

this Final rule. This action improves flight planning by eliminating the gap.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Aviation safety, VOR Federal airways, Incorporation by reference.

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—[AMENDED]

1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. app. 1348(a), 1354(a), 1510; E.O. 10854, 24 FR 9585, 3 CFR 1959-1963 Comp., p. 389; 49 U.S.C. 106(g) 14 CFR 11.69.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.7, Compilation of Regulations, published April 30, 1991, and effective November 1, 1991, is amended as follows:

Section 71.123 Domestic VOR Federal Airways

V-157 [Revised]

From Key West, FL; Miami, FL; INT Miami 337° and La Belle, FL, 124° radials, La Belle; Lakeland, FL; Ocala, FL; Gainesville, FL; Taylor, FL; Waycross, GA; Alma, GA; Allendale, SC; Vance, SC; Florence, SC; Fayetteville, NC; Kinston, NC; Tar River, NC; Lawrenceville, VA; Richmond, VA; INT Richmond 039° and Patuxent, MD, 228° radials; Patuxent; Kenton, DE; Woodstown, NJ; Robbinsville, NJ; INT Robbinsville 044° and La Guardia, NY, 213° radials; La Guardia; INT La Guardia 032° and Deer Park, NY, 326° radials; INT Deer Park 326° and Kingston, NY, 191° radials; Kingston, NY; to Albany, NY. The airspace within R-2901A and R-6602A is excluded. The airspace at and above 7,000 feet MSL which lies within the Lake Placid MOA is excluded during the time the Lake Placid MOA is activated. The airspace within R-4005 and R-4006 is excluded.

Issued in Washington, DC, on June 10, 1992.

Harold W. Becker,
Manager, Airspace-Rules and Aeronautical
Information Division.

[FR Doc. 92-14341 Filed 6-17-92; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Part 141

[T.D. 92-58]

RIN 1515-A505

Priority Status in Bankruptcy Proceedings

AGENCY: U.S. Customs Service,
Department of the Treasury.

ACTION: Final rule.

SUMMARY: This document amends the Customs Regulations to provide that to the extent that a broker or a surety pays duties on behalf of an importer which files for bankruptcy protection, the broker or surety shall be entitled to assume the priority status of Customs under section 507(a)(7) of the Bankruptcy Code for that portion of the duties which the broker or surety has paid. The assignment of this priority status will minimize the risk incurred by a broker or a surety in assuming liability for duties and thus encourage early payment of duties to Customs.

EFFECTIVE DATE: July 20, 1992.

FOR FURTHER INFORMATION CONTACT: John Lehman, Office of Chief Counsel (202) 566-5476.

SUPPLEMENTARY INFORMATION:

Background

The Bankruptcy Code provides in 11 U.S.C. 507(a)(7) for seventh priority status in a bankruptcy proceeding for allowed unsecured claims of governmental units. Priority status of claims by Customs for duties arising out of the importation of merchandise prior to the filing of bankruptcy are specifically provided for in three instances: (1) Merchandise is entered for consumption within one year before the date of the filing of the petition; (2) merchandise covered by an entry liquidated or reliquidated within one year before the date of the filing of the petition; (3) merchandise entered for consumption within four years before the date of the filing of the petition, but unliquidated on that date where the failure to liquidate was due to a pending investigation or need for information. 11 U.S.C. 507(a)(7). Such claims are given seventh priority along with

governmental claims for taxes for income or gross receipts, property tax, withholding tax, and excise tax generally assessed one year prior to the filing of the bankruptcy petition.

Presently, brokers or sureties which pay Customs duties on behalf of an importer which files for bankruptcy protection are relegated to the status of unsecured creditor. On March 6, 1991, Customs published a Notice of Proposed Rulemaking in the Federal Register (56 FR 9311), which announced a proposal to amend the Customs Regulations in such a way that a broker or surety which had paid Customs duties on behalf of an importer who then declared bankruptcy would be assigned the priority status conferred by section 507(a)(7) of the Bankruptcy Code upon Customs for unsecured claims for duties.

Analysis of Comments

In response to a request for comments on the proposed amendment, Customs received numerous replies. The vast majority were limited to simple expressions of support for the proposal and did not address any particular aspect of the proposal. However, some did raise specific points which are addressed below.

Comment: Two commenters expressed concern that section 507(d) of the Bankruptcy Code would preclude Customs from allowing a broker or surety to assert Customs priority in a bankruptcy action.

Response: The Bankruptcy Code provides in section 507(d) that an entity that is subrogated to the rights of a holder of a claim of a kind specified in subsection (a)(6) (subsequently changed to (a)(7) in Public L. No. 98-353, but not so reflected in section 507(a)) is not subrogated to the right of the holder of such a claim to priority under such subsection. Indeed, this language would preclude assertion of priority status by any entity other than Customs under a theory of subrogation.

In this amendment, Customs is not attempting to use the theory of subrogation to enable brokers and sureties to assert its priority. Instead, Customs is assigning its priority rights in any bankruptcy action to brokers and sureties to the extent that the broker or surety has paid the duties that were due on the imported merchandise. By stating that this is an assignment of rights in the amendment, Customs intends to preclude possible questions of agency intent in the future.

Comment: One commenter suggested that the wording of the amendment be changed to cover other expenses incurred by brokers and sureties.

Response: Customs does not believe that it would be possible to assign anything more than duties paid by brokers or sureties. The reason for this is that the priority provisions applicable to a claim of Customs under the Bankruptcy Code only cover the payment of duties. Because Customs has not received priority rights in other obligations of the bankrupt, it cannot assign them to anyone.

Comment: One commenter asked whether a broker or surety would be entitled to priority status even if Customs was not owed any money by the importer at the time of the bankruptcy filing. This situation could arise where the broker or surety pays an amount owed as duties on behalf of an importer who subsequently files for bankruptcy.

Response: This comment raises the question about the ability of Customs to assign a claim which has been satisfied by the broker or surety. Under the Bankruptcy Code, Customs has a priority status for unpaid duties. If those duties have been paid by another party, can the claim for that obligation be assigned to another party? Customs believes that question can be answered affirmatively. Even if another party pays duties which are owed by an importer, the importer is still primarily responsible for payment of those duties. The language as set forth in the amendment states that the priority which is assigned to the broker or surety is the priority for the duties owed. Since the importer is liable for the duties until it pays them, the fact that the broker or surety advanced a similar amount to Customs should not defeat the assignment of the importer's obligation in the event of a bankruptcy filing by the importer.

Comment: Some comments expressed concern that the background statement of the proposal contained the language to the effect that in paying the duties for the importer, the broker or surety was "assuming liability" for the duties of the importer. The comments stated that it would not be fair for Customs to hold a broker liable for any of the importer's liabilities.

Response: Customs agrees. The use of the phrase "assuming liability" referred only to the fact that by paying the duties on behalf of the importer, the broker or surety has assumed that liability of the importer, and not that Customs would hold the broker or surety liable for any debt owed by the importer. The only situations in which Customs would hold a broker liable for duties would be when the entry is made by the broker as importer of record.

Comment: A commenter expressed confusion over the use of the phrase "on

a pro rata basis" in the proposed change to § 141.1(c), and asked for a clarification.

Response: Customs agrees that there might be some question in the future over the construction of that phrase and the phrase "pro rata" might be confusing to some readers. Customs intent is to permit brokers or sureties to be able to avail themselves of the priority Customs has under the Bankruptcy Code only to the extent that the broker or surety has voluntarily paid the duties owed by the importer. Accordingly, the language of the amendment will be changed to clearly state that the priority which Customs is assigning is a priority for that portion of Customs claim which the broker or surety has paid.

Comment: One commenter suggested that, because the Bankruptcy Code is a creature of Congress, rather than amending its regulations, Customs should attempt to have Congress amend the Code to expressly grant brokers or sureties the priority Customs will be assigning them.

Response: Customs agrees that legislative action would be the best means of achieving the desired objective. Should the brokers and sureties feel that this regulatory action will be ineffectual, Customs encourages them to pursue legislative alternatives.

Determination

After consideration of all the comments received in response to the Notice of Proposed Rulemaking, and further review of the matter, it has been determined to adopt the regulations in final form with the modifications discussed.

Regulatory Flexibility Act

Pursuant to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), it is certified that the amendment will not have a significant impact on a substantial number of small entities. Accordingly, it is not subject to the regulatory analysis or other requirements of 5 U.S.C. 603 or 604.

Executive Order 12291

Because this document does not result in a "major rule" as defined by Executive Order 12291, the regulatory analysis and review prescribed by the Executive Order is not required.

Drafting Information

The principal author of this document was Peter T. Lynch, Regulations and Disclosure Law Branch, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other offices participated in its development.

List of Subjects in 19 CFR Part 141

Customs duties and inspection;
Imports.

Amendment to the Regulations

Part 141 Customs Regulations (19 CFR part 141) is amended as set forth below:

PART 141—ENTRY OF MERCHANDISE

1. The authority citation for part 141 is revised in part to read as follows:

Authority: 19 U.S.C. 66, 1448, 1484, 1624.

Section 141.1 also issued under 11 U.S.C. 507(a)(7)(F), 31 U.S.C. 191, 192;

2. In § 141.1, paragraph (c) is revised to read as follows:

§ 141.1. Liability of importer for duties.

(c) *Claim against estate of importer.* The claim of the Government for unpaid duties against the estate of a deceased or insolvent importer has priority over obligations to creditors other than the United States. To the extent that a broker or a surety pays duties on behalf of an importer which files for bankruptcy protection, the broker or surety shall be entitled to assume the priority status of Customs under section 507(a)(7) of the Bankruptcy Code for that portion of Customs claim which the surety or broker has paid.

Dated: May 13, 1992.

Carol Hallett,

Commissioner of Customs.

John P. Simpson,

Acting Assistant Secretary of the Treasury.

[FR Doc. 92-14373 Filed 6-17-92; 8:45 am]

BILLING CODE 4820-02-M

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Part 1910

[Docket No. H-225D]

Occupational Exposure to Formaldehyde

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.
ACTION: Final rule; corrections.

SUMMARY: The Occupational Safety and Health Administration (OSHA) is correcting errors that appeared in the final rule on occupational exposure to formaldehyde which was published on May 27, 1992 (57 FR 22290).

EFFECTIVE DATE: June 28, 1992.

