coast Guard can monitor a vessel's progress through the entire VTS Area. The reports, for the most part, simply require a master to report the position of the vessel. Each report should normally take no more than 10 seconds.

The speed limit in the area of De Tour Passage is reduced from 17 m.p.h. to 14 m.p.h. The distance involved is approximately 6 to 8 miles (whether upbound or downbound) and would amount to less than 10 minutes of lost time per transit. This is insignificant when compared to the amount of unscheduled loss of time due to adverse weather conditions. It is also balanced by the anticipated reduction in wake damage to moored vessels and shore property.

In the existing regulations, there is no provision which allows vessel operators to seek administrative relief from any of the regulations. In the St. Marys River VTS regulations, the mariner has the opportunity to seek permission from the Coast Guard to deviate from the rules for good cause.

Based on experience under the existing requirements, the Coast Guard is of the opinion that the costs imposed by the final rule on vessel operators will be minimal. Because § 161.809 allows the District Commander to permit vessels to deviate from the rules, costs imposed on vessel operations may, in some cases, be reduced by virtue of these authorizations. Because the impact of the regulations is expected to be minimal, the Coast Guard has determined that further evaluation is not necessary.

Regulatory Flexibility Analysis

For the reasons discussed above, the Coast Guard believes that these regulations will not have a significant economic effect. Therefore, pursuant to section 605(b) of the Regulatory Flexibility Act (94 Stat. 1164, Pub. L. 96–354), it is certified that these regulations will not have a significant economic impact on a substantial number of small entities.

Reporting and Recordkeeping Requirements

There are no reporting or recordkeeping requirements in the proposed regulations which fall under the Paperwork Reduction Act of 1980 (Pub. L. 96–511, 94 Stat. 2812, December 11, 1980).

Environmental Impact

This action has been thoroughly reviewed by the Coast Guard and it has been determined to be categorically excluded from further environmental documentation, in accordance with Section 2.B.3.(g) of Commandant Instruction (COMDINST) M16475.1a.

List of Subjects in 33 CFR Part 161

Hazardous materials transportation, Navigation (water), Vessels.

In consideration of the foregoing, Parts 1, 92, and 161 of Chapter I, Title 33, Code of Federal Regulations are amended as follows:

PART 1—[AMENDED]

§ 1.01-30 [Amended]

1. By removing and reserving paragraph (b) of § 1.01–30, Captains of the Port.

PART 92—[RESERVED]

2. By removing and reserving Part 92.

3. By amending Subpart B of Part 161 to add §§ 161.801–161.894 and undesignated center headings to read as follows:

PART 161—VESSEL TRAFFIC MANAGEMENT

* * * * *

Subpart B—Vessel Traffic Service

* * * * *

St. Marys River Vessel Traffic Service

General Rules

Sec.

161.801 Purpose and applicability.
161.803 Definitions.
161.804 Vessel operation in the VTS Area.
161.805 Laws and regulations not affected.
161.807 Soo Control directions.
161.809 Authority to deviate from these rules.
161.811 Emergency deviations.

Communication Rules

161.820 Radio listening watch.
161.821 Frequency for reports.
161.822 Radiotelephone equipment.
161.824 English language.
161.828 Initial report.
161.830 Movement reports.
161.832 Final report.
161.834 Permanent reporting points.
161.836 Seasonal or temporary reporting points.
161.838 Transit of Canadian waters.
161.840 Radio failure.
161.842 Report of impairment or other hazard.
161.844 Ferry vessels.

Traffic Rules

161.850 One way traffic—normal conditions.
161.852 Meeting or overtaking in channels.
161.854 Winter navigation.

Anchorage Rules

161.860 Anchorage, general.
161.862 Emergency anchoring.
161.864 Unauthorized anchorage.
161.866 Anchoring of dredging, construction, or wrecking plants in channels.
161.868 Shifting anchorage under the direction of Soo Control.
161.870 Order of departure from anchorage.

Speed Rules

161.880 Maximum speed limits.
161.884 Temporary speed limits.
161.886 Minimum speed limit through dredged channels.

Miscellaneous Rules

161.890 Rules for towing vessels.
161.894 Channel closure and special rules.

Authority: Sec. 12, Pub. L. 95–474, 92 Stat. 1477 (33 U.S.C. 1231); 49 CFR 1.46(n)(4), unless otherwise noted.

Subpart B—Vessel Traffic Service

* * * * *

St. Marys River Vessel Traffic Service

General Rules

§ 161.801 Purpose and applicability.

(a) Sections 161.800–161.899 prescribe rules for vessel operation in the St. Marys River Vessel Traffic Service (VTS) Area to prevent collisions and groundings, to protect improvements to the waterways, and to protect the navigable waters of the VTS Area from environmental harm.

(b) The General Rules in §§ 161.800–161.811, the Anchorage Rules in §§ 161.860–161.870, and the Miscellaneous Rules in §§ 161.800–161.894 apply to all vessels.

(c) The Communications Rules in §§ 161.820–161.844 and the Traffic Rules in §§ 161.850–161.856 apply only to the following vessels:

(1) Vessels over 20 meters (65 feet) in length, except fishing vessels of under 300 gross tons.

(2) Commercial vessels over 8 meters (26 feet) in length engaged in towing another vessel astern, alongside, or by pushing ahead.

(3) Dredges and floating plants.

(d) The Speed Rules in §§ 161.880–161.886 apply only to vessels over 20 meters (65 feet) in length.

§ 161.803 Definitions.

As used in §§ 161.800–161.899—

"Area Engineer" means the local representative of the District Engineer who acts for that officer with respect to the St. Marys Falls Canal and the VTS Area. The Area Engineer's office is located at the locks of the St. Marys Falls Canal.

"Captain of the Port, Sault Ste. Marie, Michigan" (COTP) means the officer of the U.S. Coast Guard assigned the duty of enforcing the VTS regulations.

"District Engineer" means the officer of the U.S. Army Corps of Engineers responsible for enforcing the regulations for the St. Marys Falls Canal and Locks (33 CFR 207.440). The District Engineer's office is at Detroit, Michigan. The movements of vessels in the St. Marys Falls Canal are under the direction of the District Engineer or his local representative.

"No Passing Zone" means an area where meeting, U-turns, and overtaking are prohibited.

"Soo Control" means the shore-based facility that operates the St. Marys River VTS for the COTP.

"Vessel Traffic Service Area (VTS Area)" means the navigable waters of the United States in the St. Marys River and lower Whitefish Bay from latitude 45°57' N. (De Tour Reef Light), to the south, to latitude 46°38.7' N. (Ile Parisienne Light), to the north, except the waters of the St. Marys Falls Canal. The waters of the VTS Area are delineated, to the east, from Potagannissing Bay and Worsley Bay by a line from La Pointe to Sims Point.

§ 161.804 Vessel operation in the VTS Area.

No person may cause or authorize the operation of a vessel in the VTS Area contrary to the rules in §§ 161.800 through 161.899.

§ 161.805 Laws and regulations not affected.

Nothing in §§ 161.800 through 161.899 is intended to relieve any person from complying with—

(a) The Inland Navigational Rules (33 U.S.C. 2001 et seq.);

(b) Vessel Bridge-to-Bridge Radiotelephone Regulations (Part 26 of this chapter);

(c) The Federal Boat Safety Act of 1971 (46 U.S.C. 1451–1489); and

(d) Any other law or regulation.

§ 161.807 Soo Control directions.

(a) During conditions of vessel congestion, full or partial channel obstructions, severe storms, reduced visibility, heavy ice, strong currents, low water, or similar hazardous circumstances in the VTS Area, Soo Control may issue directions specifying times when vessels may enter, move within or through, or depart from ports, harbors, reaches, channels, or other waters in the VTS Area.