FOR FURTHER INFORMATION CONTACT:

Mr. James Foster, Office of Information and Consumer Affairs, Occupational Safety and Health Administration, U.S. Department of Labor, room N-3647, 200 Constitution Avenue NW., Washington, DC 20010. Telephone: (202) 523-8151.

SUPPLEMENTARY INFORMATION:**Background**

On May 27, 1992, the Occupational Safety and Health Administration amended its standard on occupational exposure to formaldehyde. The amendments lowered the permissible exposure limit for formaldehyde from 1 part per million (ppm) to 0.75 ppm, measured as an 8-hour time-weighted average (TWA). The amendments also added medical removal protection provisions for employees suffering from certain adverse effects from formaldehyde exposure. In addition, changes were made to the standard's hazard communication and employee training provisions.

Need for Corrections

In addition to the amendments and revisions mentioned above, for the convenience of the public, OSHA republished the entire formaldehyde standard as revised. However, during the process of preparing the document for republication, certain information was inadvertently omitted or not revised in accordance with the amended standard. This notice amends the standard to correct the omissions and make the necessary technical revision.

Correction of Publication

Accordingly, the publication on May 27, 1992 of the final rule on occupational exposure to formaldehyde which appeared at 57 FR 22290 is corrected as follows:

§ 1910.1048 [Corrected]

1. On page 22307, third column, in instruction paragraph 2., the following instruction is added after the seventh line: "and the OMB control number for the section is added".

2. On page 22309, third column, the OMB control number for § 1910.1048 is added at the end of the column to read as follows:

(Approved by the Office of Management and Budget under control number 1218-0145)

3. On page 22316, first column, the OMB control number for § 1910.1048 is added preceding Appendix A to read as follows:

(Approved by the Office of Management and Budget under control number 1218-0145)

4. On page 22316, first column, on the line next to the end of the column, for

OSHA TWA, "1 ppm" is corrected to read "0.75 ppm".

This document was prepared under the direction of Dorothy L. Strunk, Acting Assistant Secretary of Labor for Occupational Safety and Health, 200 Constitution Avenue NW., Washington, DC 20210.

Signed at Washington, D.C. this 12th Day of June, 1992.

Dorothy L. Strunk,

Acting Assistant Secretary of Labor.

[FR Doc. 92-14236 Filed 6-17-92; 8:45 am]

BILLING CODE 4510-26-M

DEPARTMENT OF TRANSPORTATION**Coast Guard****33 CFR Part 100, 110, and 165**

[CGD1 91-165]

Temporary Regulations, Boston Harbor, July 4-16, 1992

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing temporary regulations in Boston Harbor for port activities associated with Boston Harborfest and Sail Boston 1992 occurring July 4-16, 1992. This document contains the temporary regulations necessary to conduct these activities in a safe and orderly manner and includes: regulated areas with special local regulations for minimum wake zones and for a two-day offshore sailing regatta; anchorage regulations for the tall ship parade and departure; and safety zone regulations for the CONSTITUTION Turnaround, a fireworks display, a tall ship rally, parade, and departure, and the restart of the Grand Regatta. These temporary regulations are issued to promote the safe navigation of vessels in Boston Harbor in anticipation of the significant increase to the volume of vessel traffic expected to attend these celebrations by controlling vessel activity in the harbor during major waterside events and by limiting access to the areas where participating vessels are operating, anchored, or moored.

DATES: These rules are effective as listed below:

33 CFR 100.T01-165-1 (Regulated Area, Hull Gut/Boston Main Channel), from 8 a.m. July 9, 1992 to 4 p.m. July 16, 1992.

33 CFR 100.T01-165-2 (Regulated Area, Challenge Cup Sailboat Racing Regatta), from 9 a.m. to 3 p.m. July 13, 1992; from 9 a.m. to 3 p.m. July 14,

1992; and from 9 a.m. to 3 p.m. July 15, 1992 (rain date).

33 CFR 110.134 (Temporary Anchorage Regulations, Boston Harbor Mass.), from 2 p.m., July 4, 1992 to 6 p.m. July 16, 1992.

33 CFR 165.T01-165-4 (Safety Zone, CONSTITUTION Turnaround), from 10 a.m., July 4, 1992 to 2 p.m. July 4, 1992 and from 10 a.m., July 5, 1992 to 2 p.m. July 5, 1992 (rain date).

33 CFR 165.T01-165-6 (Safety Zone, Tall Ship Rally), from 10 a.m., July 10, 1992 to 12 noon, July 10, 1992.

33 CFR 165.T01-165-7 (Safety Zone, Grand Parade of Sail), from 6 a.m., July 11, 1992 to 8 p.m. July 11, 1992.

33 CFR 165.T01-165-8 (Safety Zone, Reserved Channel), from 4:30 p.m., July 11, 1992 to 9:30 a.m. July 16, 1992.

33 CFR 165.T01-165-9 (Safety Zone, Fireworks Extravaganza), from 5:30 p.m. July 12, 1992 to 11 p.m. July 12, 1992 and from 5:30 p.m. July 15, 1992 to 11 p.m., July 15, 1992 (rain date).

33 CFR 165.T01-165-11 (Safety Zone, Farewell Departure), from 8 a.m., July 16, 1992 to 6 p.m. July 16, 1992.

33 CFR 165.T01-165-12 (Safety Zone, Grand Regatta Restart), from 11:30 a.m., July 16, 1992 to 6 p.m., July 16, 1992.

FOR FURTHER INFORMATION CONTACT:

Lieutenant Commander S. Garrity, Marine Safety Officer Boston, (617) 223-3020.

SUPPLEMENTARY INFORMATION:**Drafting Information**

The principal persons involved in drafting this document are LCDR S. Garrity, Project Officer, Marine Safety Office Boston, and LCDR J. Astley, Project Counsel, First Coast Guard District Legal Office.

Regulatory History

On April 9, 1992, the Coast Guard published a Notice of Proposed Rulemaking entitled, "Temporary Regulations, Boston Harbor, July 2-17, 1992." The Coast Guard received two letters commenting on the proposal. A public hearing was not requested and one was not held.

Background and Purpose

At the request of the organizers as contained in applications for marine events associated with Harborfest and Sail Boston 1992, the Coast Guard is establishing temporary regulations in Boston Harbor for the period of July 4-16, 1992. These regulations are prompted by the high degree of control necessary to ensure the safety of participating and spectator vessels for the major

waterside events occurring in Boston Harbor during these two celebrations. Major waterside events include the CONSTITUTION Turnaround, a tall ship rally, a tall ship parade in and departure from Boston Harbor with designated anchorage areas for spectator vessels, an offshore sailing regatta, a fireworks display in celebration of the tall ships' visit to Boston, and the restart of the Grand Regatta. These regulations provide specific guidance on vessel movement controls, temporary anchorage regulations, and safety zones that will be in effect in Boston Harbor during the period specified.

Chronologically, the events planned for this period are as follows:

(1) CONSTITUTION Turnaround, July 4, 1992

On the morning of July 4, 1992, the USS CONSTITUTION will get underway in the Boston Main Channel, Boston Inner Harbor, to make its annual turnaround cruise. For the cruise, CONSTITUTION will depart its berth at Pier 1, Charlestown Navy Yard and proceed outbound in the Boston Main Channel to the vicinity of Castle Island. After passing Castle Island, the CONSTITUTION will turn to port, proceed inbound in Boston Harbor, and at noon, when abeam Fort Independence, Castle Island, fire a twenty-one gun salute, honoring our Nation's birthday. Following the salute, the CONSTITUTION will return to the Charlestown Navy Yard and safely moor. The cruise will be conducted between 10 a.m. and 2 p.m. During this event, the Coast Guard will establish a safety zone in the Boston Main Channel, Boston Inner Harbor, from the Charlestown Navy Yard to Spectacle Island, including the waters on either side of the channel to the shoreline. The safety zone will be in effect for the duration of the event while CONSTITUTION is underway from the time the vessel departs the Charlestown Navy Yard to the time it returns and is safely moored. The zone includes special regulations requiring spectator craft to maintain at all times at least 300 yards safe distance from CONSTITUTION, to select and remain in positions outside the channel, and not to maneuver between anchored vessels. A rain date of July 5, 1992, is planned, with all times remaining the same. This zone is needed to protect the USS CONSTITUTION, persons viewing the transit, and any other vessel or land structure from a safety hazard associated with the limited maneuverability of CONSTITUTION while underway in Boston Harbor for its turnaround cruise. Implementation of

this zone will close the affected portion of the Boston Main Channel to navigation by all vessels while the zone is in effect, and vessel movements within the zone will be as directed by on-scene Coast Guard patrol personnel.

In support of this event, the Gridley Locks at the Charles River Dam and the Earhart Dam, Mystic River will be closed to navigation between 9:45 a.m. and 2 p.m.

(2) Hull Gut and Boston Main Channel Regulated Area, July 9-16, 1992

To accommodate the number of patrol craft necessary to control vessel movements during the tall ships' visit to Boston for Sail Boston 1992, the Coast Guard is establishing temporary mooring sites off Hull Gut Channel at USCG Station Point Allerton, Hull, MA, and in the Little Mystic Channel, Charlestown, MA. The sites will be equipped with enough floating docks to berth the additional Coast Guard and Coast Guard Auxiliary vessels brought on scene to assist in safety patrols to be conducted during this period of increased activity. To protect these vessels while they are at berth, the Coast Guard is establishing a regulated area in two separate locations. The first of these locations is in the vicinity of Hull Gut Channel, off USCG Station Point Allerton, Hull, MA; and the second, in the Boston Main Channel in the vicinity of Little Mystic Channel. Special regulations will be in effect for vessels transiting through the regulated area locations. The Hull Gut location extends across Hull Gut Channel, bounded north by the northern tip of Peddocks Island and bounded south by Hull Gut Channel, Lighted Buoy "4." The Boston Main Channel location extends across Boston Main Channel from Charlestown to East Boston, bounded north by the northeastern corner of Massport Pier 49, Charlestown and bounded south by the southeastern corner of Pier 11, Charlestown Navy Yard. The regulated area remains in effect from 8 a.m., July 9, 1992, to 4 p.m., July 16, 1992. During the effective period, the Coast Guard will require vessel operators to proceed at speeds which will create minimum wake and not to exceed five (5) miles per hour. On-scene Coast Guard patrol personnel will enforce restrictions on vessel movements through the regulated area.