(b) When, by reason of ice or other special conditions, low powered vessels, vessels with one or more tows, or vessels of a particular construction cannot maintain their order of proceeding and constitute a hazard to other vessels, Soo Control may temporarily refuse the vessels permission to enter or proceed in the river.

(c) The master of a vessel in the VTS Area shall comply with directions issued to him or her under this section.

§ 161.809 Authority to deviate from these rules.

(a) The Commander, Ninth Coast Guard District, may, upon written request, issue an authorization to deviate from any rule in §§ 161.800–161.899 if that officer finds the proposed operations can be accomplished safely. Each written application for

authorization must state the need for the authorization and describe how the proposed operation can be conducted safely.

(b) Soo Control may, upon verbal request, issue an authorization to deviate from any rule in this subpart, for a single voyage or part of a single voyage on which the vessel is embarked or about to embark. Authorizations by Soo Control shall not be for an extended period of time or for successive voyages.

§ 161.811 Emergency deviations.

In an emergency, any person may deviate from any provision in §§ 161.800 through 161.899 to the extent necessary to avoid endangering persons, property, or the environment.

Communications Rules

§ 161.820 Radio listening watch.

The master of a vessel in the VTS Area shall continuously monitor Channel 16 (156.8 mhz) VHF–FM and be prepared to communicate with Soo Control on Channel 12 (156.6 mhz) VHF–FM.

§ 161.821 Frequency for reports.

Reports to Soo Control under §§ 161.828, 161.830, and 161.832 must be made on Channel 12 (156.6 mhz) VHF–FM.

§ 161.822 Radiotelephone equipment.

Each report required by §§ 161.800 through 161.899 to be made by radiotelephone must be made using a radiotelephone that is capable of operation on the navigational bridge of the vessel, or in the case of a dredge, at its main control station.

§ 161.824 English language.

Each report required by §§ 161.800–161.899 must be made in the English language.

§ 161.828 Initial report.

When a vessel enters the VTS Area at Ile Parisienne or De Tour, or at least 15 minutes, but not more than 30 minutes, before a vessel enters at some other point or gets underway within the VTS Area, the master of the vessel shall report the following information to Soo Control:

(a) Name and draft of the vessel.

(b) Location and/or estimated time of entering or getting underway.

(c) The nature of any tow, including log booms or rafts.

(d) Destination, if in the VTS Area.

§ 161.830 Movement reports.

Whenever a vessel passes a reporting point listed in § 161.834 or promulgated in accordance with § 161.836 or whenever a vessel within the VTS Area gets underway and begins to navigate, the master shall report the following to Soo Control:

(a) Name of the vessel.

(b) The reporting point or the location.

§ 161.832 Final report.

Whenever a vessel anchors in, moors in, or departs from the VTS Area, the master shall report the place of anchorage or mooring or the location of departure to Soo Control.

§ 161.834 Permanent reporting points.

The following are permanent reporting points:

Upbound vessels	Reporting points	Downbound vessels
Initial report.	De Tour Reef Light	Final report.
Movement report.	Lake Munuscong Junction Buoy.	Movement report.
	Oak Ridge	Do.
Movement report.	Nine Mile Point	Do.
Movement report.	Six Mile Point	Do.
Movement report.	Mission Point	Do.
Movement report.	Leaving locks	Do.
Movement report.	Brush Point	Do.
Movement report.	Birch Point	Do.
Final report.	Ile Parisienne Light	Initial report.

§ 161.836 Seasonal or temporary reporting points.

(a) Commander, Ninth Coast Guard District, may publish additional reporting points for use during the winter navigation season. These seasonal reporting points with their effective dates are published in Local Notices to Mariners and are available from Soo Control.

(b) Captain of the Port, Sault Ste. Marie, may publish additional reporting points as temporary navigation conditions require. These temporary reporting points with their effective times are published by Broadcast Notices to Mariners and are available from Soo Control.

§ 161.838 Transit of Canadian waters.

Vessels which have already reported to Soo Control need not make a final report or an initial report when departing or reentering the VTS Area for a brief transit of Canadian waters.

§ 161.840 Radio failure.

Whenever a vessel's radiotelephone equipment fails—

(a) The master shall, if practical to do so, notify Soo Control;

(b) The master is not required to moor or anchor the vessel for this reason alone, but the master shall give due consideration to this loss of capability and navigate with extraordinary caution;

(c) Compliance with §§ 161.820 and 161.830 is not required; and

(d) Compliance with §§ 161.828, 161.829, and 161.832 is not required, unless the required reports can be made by telephone.

§ 161.842 Report of impairment or other hazard.

The master of any vessel in the VTS Area shall report to Soo Control as soon as possible—

(a) Any condition on the vessel that may impair its navigation, such as fire, defective propulsion machinery, or defective steering equipment;

(b) Any tow that the towing vessel is unable to control, or can control only with difficulty; and

(c) Any grounding, striking of obstruction, or striking of an aid to navigation, whether in or out of the channel.

Note.—The master of any vessel in the VTS Area is encouraged to report to Soo Control as soon as possible—

(a) Any locations where the visibility is less than one mile; and

(b) Any obstruction of a channel, grounded vessels, malfunctioning aid to navigation, or other hazardous or dangerous situation which has not been published by Notice to Mariners or Broadcast Notice to Mariners.

§ 161.844 Ferry vessels.

The master of any ferry vessel operating in the VTS Area which is operating in accordance with a route and schedule which has been provided to Soo Control need not comply with §§ 161.828 and 161.832.

Traffic Rules

§ 161.850 One way traffic—normal conditions.

Under normal conditions, two-way traffic is permitted in all channels except the following:

(a) West Neebish Channel from Buoy 53 to Buoy 1 shall be used only by vessels proceeding in a downbound direction.

(b) Middle Neebish Channel from Buoy 2 to Buoy 76 shall be used only by vessels proceeding in an upbound direction.

(c) Pipe Island Course from Sweets Point to Watsons Reef Light shall be used only by vessels proceeding in a downbound direction.

(d) Pipe Island Passage to the east of Pipe Island Shoal and north of Pipe Island Twins from Watsons Reef Light to Sweets Point shall be used only by vessels proceeding in an upbound direction.

§ 161.852 Meeting or overtaking in channels.

(a) No vessel 100 meters (350 feet) or greater in length shall overtake or approach within one quarter of a statute mile (0.2 nautical miles) of a vessel proceeding in the same direction when in the following channels:

(1) West Neebish Channel between Ninemile Point and Lake Munuscong Junction Buoy.

(2) Middle Neebish Channel between Lake Munuscong Junction Buoy and Ninemile Point.

(3) Little Rapids Cut from Six Mile Point to Buoy 102.

(b) In addition to paragraph (a) of this section, when two-way traffic is permitted in Middle Neebish Channel, no vessel 100 meters (350 feet) or greater in length shall meet or overtake another vessel in the vicinity of—

(1) Johnson Point from Buoy 18 to Buoy 22;

(2) Mirre Point from Buoy 26 to Buoy 28; and

(3) Stribling Point from Buoy 39 to Buoy 43.

(c) This section does not apply when navigating through ice fields.

§ 161.854 Winter navigation.

(a) During the winter navigation season, West Neebish Channel (from Buoy 53 to Buoy 1) and Pipe Island Passage to the east of Pipe Island Shoal and north of Pipe Island Twins (from Watson Reef Light to Sweets Point) normally is closed to traffic. The COTP closes or opens these channels as ice conditions dictate after giving due consideration to the protection of the marine environment, waterway improvements, and aids to navigation, the need for cross channel traffic (e.g. ferry vessels), the availability of icebreakers, and the safety of island residents who, in the course of their daily business, must use naturally formed ice bridges for transportation to and from the mainland. Under normal seasonal conditions, only one closing each winter and one opening each spring are anticipated. Prior to closing or opening these channels, the COTP will give interested parties, including both shipping interests and island residents, not less than 72 hours notice.