(3) Tall Ship Rally, July 10, 1992

Event organizers estimate that approximately 200 tall ships will visit Boston for the events associated with the Sail Boston 1992 celebration. Since Sail Boston 1992 expects to limit participation in its Grand Parade of Sail

on July 11th to 126 vessels, organizers will conduct a Tall Ship Rally on July 10, 1992 for tall ships visiting Boston excluded from participating in the tall ship parade. The rally will consist of approximately 75 vessels sailing together as a group in the inner harbor between the President Roads Anchorage and Rowe's Wharf. The rally will be conducted between 10 a.m. and 12 noon.

During this event, the Coast Guard is establishing a safety zone in Boston Harbor to include President Roads, Boston Main Channel, and the Fort Point Channel. The safety zone extends from the USCG Support Center Boston to Deer Island, including the waters on either side of the channel to the shoreline. The safety zone will be in effect for the duration of the event while the tall ships are underway for the rally. The zone includes special regulations requiring spectator craft to maintain at all times at least 300 yards safe distance from rally participants, to select and remain in positions outside the channel, not to maneuver between anchored vessels, and not to block the entrance into Fort Point Channel. This zone is needed to protect tall ship rally participants, persons viewing the tall ship rally, and any other vessels or land structures from a safety hazard associated with the limited maneuverability of participating vessels underway in Boston Harbor for the tall ship rally.

(4) Temporary Anchorage Regulations, July 10-11, 1992; July 15-16, 1992

In anticipation of the movement of hundreds of tall ships and thousands of spectator craft through Boston Harbor for the Sail Boston 1992 Grand Parade of Sail and Farewell Departure, the Commander, First Coast Guard District is modifying the existing Boston Harbor anchorage regulations, as contained in 33 CFR 110.134, to establish temporary anchorages, designated spectator areas, and rules to govern those areas during the tall ships' visit to Boston. The existing Boston Harbor anchorage regulations specify five Federal anchorages in Boston Harbor, which are as follows: Bird Island Anchorage, President Roads Anchorage, Long Island Anchorage, Castle Island Anchorage, and Explosives Anchorage. These areas are depicted numerically on Charts 13270 and 13272 as Anchorages 1-5. The attached chartlets marked, "Boston Harbor Existing Anchorage Areas," show these areas as they presently exist.

Past experience from Boston tall ship visits in 1976 and 1980 has proven that five anchorages will not accommodate

the volume of vessel traffic that can be expected to arrive in port for the Sail Boston 1992 tall ship parade and departure. Accordingly, the First District Commander, through temporary modifications to the existing Boston Harbor anchorage regulations, is establishing a total of fourteen designated spectator areas for the parade and departure. Additionally, the First District Commander is also establishing two tall ship anchorage areas (one in Broad Sound and Nahant Bay, the other in the Mystic River) and restrict access to the President Roads 40-ft anchorage, (as deemed appropriate by the Captain of the Port (COTP) Boston), Long Island Anchorage, and Explosives Anchorage for these events. Modifications to the existing regulations

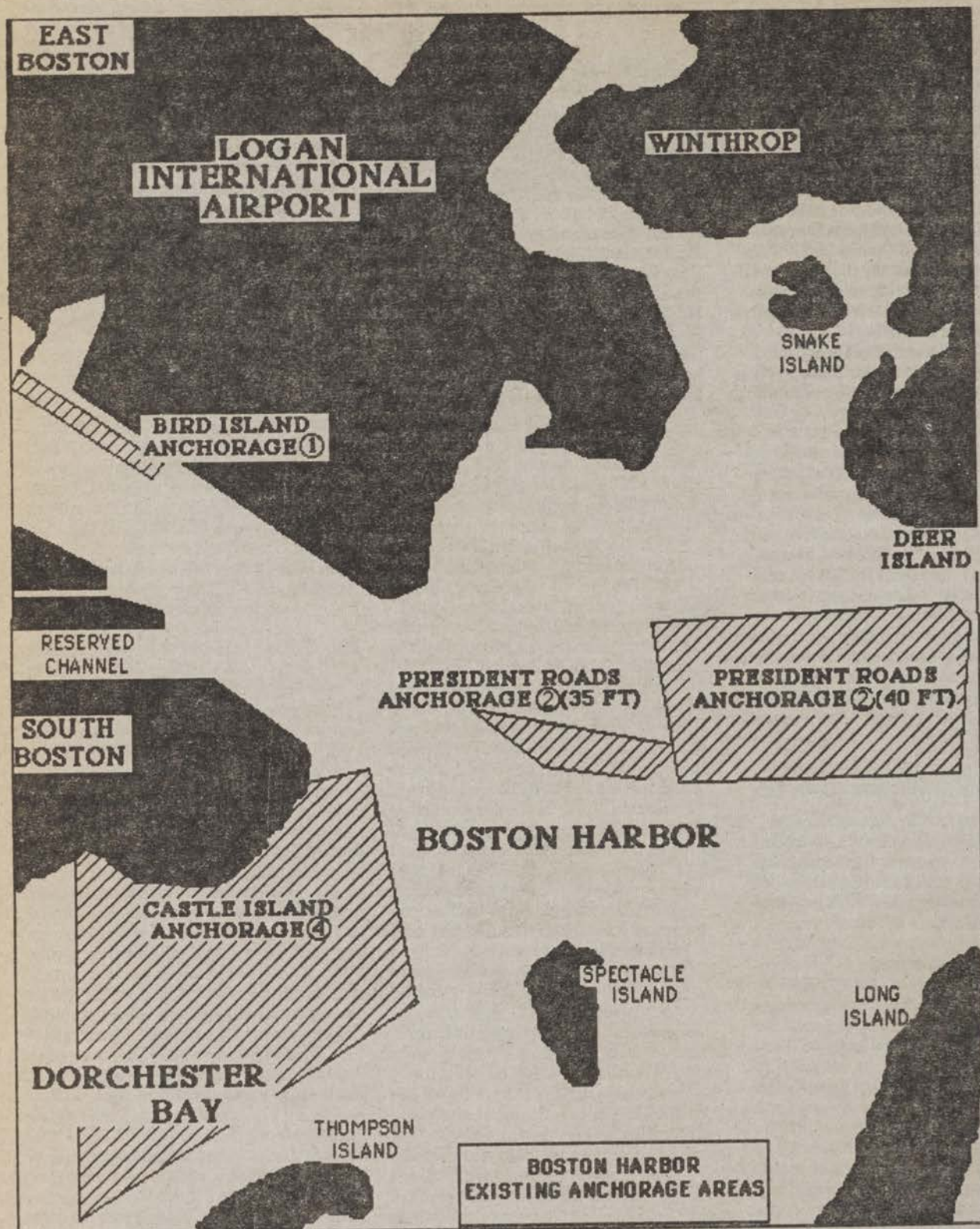
will include specific provisions to govern the use of each area and general provisions with which vessel operators using the areas must comply.

Listed below in Table I is a condensed summary of the anchorage areas that will be established for the tall ship parade and departure. The summary contains each anchorage area designation, the specific use of that area, its general location, and its effective period. The table is marked, "Sail Boston 1992 Anchorages and Designated Spectator Areas," and it corresponds to the attached chartlets marketed "Boston Harbor Temporary Anchorages and Spectator Areas for Tall Ship Parade and Departure." The temporary anchorage regulations work in concert with safety zone regulations to ensure

the safe anchoring, coordinated movement, and mooring of participating parade vessels and the effective control of the huge spectator fleet these events will attract. Violators of safety zone regulations in effect during the tall ship parade and departure, including the rules implemented for temporary anchorages and spectator areas, will be prosecuted and may be assessed civil penalties of up to \$25,000.

In addition to anchorages and designated spectator areas the Coast Guard is establishing for these events, a limited number of mooring areas are available through the Boston Harbormaster.