(b) When West Neebish Channel is closed, Middle Neebish Channel (from Buoy 2 to Buoy 76) will either be opened to two-way traffic or open to one-way traffic in alternate directions. When two-way traffic is authorized in Middle Neebish Channel, all upbound vessels shall use the easterly 60 meters (197 feet) of the channel and all downbound vessels shall use the westerly 91 meters (295 feet) of the channel. When two-way traffic is authorized in Middle Neebish Channel, upbound vessels drawing more than 20 feet shall not proceed past Buoy 2 unless specifically authorized by Soo Control. When one-way traffic in alternate directions is authorized in Middle Neebish Channel, all vessels shall use the westerly 91 meters (295 feet) of the channel.

(c) When Pipe Island Passage is closed, Pipe Island Course is open to two-way traffic.

Anchorage Rules

§ 161.860 Anchorage, general.

Vessels shall not be anchored so as to swing into the channel limits or across charted steering courses.

§ 161.862 Emergency anchoring.

In an emergency, vessels may anchor in a dredged channel. Vessels shall anchor as near the edge of the channel as possible and shall get underway as soon as the emergency ceases, unless otherwise directed. Soo Control must be advised of any emergency anchoring as soon as possible.

§ 161.864 Unauthorized anchorage.

No vessel shall anchor at any time in the area southward of the Point Aux Pins Range between Brush Point and the waterworks intake crib off big Point or within a quarter of a statute mile (0.2 nautical miles) of the intake crib in any direction.

§ 161.866 Anchoring of dredging, construction, or wrecking plants in channels.

Dredging, construction, or wrecking plants may be permitted to anchor or moor in the channel under such conditions as the COTP deems appropriate to protect the safety of navigations.

§ 161.868 Shifting anchorage under direction of Soo Control.

Soo Control may direct any anchored vessel to shift anchorage whenever deemed necessary for the safety of vessels, the safe or expeditious passage of shipping, or the perservation or effective operation of Government installations.

§ 161.870 Order of departure from anchorage.

Vessels collected in any part of the VTS Area by reason of temporary closure of a channel or an impediment to navigation shall get underway and depart in the order in which they arrived, unless otherwise directed by Soo Control. Soo Control may advance any vessel in the order of departure to expedite the movement of mails, passengers, cargo of a perishable nature, to facilitate passage of vessels through any channel by reason of special circumstance, or to facilitate passage through the St. Marys Falls Canal.

Speed Rules

§ 161.880 Maximum speed limits.

The following speed limits indicate speed over the ground.

The speed limit between	Speed limit	
	Miles/hr	Knots
De Tour Reef Light and Sweets Point Light	14	12.2
Round Island Light and Point Aux Frenes Light	14	12.2
Munuscong Channel Buoy 8 and Everens Point	12	10.4
Everens Point and Reed Point	9	7.8
Reed Point and Lake Nicolet Lighted Buoy 62	10	8.7
Lake Nicolet Lighted Buoy 62 and Ninemile Point Light	12	10.4
Ninemile Point Light and Winter Point (West Neebish Channel)	10	8.7
Ninemile Point Light and Six Mile Point Light	10	8.7
Six Mile Point and Lower limit of the St. Marys Falls Canal:		
Upbound	6	7
Downbound	10	8.7
Upper limit of the St. Mary Falls Canal and Point Aux Pins Main Light	12	10.4

§ 161.884 Temporary speed limits.

The Commander, Ninth Coast Guard District, may establish temporary speed limit regulations in the VTS area, including amendments to the speed limits under § 161.880. The temporary speed limits established by the Commander, Ninth Coast Guard District, are published in the **Federal Register** and in Notices to Mariners.

§ 161.886 Minimum speed limit through dredged channels.