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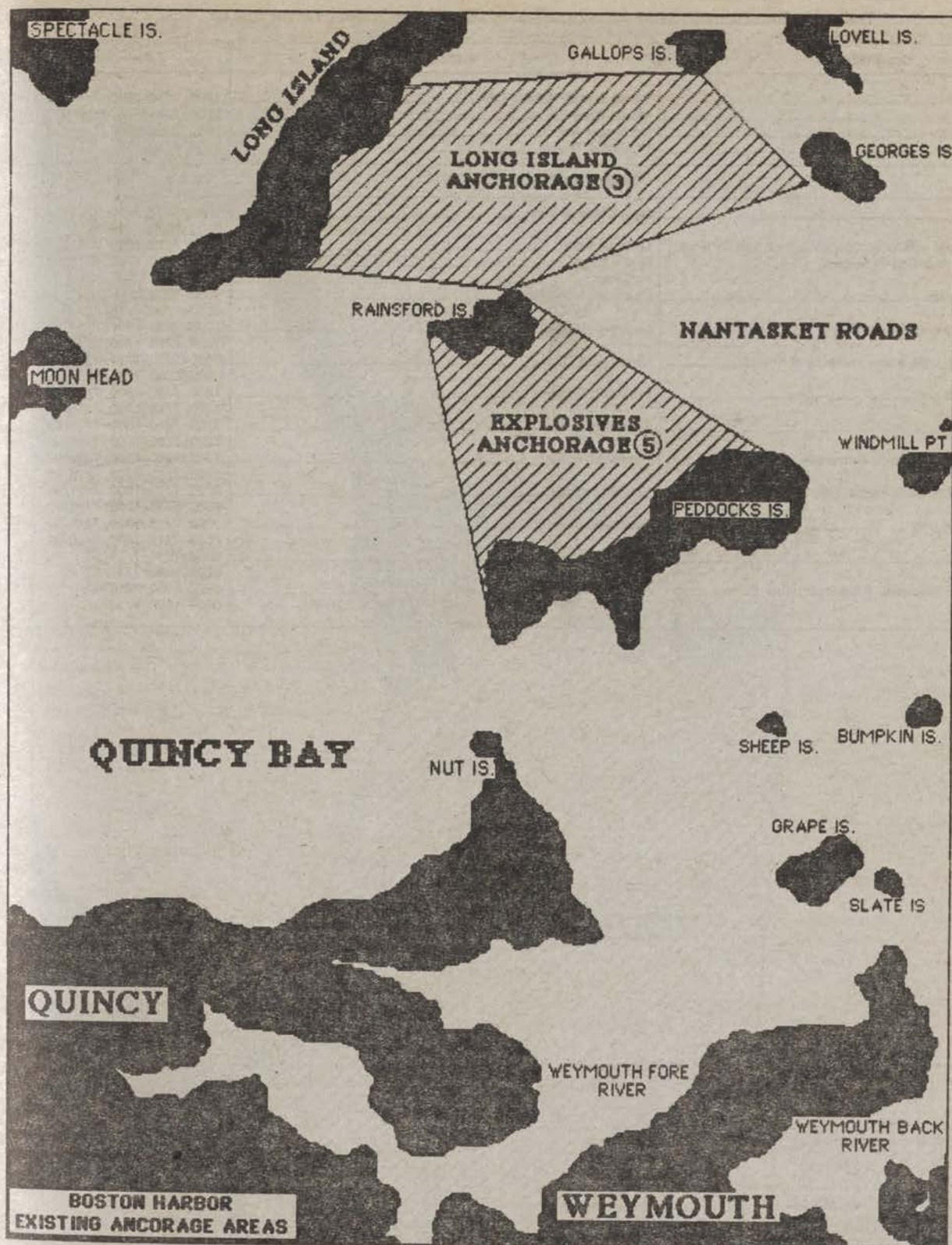
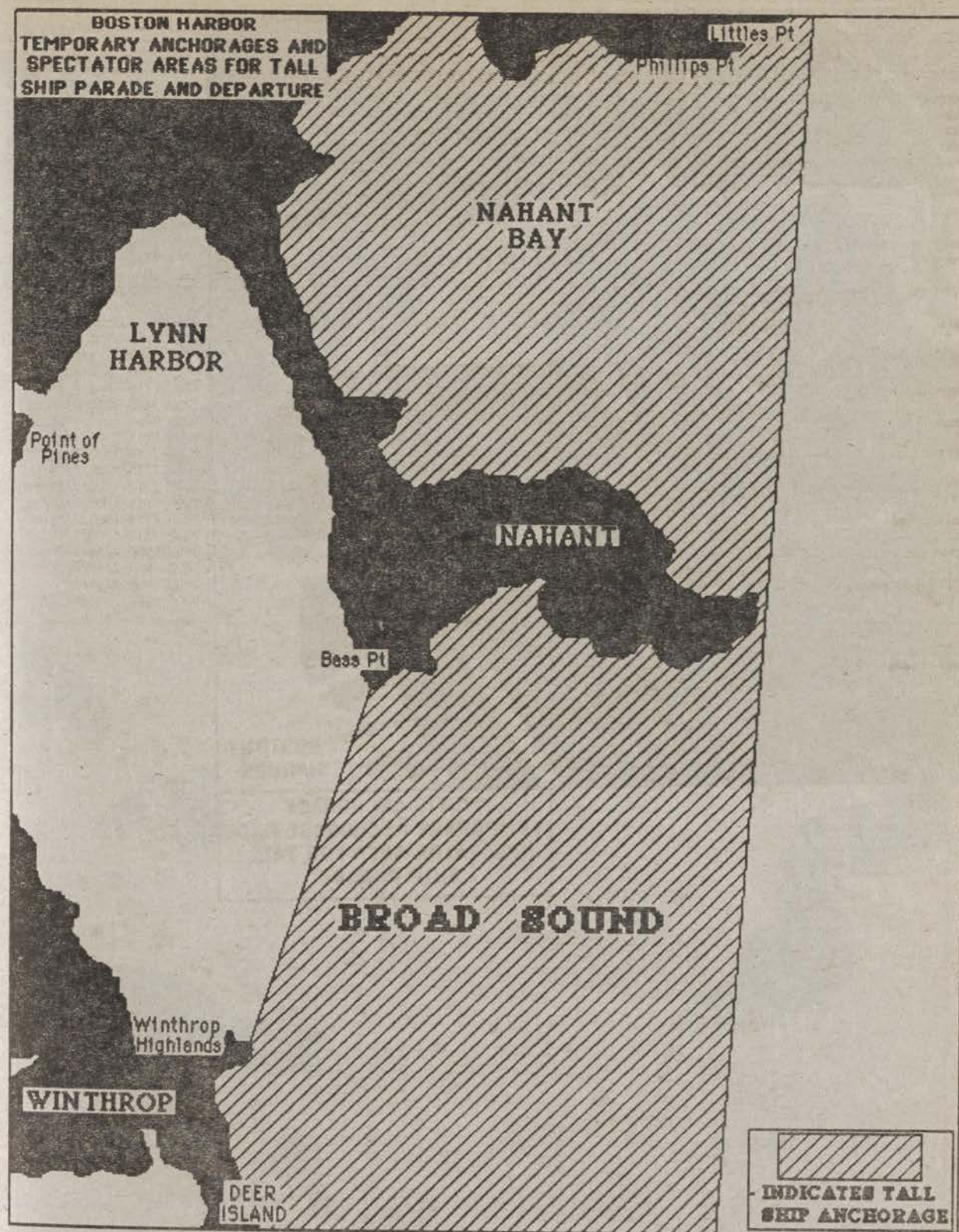
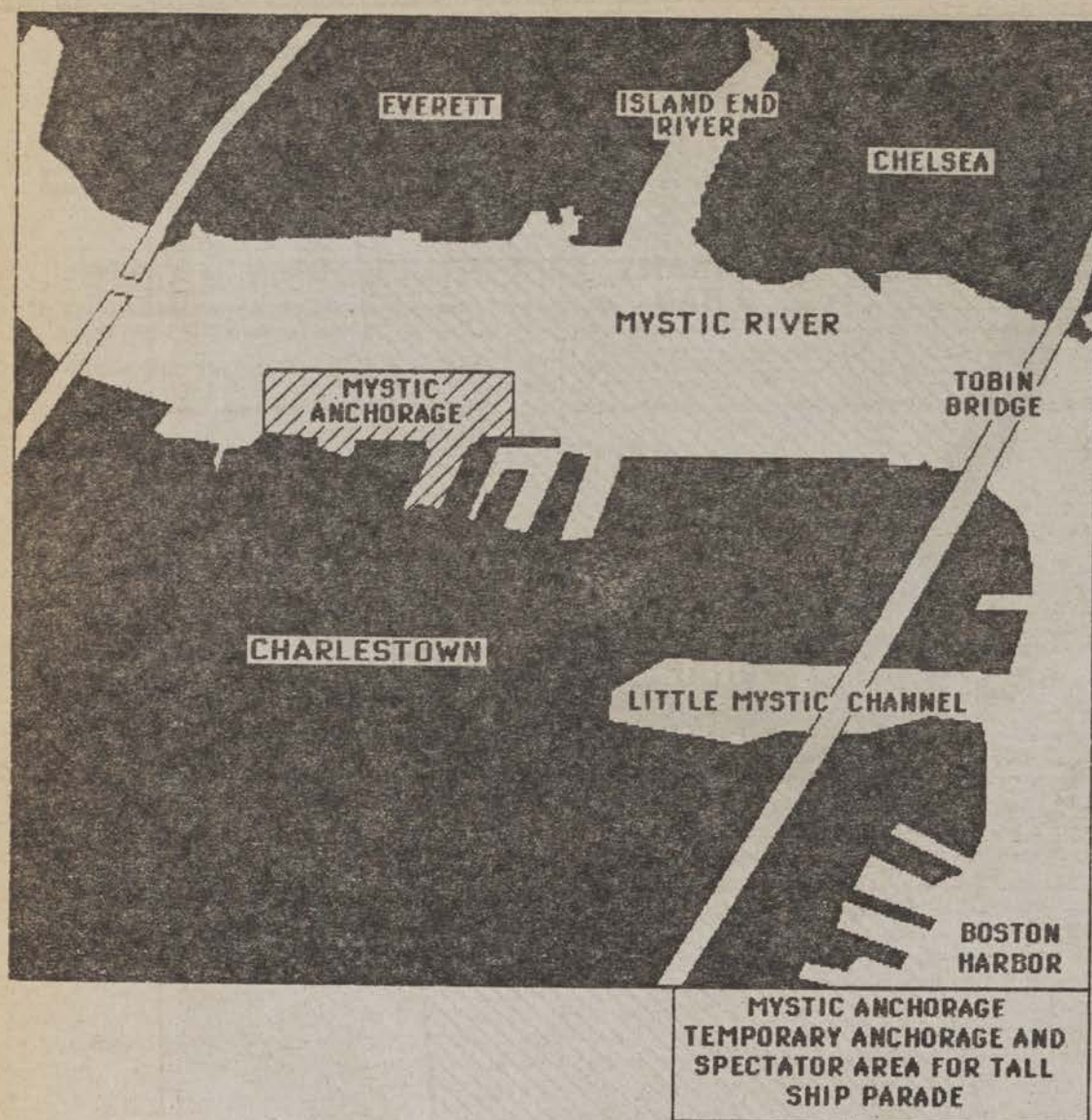


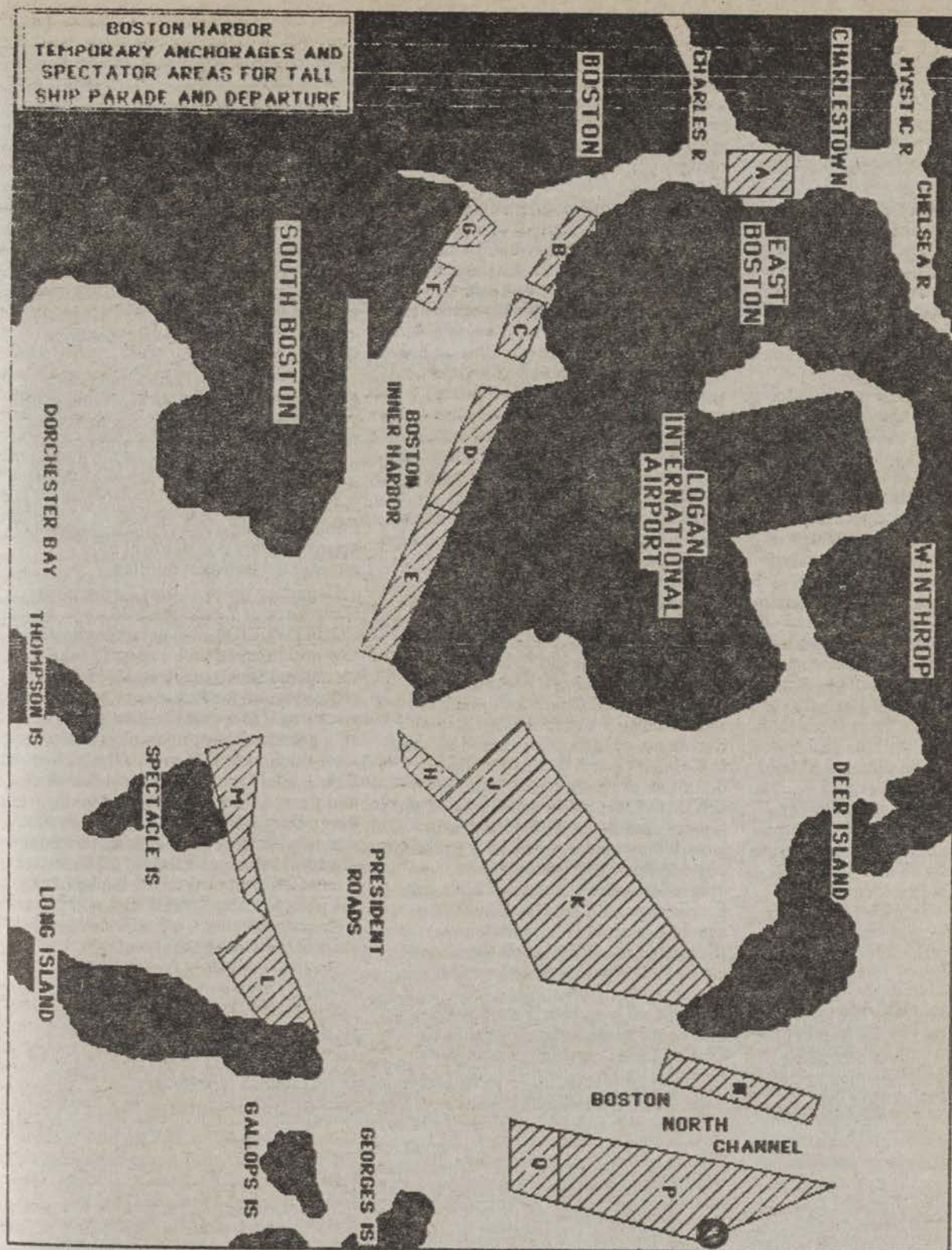
TABLE I.—SAIL BOSTON 1992 ANCHORAGES AND DESIGNATED SPECTATOR AREAS

Designation	Location	Effective period
Tall Ship Anchorage	Broad Sound/Nahant Bay.....	1200, 7/10-1600, 7/11/92.
Mystic Anchorage.....	Mystic River	1200, 7/7-1600, 7/16/92.
Long Island Anchorage	Nantasket Roads.....	1200, 7/10-1600, 7/11/92.
Explosives Anchorage	Nantasket Roads.....	1200, 7/10-1600, 7/11/92.
Designated Spectator Areas		
A Unrestricted	Main Channel-north.....	0900-1700, 7/11/92, 0800-1600, 7/16/92.
B, F, G Recreational vsIs only, boats 45 ft or less in length, superstructure 10 ft or less in heights.	LoPresti Park	1200, 7/10-1800, 7/11/92.
	North Jetty.....	1200, 7/15-1700, 7/16/92.
	Fan Pier	
C Passenger [T] VsIs.....	Cashman's Shipyard.....	0600-1800 7/11/92, 0600-1700, 7/16/92.
D Recreational vsIs only, boats 45 ft or less in length.....	Logan-west.....	1200, 7/10-1800, 7/11/92, 1200, 7/15-1700, 7/16/92.
E Recreational vsIs only, above water 50 ft or less	Logan-east	0600-1800, 7/11/92, 0600-1700, 7/16/92.
H Recreational vsIs only	President Roads.....	1200, 7/10-1800, 7/11/92, 1200, 7/15-1700, 7/16/92.
J Fishing Vessels.....	President Roads.....	1200, 7/10-1800, 7/11/92, 1200, 7/15-1700, 7/16/92.
K Reserved, COTP Permission Required	President Roads.....	1200, 7/10-1800, 7/11/92, 1200, 7/15-1700, 7/16/92.
L Passenger [T], Uninspec Passenger, Sail School, Bareboat Charter VsIs.	Sculpin Ledge Ch.....	2000, 7/10-1800, 7/11/92, 2000, 7/15-1700, 7/16/92.
M Recreational vsIs only	Spectacle Island.....	2000, 7/15-1800, 7/11/92, 2000, 7/15-1600, 7/16/92.
N, P Unrestricted	North Channel	0600-1800, 7/11/92, 0600-1800, 7/16/92.
Q Passenger [T], Uninspec Passenger, Sail School, Bare- boat Charter VsIs.	South Channel	0600-1800, 7/11/92, 0600-1800, 7/16/92.

BILLING CODE 4910-14-M







Pursuant to local ordinances, persons requesting to anchor or moor in Boston Inner Harbor Special Anchorage "A" or in the Boston Magenta Zone should apply to the Harbormaster, Boston Police Department, 34 Drydock Avenue, Boston, MA, 02210.

Vessel operators visiting the port of Boston for these events are urged to obtain current editions of the following charts of Boston Harbor: Nos. 13267, 13270, 13272, and 13275. Mariners are cautioned that sites designated as anchorages and spectator areas for the purposes of this rule have not been subject to any special survey or inspection and that charts may not show all seabed obstructions or the shallowest depths. Moreover, these areas may be subject to substantial currents and, in some cases, may not be over good holding ground. Accordingly, mariners are advised to take appropriate precautions when using these areas. Also, these sites are not special anchorage areas. At night, vessels must display anchor lights, as required by the navigation rules.

While specific anchorage positions will be assigned in the Tall Ship Anchorage, designated spectator areas are available on a first come first served basis. However, operators of spectator vessels arriving in port for the tall ship parade or departure at times other than the effective period listed for designated spectator areas will be directed to Long Island Anchorage, Castle Island Anchorage, or Explosives Anchorage. Except for those specific periods when they are redesignated as spectator areas for the tall ship parade and departure, the Bird Island and President Roads anchorages will be reserved for use by deep draft commercial vessel traffic or Third Harbor Tunnel contractor vessels, as appropriate.

Vessel operators intending to use spectator areas during the tall ship parade or departure are advised to plan for these events by fully anticipating their length of stay in these areas and acquainting themselves with the operational restrictions that will be in effect concerning their use. For example, operators may not leave unattended vessels in an anchorage or designated spectator area at any time and may not nest or tie-off to other vessels or buoys. Additionally, regulations will be in place to minimize damage to lobstering equipment. Masters of tall ships departing the Tall Ship Anchorage will be required to work cooperatively with local lobstermen before getting underway to free anchors fouled on lobster traps. Similarly, operators of other vessels whose anchors become

fouled on lobster traps must buoy with identifiable markers and release fouled anchors so as not damage lobstering equipment. Local lobstermen will pick up buoyed anchors and bring them to reclamation areas where boaters can retrieve them. The location of these reclamation areas will be published in the Local Notice to Mariners.

Moreover, due to the number of spectator craft expected, vessel operators should remember it will be virtually impossible to move either safety or legally to new positions, as maneuvering between anchored vessels is prohibited. Accordingly, vessels should have sufficient facilities on board to retain all garbage and untreated sewage. Discharge of either in any waters of the United States, which includes all waters addressed in this rule, is strictly forbidden. Violators may be assessed civil penalties of up to \$25,000.

All vessel operators and passengers are reminded, too, that in addition to the safety equipment requirements for pleasure craft, vessels carrying passengers must comply with certain additional rules and regulations. When a vessel is not being used exclusively for pleasure purposes but rather is carrying passengers, the vessel operator must possess a Coast Guard issued license and, in most cases, must also display a Certificate of Inspection issued by the U.S. Coast Guard. While the legal definition of "passenger" found in 46 USC 2101 (21) varies, depending on the type of vessel involved, it means in general any person who has contributed any consideration (monetary or otherwise) either directly or indirectly for carriage on board the vessel. The same laws provide for substantial penalties for any violation. On-scene Coast Guard patrol personnel will aggressively enforce the provisions of the temporary anchorage regulations and board vessels that appear to be overloaded or carrying passengers illegally. Violators will be prosecuted.

(5) *Grand Parade of Sail, July 11, 1992.*

On the morning of July 11, 1992, Sail Boston 1992 will conduct its Grand Parade of Sail. The event marks the beginning of the tall ships' visit to Boston, as part of the Grand Regatta Columbus 1992 Quincentenary, commemorating the 500th anniversary of the discovery of the Americas. The tall ship parade is expected to begin at 9 a.m., when the first vessel passes the starting point, and to end at 4:30 p.m., when all participating vessels are safely moored at their respective berths. A staging area will be established near the starting point, northeast of the Boston

North Channel Entrance Lighted Gong Buoy "NC," extending 500 yards in all directions from position 42-23-06 N, 070-53-26 W.

The parade route starts abeam of Boston North Channel Lighted Bell Buoy "2" on Finns Ledge, Boston North Channel. It continues down the North Channel to President Roads, through President Roads to the Boston Main Channel, in the Main Channel to a turning point off the USCG Support Center Boston near the confluence of the Boston Main Channel and the Charles River, with participating vessels peeling off after the turn to various locations throughout the port.

Parade vessels will be arranged in flotillas. The first flotilla will consist of C Class tall ships proceeding to Mystic Anchorage. Other flotillas will consist of a flag or large vessels the flotilla guide with approximately six smaller vessels behind the guide vessel. There will be 18 flotillas in the parade, with a distance of approximately one nautical mile maintained between flotillas.

Departing berth at the Charlestown Navy Yard at 7 a.m., the USS CONSTITUTION will get underway by tow and proceed under escort to the vicinity of Spectator Area K (The redesignation for President Roads 40-ft anchorage) to await the start of the tall ship parade. At approximately 9:30 a.m., after the first flotilla makes the turn at Deer Island Light in President Roads and passes by enroute to the Mystic River, the CONSTITUTION will greet and join the parade, taking up position ahead of the second flotilla guide vessel. After taking up position at the head of the parade, CONSTITUTION will fire a welcoming salute to signal the official start of the Grand Parade of Sail.

Because of the magnitude of this event, the Coast Guard is establishing a safety zone for the waters of Boston Harbor west of longitude 070-52 W to control vessel traffic and to enable tall ships to maneuver safely. The safety zone includes the following waterways: Nahant Bay, Broad Sound, Boston North Channel, Boston South Channel, Nubble Channel, President Roads, including President Road Anchorage, Sculpin Ledge Channel, Western Way, the Boston Main Channel, the Reserved Channels to the Summer Street retractable bridge, the Forth Point Channel to the Congress Street bridge, the Charles River to the Gridley Locks at the Charles River Dam, the Mystic River to the Alford Street Bridge, and the Chelsea River to the McArdle Bridge. The zone includes also the designated staging area for the tall ship parade, all tall ship

anchorage areas, and all designated spectator areas.