No vessel may make regular passage through any dredged channel at a speed of less than 5 statute miles per hour (4.3 knots) over the ground. Any vessel which cannot maintain this speed shall not enter any of the channels until permission has been granted by Soo Control.

Miscellaneous Rules

§ 161.890 Rules for towing vessels.

(a) Towing vessels shall not drop their tows or otherwise leave them unattended south of Gros Cap Reef Light.

(b) Towing vessels engaged in shortening or lengthening tows, dropping or making up tows, transferring stores or cargo from boats alongside, or waiting shall stand clear and allow unobstructed passage to other vessels.

(c) Vessels of less than 61 meters (200 feet) in length shall not be towed with more than 76 meters (250 feet) of tow

line. Vessels of 61 meters (200 feet) or more shall not be towed with a tow line longer than the length of the vessel plus 15 meters (50 feet).

§ 161.894 Channel closure and special rules.

Should channel obstructions or other conditions of unusual hazard so require, the COTP may order the closing of a channel, designate additional no-overtaking zones or areas of one-way traffic, or establish other temporary traffic rules. Should a channel be closed, vessels transiting in the direction of the closed channel shall make preparations to be able to immediately anchor.

Dated: May 26, 1983.

B. F. Hollingsworth,

Rear Admiral, U.S. Coast Guard Chief, Office of Marine Environment and Systems.

[FR Doc. 83-17901 Filed 7-1-83; 8:45 am]

BILLING CODE 4910-14-M

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33 CFR Part 110

[CCGD3-82-11]

Anchorage Grounds; Delaware Bay and River

AGENCY: Coast Guard, DOT.

ACTION: Final rule: Correction.

SUMMARY: This document corrects the effective date of the final rule on the redesignation of Anchorage A (Big Stone Anchorage) in the Delaware Bay as a general anchorage. This rule appeared at page 23636 in the **Federal Register** of Thursday, May 26, 1983 (48 FR 23636). The action is necessary to correct an error made in inserting the effective date when transmitting the rule to the Office of the Federal Register.

FOR FURTHER INFORMATION CONTACT: Captain C. M. Holland, Executive Secretary, Marine Safety Council, U.S. Coast Guard, Washington, D.C. 20593, telephone (202) 426-1477, between 8:00 a.m. and 4:00 p.m. Monday through Friday, except holidays.

List of Subjects in 33 CFR Part 110

Anchorage grounds.

Accordingly, the following correction is made in FR Doc. 83-14217 appearing on page 23636 in the issue of May 26, 1983: 1. On page 23637, column one, line three, **EFFECTIVE DATE:** June 27, 1983 is corrected to read **"EFFECTIVE DATE:** August 1, 1983."

Dated: June 29, 1983.

By direction of the Commandant:

C. M. Holland,

Captain, USCG, Executive Secretary, Marine Safety Council.

[FR Doc. 83-18020 Filed 7-1-83; 8:45 am]

BILLING CODE 4910-14-M

VETERANS ADMINISTRATION

38 CFR Part 1

Administrative Control of Funds

AGENCY: Veterans Administration.

ACTION: Final regulations.

SUMMARY: 31 U.S.C. 1514 requires the head of each executive agency to prescribe, by regulation, a system of administrative controls designed to restrict obligations or expenditures of each fund or appropriation to the amount of apportionments or reapportionments of the appropriation. These new regulations will provide for the administrative control of all funds within the Veterans Administration.

EFFECTIVE DATE: August 4, 1983.

FOR FURTHER INFORMATION CONTACT: Dennis Bowser, Office of Budget and Finance (047D2), Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, (202) 389-2311.

SUPPLEMENTARY INFORMATION: A system of administrative controls (approved by the Office of Management and Budget), designed to restrict obligations or expenditures of each fund or appropriation to the amount of apportionments or reapportionments, have been in effect internally in the VA since establishment of this requirement through amendment of Section 3679 of the Revised Statutes by section 1211 of the General Appropriation Act of 1951.

In accordance with an Office of Management and Budget directive dated June 28, 1977, the VA revised Administrative Control of Funds procedures to reflect the 1976 revision of OMB Circular A-34. After receiving OMB approval on that package, we incorporated the revised Administrative Control of Funds into the internal VA manual on Accounting Principles, Standards and General Requirements.

However, 31 U.S.C. 1514 requires that these administrative controls be published in the **Federal Register** and codified in title 38 of the Code of Federal Regulations. Therefore, the VA is now publishing new regulations to comply with 31 U.S.C. 1514.

Proposed regulations were printed on pages 14659 and 14660 of the **Federal Register** of April 5, 1983. Interested persons were given 30 days to submit comments, suggestions or objections. No comments were received regarding the proposed regulations. The proposed regulations are hereby adopted as final, without change, and are set forth below.

The Administrator has certified that these regulations will not, if promulgated, have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act (RFA), 5 U.S.C. 601-612. Pursuant to 5 U.S.C. 605(b), these regulations are therefore exempt from the initial and final regulatory flexibility analysis requirements of sections 603 and 604. The reason for this certification is that the regulations affect only VA employees.

These regulations have also been reviewed under Executive Order 12291, Federal Regulations, and have been determined to be nonmajor because they only affect internal VA administrative policies and procedures and do not have any adverse economic impact on or increase costs to consumers, individual industries, Federal, State, or local government agencies, or geographic regions.

There is no Catalog of Federal Domestic Assistance number.

List of Subjects in 38 CFR Part 1

Administrative practice and procedure, Employment, Government employees, Government property.

Approved: June 27, 1983.

By direction of the Administrator.

Everett Alvarez, Jr.,

Deputy Administrator.

38 CFR Part 1, General, is amended by adding an undesignated center heading and new §§ 1.670 through 1.673 to read as follow:

PART 1—GENERAL

* * * * *

Administrative Control of Funds

Sec.

1.670 Purpose.
1.671 Definitions.
1.672 Responsibilities.
1.673 Responsibility for violations of the administrative subdivision of funds.

* * * * *

Administrative Control of Funds

§ 1.670 Purpose.

The following regulations establish a system of administrative controls for all appropriations and funds available to the Veterans Administration to accomplish the following purposes:

(a) Establish an administrative subdivision of controls to restrict

obligations and expenditures against each appropriation or fund to the amount of the apportionment or the reapportionment; and

(b) Fix responsibility for the control of appropriations or funds to high level officials who bear the responsibility for apportionment or reapportionment control. (31 U.S.C. 1514)

§ 1.671 Definitions.

For the purpose of §§ 1.670 through 1.673, the following definitions apply:

(a) *Administrative subdivision of funds.* An administrative subdivision of funds is any administrative subdivision of an appropriation or fund which makes funds available in a specified amount for the purpose of controlling apportionments or reapportionments.

(b) *Allotment.* An allotment is an authorization by the Director, Office of Budget and Finance to department and staff office heads (allottees) to incur obligations within specified amounts, during a specified period, pursuant to an Office of Management and Budget apportionment or reapportionment action. The creation of an obligation in excess of an allotment is a violation of the administrative subdivision of funds.

(c) *Allowance.* An allowance is a subdivision below the allotment level, and is a guideline which may be issued by department or staff office heads (allottees) to facility directors and other officials, showing the expenditure pattern or operating budget they will be expected to follow in light of the program activities contemplated by the overall VA budget or plan of expenditure. The creation of an obligation in excess of an allowance is not a violation of the administrative subdivision of funds. (31 U.S.C. 1514)

§ 1.672 Responsibilities.

(a) The issuance of an allotment to the department and staff office heads (allottees) is required and is the responsibility of the Director, Office of Budget and Finance. The sum of such allotments shall not be in excess of the amount indicated in the apportionment or reapportionment document.