This safety zone is in effect from 6 a.m. to 8 p.m., July 11, 1992, and includes special regulations restricting vessel movements during this period. Specified in these regulations are provisions to: close main shipping channels of Boston Harbor to deep draft commercial vessels from 6 a.m. to 8 p.m.; restrict access to CONSTITUTION and other parade vessels while they are underway; close the main shipping channels of Boston Harbor to all vessel traffic, except Sail Boston 1992 tall ships, assisting tugs, pilot boats, patrol vessels, and other authorized craft from 9 a.m. to 5 p.m.; restrict vessel operators to proceed at speeds which will create minimum wake and not to exceed five (5) miles per hour from 6 a.m. to 8 p.m.; require spectator vessels to take position and remain in designated spectator areas for the duration of the event; prohibit spectator craft from blocking access to tall ship mooring sites or emergency medical evacuation areas; and establish traffic patterns in Boston Harbor to take effect upon the conclusion of the parade. After closure of the harbor at 9 a.m., vessel movements within the safety zone will be as directed by on-scene Coast Guard patrol personnel.

In support of this event, the Gridley Locks at the Charles River Dam and the Earhart Dam, Mystic River will be closed to navigation initially between 6:45 a.m. and 7:30 a.m. The Gridley Locks and Earhart Dam will close again at 9 a.m. and remain closed till 5 p.m.

With the many sailing vessels and spectator craft arriving in Boston for this event, additional restrictions on vessel movements may be imposed in the form of security zones or other emergency measures to safeguard dignitaries or specific individual vessels. In all cases, further restrictions on vessel movements will be held to the minimum necessary to ensure vessel and personal safety. Every attempt will be made to inform the public regarding any additional restrictions the COTP Boston may need to impose. Details of these restrictions will be published separately in emergency rulemaking.

(6) Reserved Channel Safety Zone, July 11-16, 1992

From 4:30 p.m., July 11, 1992, to 9:30 a.m., July 16, 1992, the Reserved Channel, South Boston will be the primary mooring location for tall ships and other vessels visiting Boston Harbor for Sail Boston 1992. Because these ships will attract large numbers of waterside visitors, with thousands of vessels transiting through the area, the COTP Boston is establishing a safety zone in

the Reserved Channel for the safety and protection of the tall ships, vessel operators, waterside visitors viewing the tall ships, and large commercial vessels operating in the channel transiting to and from commercial berths. The Coast Guard safety zone in the Reserved Channel is in effect for the duration of the tall ships' visit to Boston and includes regulations to control the movement of vessels operating in the Reserved Channel during that period. While the safety zone for the Reserved Channel is in effect, vessel movements through that area will be as directed by on-scene Coast Guard patrol personnel.

(7) Fireworks Extravaganza, July 12, 1992

On the evening of July 12, 1992, Sail Boston 1992 will sponsor its Fireworks Extravaganza to occur in the Boston Main Channel in the vicinity of Pier 4, South Boston in approximate position, 42-21-26 N, 071-02-22 W. The fireworks are scheduled to take place between 9:30 p.m. and 10 p.m. For this event, the Coast Guard is establishing a safety zone from the Alford Street Bridge, Mystic River to Castle Island, Boston Main Channel, including the Island End River and the waters on either side of the channel to the shoreline. This safety zone is in effect between 5:30 p.m. and 11 p.m. and will include special regulations requiring spectator craft to maintain at all times at least 300 yards safe distance from all fireworks barges and their attending tugs; requiring spectator craft to select and remain in position at least one half hour before this event; restricting vessel operators to proceed at speeds which will create minimum wake and not to exceed five (5) miles per hour; establishing traffic patterns to take effect upon the conclusion of the display; and prohibiting boaters from passing outboard patrol vessels showing blue lights. A rain date of July 15, 1992, is planned, with all times remaining the same. This zone is needed to protect the fireworks barges and their attending tugs, persons viewing the display, spectator craft, and personnel in the area from the safety hazard associated with explosives-laden barges and the display itself. Implementation of this zone closes the affected portion of the Island End River, Mystic River, and the Boston Main Channel to navigation by deep draft vessels while this zone is in effect. Vessel movements within the zone will be as directed by on-scene Coast Guard patrol personnel.

(8) Challenge Cup Regatta, July 13-14, 1992

On July 13-14, 1992, Sail Boston 1992, in association with the Offshore Maxi Yacht Association and local yacht clubs, will conduct a two-day Challenge Cup Sailboat Racing Regatta to be held in two different locations in Massachusetts Bay off of Nahant and off of Nantasket Beach. The race scenario is to have one Maxi race and two 12-Meter races on Monday, July 13, 1992 off Nantasket Beach. On Tuesday, July 14, 1992, there will be two Maxi races and one 12-Meter race off Nahant. A rain date of Wednesday, July 15, 1992 is planned for either event. Races will be held from 9 a.m. to 3 p.m. at the specified race locations. For these races the Coast Guard is establishing regulated areas in two separate three-square mile locations in Massachusetts Bay.

The first site is the Nantasket Beach race course, bounded by the following:

- Point 1: Latitude 42-20.7 N Longitude 070-49.0 W
- Point 2: Latitude 42-20.7 N Longitude 070-44.8 W
- Point 3: Latitude 42-17.7 N Longitude 070-44.8 W
- Point 4: Latitude 42-17.7 N Longitude 070-49.0 W

The second site is the Nahant race course, bounded by the following:

- Point 1: Latitude 42-27.2 N Longitude 070-50.0 W
- Point 2: Latitude 42-27.2 N Longitude 070-46.0 W
- Point 3: Latitude 42-24.1 N Longitude 070-46.0 W
- Point 4: Latitude 42-24.1 N Longitude 070-50.0 W

The regulated area is in effect each day for the duration of the day's racing events, with special regulations requiring spectator craft to maintain at all times at least 200 yards safe distance from all participating sail race vessels. This area is needed to ensure the safety of participants and spectators during the two-day offshore event, and vessel movements within the regulated area will be as directed by on-scene Coast Guard patrol personnel.

(9) Farewell Departure, July 16, 1992

On July 16, 1992, the Sail Boston Farewell Departure will be conducted in Boston Harbor. How this event will proceed depends on the weather encountered during the Grand Parade of Sail on July 11, 1992. If the weather is good on the 11th and the Grand Parade of Sail proceeds as scheduled, the Farewell Departure will occur as a "Sailout," with tall ships departing from various locations throughout the port at

times consistent with offshore activities planned for later in the day. In this case, tall ships participating in the restart of the Grand Regatta will leave first followed by those participating in the American Sail Training Association (ASTA) rally. Vessels departing for other locations will do so sometime after this peak departure period. Grand Regatta participants will depart port between 8 a.m. and 12 noon; ASTA Rally participants, between 10 a.m. and 12 noon. If inclement weather on the 11th cancels the Grand Parade, the Farewell Departure will be a more formally structured event similar in scope to the parade scheduled for the 11th.

To ensure the safe navigation of vessel traffic in Boston Harbor during the tall ships' departure, the COTP Boston will establish a safety zone similar to the one established for the July 11th Grand Parade of Sail with designated spectator areas as listed previously in Table I marked, "Sail Boston 1992 Anchorages and Designated Spectator Areas." Vessels intending to go offshore after the departure to watch the restart of the Grand Regatta should use spectator areas N, P, or Q, as appropriate.

Because of the magnitude of this event, the Coast Guard is establishing a safety zone in the waters of Boston Harbor west of longitude 070-54 W to include the following waterways: Boston North Channel, Boston South Channel, the Narrows, Nantasket Roads, Nubble Channel, President Roads, including President Roads Anchorage, Sculpin Ledge Channel, Western Way, the Boston Main Channel, the Reserved Channel to the Summer Street retractile bridge, the Fort Point Channel to the Congress Street bridge, the Charles River to the Gridley Locks at the Charles River Dam, the Mystic River to the Tobin Bridge, and the Chelsea River to the McArdle Bridge. The zone includes also all designated spectator areas for this event.

The safety zone is in effect from 8 a.m. to 6 p.m., July 16, 1992, and includes special regulations to restrict the movement of vessel traffic during this period. Specified in these regulations are provisions to: Close the main shipping channels in Boston Harbor, including the Narrows, to deep draft vessel traffic from 8 a.m. to 6 p.m.; restrict access to the USS CONSTITUTION, the USS CASSIN YOUNG, and all other parade vessels while they are underway; close the main shipping channels of Boston Harbor to all vessel traffic, except Sail Boston 1992 tall ships, assist tugs, pilot boats, patrol vessels, and other

authorized craft from 8 a.m. to 4 p.m.; restrict vessel operators to proceed at speeds which will create minimum wake and not to exceed five (5) miles per hour from 8 a.m. to 6 p.m.; require spectator vessels to take position and remain in designated spectator areas for the duration of the event, except that vessels anchored in Spectator Areas N, P, and Q may depart outbound to view related tall ship activity occurring offshore; prohibited spectator craft from blocking access to tall ship mooring sites or emergency medical evacuation areas; and establish traffic patterns in Boston Harbor to take effect upon conclusion of the departure.

As the country's oldest seagoing vessel and a treasured national monument, the USS CONSTITUTION will have the honor of bidding official farewell to the Sail Boston 1992 tall ships. Departing berth at the Charlestown Navy Yard at 8:00 a.m. on the 16th, CONSTITUTION will get underway by tow and proceed under escort outbound through Boston Harbor to Spectator Area K. Arriving on location at 9:30 a.m., CONSTITUTION will take up position to mark the departure of tall ships participating in the Grand Regatta and the ASTA Rally. Vessel operators must maintain at least 300 yards safe distance around CONSTITUTION during its transit and while on scene in Spectator Area K.

Meanwhile, in preparation for CONSTITUTION's shift to drydock, the USS CASSIN YOUNG will change berths and moor at Pier 1, Charlestown Navy Yard. While CASSIN YOUNG shifts berths, vessel operators must maintain at least 300 yards safe distance from the vessel. At 2 p.m., CONSTITUTION will begin its return trip to the Navy Yard, arriving at approximately 3 p.m. No other vessel movements will be allowed while CONSTITUTION is underway enroute back to the Navy Yard, and a 300 yard safety perimeter will be maintained around CONSTITUTION during its transit.

After closure of the harbor at 8 a.m., vessel movements within the safety zone, except for Sail Boston 1992 tall ships, assist tugs, pilot boats, patrol vessels, and other authorized craft, will be as directed by on-scene Coast Guard patrol personnel.

In support of this event, the Gridley Locks at the Charles River Dam and the Earhart Dam, Mystic River will be closed to navigation between 8 a.m. and 4 p.m.

If the COTP Boston has to establish security zones or additional emergency measures to safeguard dignitaries or

certain vessels participating in this event, the public will be informed in emergency rulemaking.

(10) Grand Regatta Restart, July 16, 1992

On the afternoon of July 16, 1992, the Sail Training Association, assisted by local yacht clubs, will conduct the restart of the Grand Regatta Columbus 1992 Quincentenary in Massachusetts Bay off of Nahant. The event marks the beginning of the final leg of the tall ship race back to Liverpool, England. To protect the vessels participating in this event as they practice for and restart the race, the COTP Boston is establishing a safety zone in a three square-mile area northeast of the Boston North Channel Lighted Gong Buoy "NC." Included in the area will be a practice area for tall ships to conduct sail crew training in preparation for the restart of the race and a restart area to include a two-mile starting line for the event. The site of the safety zone is bounded by the following:

- Point 1: Latitude 42-27.2 N Longitude 070-40.0 W
- Point 2: Latitude 42-27.2 N Longitude 070-36.0 W
- Point 3: Latitude 42-24.1 N Longitude 070-36.0 W
- Point 4: Latitude 42-24.1 N Longitude 070-40.0 W

This safety zone is in effect between 11:30 a.m. and 6 p.m. and includes special regulations to control the movement of spectator vessels on scene in the area to view the restart of the Grand Regatta. This zone is needed to ensure the safety of participants and spectators during this offshore event, and entry into the safety zone is prohibited unless authorized by the COTP Boston.

If changes are made to these regulations or if the COTP Boston implements additional controls on vessel movements, notice will be provided to the public in emergency rulemaking. Details of these events and of the special regulations in effect for each event will be published also in the Local Notice to Mariners. Additionally, an appropriate Safety Marine Information Broadcast will be initiated for each event. For all events, vessel operators will be required to maneuver as directed by on-scene Coast Guard patrol personnel. Coast Guard patrol personnel enforcing regulations in effect for safety zones, anchorages, designated spectator areas, and regulated areas for these events include commissioned, warrant, and petty officers of the Coast Guard on board Coast Guard, Coast Guard Auxiliary, U.S. Navy, and local law enforcement vessels. Violators will be prosecuted. Violations of Coast

Guard safety zone regulations may result in civil penalties of up to \$25,000.

Discussion of Comments and Changes

Comments: Two comment letters were received. One comment addressed the potential adverse impact of the Farewell Departure on July 16, 1992, on contractors working on the Deer Island Boston Harbor Cleanup Project. The COTP Boston has not made significant changes to the regulations, but will work directly with contractors to accommodate scheduled vessel movements to the greatest degree practicable.

Another comment was received requesting blanket permission for unrestricted vessel movement for a different project contractor in Boston Harbor throughout the period of the temporary regulations. In the interest of safety, the COTP Boston has denied the request after discussions with the contractor.

Changes:

(1) Proposed safety zones for the Harborfest and Farewell Fireworks and the arrival and departure of the USS JOHN F. KENNEDY have been deleted due to the cancellation of these events.

(2) For the Hull Gut and Boston Main Channel Regulated Area, the effective time and date for terminating these regulations has been changed from 4 p.m. July 17, 1992, to 4 p.m. July 16, 1992 due to the cancellation of the USS JOHN F. KENNEDY departure.

(3) For the Temporary Anchorage Regulations, an effective date has been added to eliminate confusion regarding impact on existing permanent Boston Harbor anchorage regulations. A new Mystic Anchorage has been added for C Class tall ships. This change is necessary due to a shortage of available berthing to accommodate the larger-than-expected C Class fleet participating in Sail Boston 1992. The number of C Class participants exceeds original estimates by approximately 100 vessels. In selecting a suitable anchorage for these vessels, the Coast Guard and event organizers have identified the Mystic River as a feasible site. The relative inactivity of the Charlestown waterfront area in the vicinity of the old Revere and Domino Sugar terminals makes that portion of the Mystic River a safe and sheltered area. Recognizing the NPRM did not address this concept, the Coast Guard has initiated discussion with the principal waterway users and property owners in that area. All parties contacted have expressed their support of such a plan. Accordingly, a temporary anchorage will be established in the Mystic River. Paragraph lettering/ numbering have been changed to reflect

this addition. The size of and effective period for Designated Spectator Area A have been modified to provide a safe fairway for C Class vessels transiting to the Mystic River and to reflect the 8 a.m. start time for the Farewell Departure. Anchorage closure periods associated with the USS JOHN F. KENNEDY inbound transit have been deleted.

(4) For the Grand Parade of Sail, the limits of the proposed safety zone have been extended to include the Mystic River up to the Alford Street Bridge. This revision was prompted by the establishment of the temporary Mystic Anchorage for C Class vessels in the Mystic River and the need to provide for their safe transit during the tall ship parade.

(5) For the Fireworks Extravaganza, the limits of the proposed safety zone have been extended to include the Mystic River up to the Alford Street Bridge and the Island End River. This revision was prompted by a change in the designated loading location of the fireworks barges. The time of the barge transit has been modified slightly and a Wednesday, July 15, 1992, rain date has been added at the request of the event organizer.

(6) For the Challenge Cup Regatta, the times of the events have been revised. Also, a Wednesday, July 15, 1992, rain date has been added at the request of the event organizers.

(7) For the Farewell Departure, the effective time for safety zone has been extended to begin at 8 a.m. July 16, 1992, to accommodate earlier departure of the tall ships from Boston Harbor.

(8) For the Grand Regatta Restart, the designated location has been shifted to the east, outside the Boston Precautionary Area, to provide race participants more maneuvering area.

Regulatory Evaluation

This rulemaking is not major under Executive Order 12291 and not significant under Department of Transportation Regulatory Policies and Procedures (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of these regulations to be so minimal that a Regulatory Evaluation is unnecessary. These regulations will be in effect only for portions of a thirteen day period. In that period, the two days with the greatest impact on port users will be Saturday, July 11, 1992, and Thursday, July 16, 1992. For these two days, most areas and waterways within the port of Boston will be closed, and the port community will be disrupted from conducting normal port activity. However, because of the temporary nature of these disruptions, they can be

planned for in advance to minimize the attendant economic hardship that might result. Segments of the port community facing disruptions as a result of this rulemaking are operators of deep draft vessel traffic, terminal operators, marine contractors involved in major harbor projects, the Logan and Charlestown Navy Yard shuttle ferry service, commuter boats, local sailing centers and marinas, lobstermen, and commercial fishermen. Recognizing the adverse economic impact that could result from these expected port closures, the COTP Boston has established liaison with the port community to create a steering committee that has assisted in the planning for these events. Attendance at steering committee meetings is open to all parties with a vested economic interest in the effects of this rulemaking.

The committee is working cooperatively with the COTP Boston to make certain that restrictions imposed on vessel movements during this period are held to the minimum necessary to ensure safety and that these events are conducted in such a manner so as to cause the least economic burden possible. The COTP Boston expects that the amount of publication and advertisement about these events and about these regulations will allow the industry sufficient time to adjust schedules and minimize expected adverse impacts. Weighted against and counterbalanced with adverse impacts are the favorable economic impacts that Harborfest and Sail Boston 1992 will have on commercial activity in the port as a whole from the boaters and tourists these events will attract to the area.

The changes implemented in the final rule as discussed above (i.e., the deletion of four events and other minor revisions), collectively, will lessen the adverse economic impact associated with these events.

Small Entities

No comments were received from "small entities." Accordingly, there has been no change to the regulatory text in this regard as related to small entities. Based on the lack of comments on this issue, the coast Guard does not expect these rules to have a significant impact on small entities. Therefore, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this final rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This proposal contains no collection of information requirements under the

Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

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

Environment

The Coast Guard considered the environmental impact of this rulemaking action and concluded that, under section 2.B.2.c. of Commandant Instruction M16475.1B, this final rule is categorically excluded from further environmental documentation. A Categorical Exclusion Determination is available in the docket for inspection or copying where indicated under "ADDRESSES."

List of Subjects

33 CFR Part 100

Marine safety, Navigation (water).

33 CFR Part 110

Anchorage grounds.

33 CFR Part 165

Harbors, Marine safety, Navigation (water), Security measures, Vessels, Waterways.

For reasons set out in the preamble, the Coast Guard amends 33 CFR parts 100, 110, and 165 as follows:

PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

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

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

2. Temporary § 100.T01-165-1 is added to read as follows:

§ 100.T01-165-1 **Regulated Area, Hull Gut Channel and Boston Main Channel, Boston, MA.**

(a) *Regulated Area:* A regulated area is established in two locations in Boston Harbor. The first location is in Hull Gut Channel and the waters just off the channel in the vicinity of the USCG Stations Point Allerton, extending between imaginary lines drawn across the gut, bounded on the north by a line drawn from the northern tip of Peddocks Island to the northwestern tip of Wind Mill Point, Hull, MA; and bounded on the south by a line drawn from Hull Gut Channel, Lighted Buoy "4" to Inner Seal Rock. The second location is in the Boston Main Channel in the vicinity of Little Mystic Channel extending between imaginary lines drawn across the channel, bounded on the north by a line drawn from the northeastern corner of Massport Pier 49, Charlestown due

east to East Boston; and bounded on the south by a line drawn from the southeastern corner of Pier 11, Charlestown Navy Yard due east to East Boston.

(b) *Effective dates:* These regulations will be effective from 8 a.m., July 9, 1992 to 4 p.m. on July 16, 1992.

(c) *Special Local Regulation:*

(1) During the effective period operators of vessels transiting through regulated area locations shall proceed at speeds which will create minimum wake and not to exceed five (5) miles per hour.

(2) All persons and vessels shall comply with the instructions of on-scene Coast Guard patrol personnel. On-scene Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard onboard Coast Guard, Coast Guard Auxiliary, U.S. Navy, or local law enforcement vessels.