(b) The issuance of an allowance is discretionary with department or staff office heads (allottees), as an allowance is merely a management device which allottees may utilize in carrying out their responsibilities. Allottees are responsible for keeping obligations within the amounts of their allotments, whether allowances are issued or not.

(c) The Director, Office of Budget and Finance is responsible for requesting apportionments and reapportionments from the Office of Management and Budget. Department and staff heads shall promptly request that an appropriation or fund be reapportioned if feasible whenever it appears that obligations may exceed the level of the apportionment. (31 U.S.C. 1514)

§ 1.673 Responsibility for violations of the administrative subdivision of funds.

(a) In the event an allotment or an apportionment is exceeded except in the circumstances described in paragraph (b) of this section, the following factors will be considered in determining which official, or officials, are responsible for the violation.

(1) Knowledge of circumstances which could lead to an allotment or apportionment being exceeded;

(2) Whether the official had received explicit instructions to continue or cease incurring obligations;

(3) Whether any action was taken in contravention of or with disregard for, instructions to monitor obligations incurred;

(4) Whether the official had the authority to curtail obligations by directing a change in the manner of operations of the department or staff office; or

(5) Any other facts which tend to fix the responsibility for the obligations which resulted in the allotment or apportionment being exceeded.

(b) In the event that the sum of the allotments made in a particular fiscal year exceeds the amount apportioned by the Office of Management and Budget, and the apportionment is subsequently exceeded because of this action, the official who made the excess allotments will be the official responsible for the violation. (31 U.S.C. 1514)

[FR Doc. 83-17883 Filed 7-1-83; 8:45 am]

BILLING CODE 8320-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-10-FRL 2333-6]

Approval and Promulgation of Implementation Plans; Alaska

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA today approves revisions to the Alaska State Implementation Plan (SIP) submitted on January 18, 1980, February 29, 1980 and September 29, 1982. These revisions were submitted to satisfy the requirements of Sections 110 (Implementation Plans) and 123 (Stack Heights), Part C (Prevention of Significant Deterioration of Air Quality and Visibility Protection for Federal Class I Areas) and Part D (Plan Requirements for Nonattainment Areas) of the Clean Air Act (hereinafter the Act). Approval of these revisions, together with the previously approved attainment plans for Anchorage and Fairbanks, ambient monitoring plan and emergency episode plan, results in an entirely new Alaska SIP which allows the State to operate the Prevention of Significant Deterioration (PSD) program and removes the Act's construction moratorium in the nonattainment areas.

EFFECTIVE DATE: July 5, 1983.

ADDRESSES: Copies of the materials submitted to EPA may be examined during normal business hours at the following locations:

Central Docket Section (10A-79-6), West Tower Lobby, Gallery I, Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460

Air Programs Branch, Environmental Protection Agency, Region 10, 1200 Sixth Avenue, Seattle, Washington 98101

State of Alaska, Department of Environmental Conservation, 3220 Hospital Drive, Juneau, Alaska 99811

Copy of the State's submittal may be examined at: The Office of Federal Register, 1101 L Street N.W., Room 8401, Washington, D.C.

FOR FURTHER INFORMATION CONTACT: David C. Bray, Air Programs Branch, M/S 532, Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington 98101, Telephone: (206) 442-1980, FTS: 399-1980.

SUPPLEMENTARY INFORMATION: EPA is today approving a number of revisions to the Alaska SIP which were submitted on January 18, 1980, February 29, 1980 and September 29, 1982. The primary effects of these revisions are to add a PSD program, a nonattainment area permit program, a visibility protection program for Federal Class I areas, and provisions restricting the use of stack heights and dispersion techniques, and to revise the emission limitations for many existing, new, and modified sources. A complete description of each of the three submittals and a discussion of the proposed revisions to the existing SIP are included in the Notice of Proposed Rulemaking which was published on January 27, 1983 (48 FR 3787).

Comments were received from a Federal Land Manager (FLM) during the public comment period. EPA responded to the comments by directing the FLM to