3. Temporary § 100.T01-165-2 is added to read as follows:

§ 100.T01-165-2 1992 Challenge Cup Sailboat Racing Regatta.

(a) *Regulated Area:* A regulated area is established in two locations in Massachusetts Bay. The first is the site of the Nantasket Beach race course, bounded by the following:

Point 1: Latitude 42-20.7 N Longitude 070-49.0 W

Point 2: Latitude 42-20.7 N Longitude 070-44.8 W

Point 3: Latitude 42-17.7 N Longitude 070-44.8 W

Point 4: Latitude 42-17.7 N Longitude 070-49.0 W

The second is the site of the Nahant race course, bounded by the following:

Point 1: Latitude 42-27.2 N Longitude 070-50.0 W

Point 2: Latitude 42-27.2 N Longitude 070-46.0 W

Point 3: Latitude 42-24.1 N Longitude 070-46.0 W

Point 4: Latitude 42-24.1 N Longitude 070-50.0 W

(b) *Effective Dates:* These regulations will be effective from 9 a.m. to 3 p.m. July 13, 1992 and from 9 a.m. to 3 p.m. on July 14, 1992. A rain date of July 15, 1992 is planned, with all times remaining the same.

(c) *Special Local Regulations:*

(1) The regulated area shall be closed during the effective period to all vessel traffic except participants in this event, duly authorized patrol craft, and those vessels on-scene Coast Guard patrol personnel allow to enter the area, as directed by the Commander, Coast Guard Group Boston.

(2) Participating race vessels should arrive at their respective race course at 9 a.m. and must complete racing by 3

p.m. on both July 13, 1992, and July 14, 1992. If event is held on the rain date, all times remain the same.

(3) Spectator vessels allowed to enter the regulated area by on-scene Coast Guard patrol personnel shall maintain at all times at least 200 yards safe distance from all participating sail race vessels operating inside the regulated area.

(4) The Commander, Coast Guard Group Boston reserves the right at any time to cancel or suspend race events at either or both race locations.

(5) All persons and vessels shall comply with the instructions of on-scene Coast Guard patrol personnel. On-scene Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard on board Coast Guard, Coast Guard Auxiliary, U.S. Navy, or local law enforcement vessels. Upon hearing five or more blasts from a U.S. Coast Guard vessel, vessel operators shall stop immediately and proceed as directed by on-scene Coast Guard patrol personnel.

PART 110—ANCHORAGE REGULATIONS

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

Authority: 33 U.S.C. 471, 2030, and 2071; 49 CFR 1.46 and 33 CFR 1.05-1(g). Section 110.1a and each section listed in 110.1a are also issued under 33 U.S.C. under 1223 and 1231.

5. Section 110.134 is temporarily amended by revising paragraphs (a)(1) and (a)(2), by adding paragraphs (a)(6) through (a)(22), by revising paragraph (b), and by adding new paragraph (c) to read as follows:

§ 110.134 Boston Harbor, Mass.

(a) *The anchorage grounds—*(1) *Bird Island Anchorage.* Beginning at a point bearing 93°, 1,400 yards, from the aerial beacon on top of the Boston Custom House tower; thence to a point bearing 81°, 1,600 yards, from the aerial beacon on top of the Boston Custom House tower; thence to a point bearing 102°, 3,100 yards, from the aerial beacon on top of the Boston Custom House tower; thence to a point bearing 109°, 3,050 yards, from the aerial beacon on top of the Boston Custom House tower; and thence to the point of beginning. The Bird Island Anchorage is temporarily disestablished from 12 noon on July 10, 1992, to 6 p.m. on July 11, 1992, and from 12 noon on July 15, 1992, to 5 p.m. on July 16, 1992. During these periods, the Bird Island Anchorage is divided, reconfigured, and redesignated as Spectator Areas C and D in accordance with paragraphs (a)(10) and (a)(11) of this section.

(2) *President Roads Anchorage*—(i) 40-foot anchorage. Beginning at a point bearing 237°, 522 yards from Deer Island Light; thence to a point bearing 254°, 2,280 yards from Deer Island Light; thence to a point bearing 261°, 2,290 yards from Deer Island Light; thence to a point bearing 278°, 2,438 yards from Deer Island Light; thence to a point bearing 319°, 933 yards from Deer Island Light; thence to a point bearing 319°, 666 yards from Deer Island Light; and thence to a point of beginning. The President Roads 40-foot anchorage is temporarily disestablished from 12 noon on July 10, 1992, to 6 p.m. on July 11, 1992 and from 12 noon on July 15, 1992, to 5 p.m. on July 16, 1992. During these periods, the President Roads 40-foot anchorage is redesignated as Spectator Area K in accordance with paragraph (a)(17) of this section.

(ii) 35-foot anchorage. Beginning at a point bearing 256°, 2,603 yards from Deer Island Light; thence to a point bearing 258° 30', 3,315 yards from Deer Island Light; thence to a point bearing 264°, 3,967 yards from Deer Island Light; thence to a point bearing 261°, 2,290 yards from Deer Island Light; thence to point of beginning. The President Roads 35-foot anchorage is temporarily disestablished from 12 noon on July 10, 1992, to 6 p.m. on July 11, 1992, and from 12 noon on July 15, 1992, to 5 p.m. on July 16, 1992. During these periods the President Roads 35-foot anchorage is divided, reconfigured, and redesignated as part of Spectator Areas H and J in accordance with paragraphs (a)(15) and (a)(16) of this section.

(3) * * *

(4) * * *

(5) * * *

(6) *Tall Ship Anchorage*. In the outer harbor in Broad Sound and Nahant Bay, the waters west of a line connecting Boston North Channel Lighted Bell Buoy "2" on Finns Ledge to Off Rock, Little's Point, Swampscott, MA. The Tall Ship Anchorage is temporarily established from 12 noon on July 10, 1992 to 4 p.m. on July 11, 1992.

(7) *Mystic Anchorage*. In the inner harbor in the Mystic River, the waters off Charlestown, in the vicinity of the old Amstar and Revere Sugar docks, bounded west longitude 071-04-00 extending into the river 400 feet from shore; thence 100° to 071-03-44, bounded east along longitude 071-03-44 extending 400 feet back to shore; and thence to point of beginning. The Mystic Anchorage is temporarily established from 12 noon on July 7, 1992, to 4 p.m. on July 16, 1992.

(8) *Spectator Area A*. In the inner harbor in the Boston Main Channel, the waters north of a line drawn across the

Boston Main Channel from the northeastern corner of Pier 8, Charlestown Navy Yard to the southernmost point of the Boston Towing and Transportation, North Yard, East Boston, and bound on the west by the midpoint of the Boston Main Channel. Spectator Area A is temporarily established from 9 a.m. to 5 p.m. on July 11, 1992, and from 8 a.m. to 4 p.m. on July 16, 1992.

(9) *Spectator Area B*. In the inner harbor along the shoreline of East Boston, east of the Boston Main Channel, bounded on the north by the southernmost point of Boston Towing and Transportation South Yard are bounded on the south by the southwest corner of Massport Pier 1, East Boston. Spectator Area B is temporarily established from 12:00 noon on July 10, 1992, to 6 p.m. on July 11, 1992, and from 12:00 noon on July 15, 1992, to 5 p.m. on July 16, 1992.

(10) *Spectator Area C*. In the inner harbor along the southern edge of Cashman's shipyard, East Boston on the western side of the disestablished Bird Island Anchorage, situated to provide a channel between it and Spectator Area D, allowing access to Bird Island Flats, beginning at Bird Island Flats Buoy "1"; thence 210° to the north edge of the Boston Main Channel; thence northwest along Boston Main Channel edge to 42-21-42 N, 71-02-28 W; thence to 42-21-47.5 N, 071-02-23 W; thence to point of beginning. Spectator Area C is temporarily established from 6 a.m. to 6 p.m. on July 11, 1992, and from 6 a.m. to 5 p.m. on July 16, 1992.

(11) *Spectator Area D*. In the inner harbor along the southwestern edge of Logan Airport, East Boston, in the eastern side of the disestablished Bird Island Anchorage situated to provide a channel between it and Spectator Area C, allowing access to Bird Island Flats, beginning at Bird Island Flats Buoy "2"; thence 210° to the north edge of the Boston Main Channel; thence eastward to Boston Main Channel Lighted Buoy "12"; thence 027° to land; and thence to point of beginning. Spectator Area D is temporarily established from 12 noon on July 10, 1992, to 6 p.m. on July 11, 1992, and from 12 noon on July 15, 1992, to 5 p.m. on July 16, 1992.

(12) *Spectator Area E*. In the inner harbor along the southeastern edge of Logan Airport, beginning at Boston Main Channel Lighted Buoy "12"; thence 027° to land; thence eastward along the shore to 42-20-50 N, 071-00-17.5 W; thence to the Boston Main Channel Lighted Buoy "10"; thence along the northern edge of Boston Main Channel to point of beginning. Spectator Area E is temporarily established from 6 a.m. to 6

p.m. on July 11, 1992, and from 6 a.m. to 5 p.m. on July 16, 1992.

(13) *Spectator Area F*. In the inner harbor along the Massport North Jetty, South Boston, beginning at 42-21-05 N, 071-01-54 W; thence to 42-20-59 N, 071-01-39 W; thence northwestward to 42-20-56 N, 071-01-41 W; thence along the face of the Massport Marine Terminal, North Jetty to the corner; thence to point of beginning. Spectator Area F is temporarily established from 12 noon on July 10, 1992, to 6 p.m. on July 11, 1992, and from 12 noon on July 15, 1992, to 5 p.m. on July 16, 1992.

(14) *Spectator Area G*. In the inner harbor along the Fan Pier, South Boston, situated to provide a channel between it and Boston Special Anchorage, allowing access to the Fort Point Channel, beginning at 42-21-22 N, 071-02-50 W; thence to 42-21-24 N, 071-02-38 W; thence to 42-21-24 N, 071-02-31 W; thence to 42-21-20 N, 071-12-26 W; thence to Pier Four Wreck Buoy "WRI", 42-21-14 N, 071-02-31 W; thence to point of beginning. Spectator Area G is temporarily established from 12:00 noon on July 10, 1992 to 6 p.m. on July 11, 1992, and from 12:00 noon on July 15, 1992, to 5 p.m. on July 16, 1992.

(15) *Spectator Area H*. In the inner harbor to include the western side of the disestablished President Roads 35-foot anchorage, beginning at the Boston Main Channel Lighted Buoy "6"; thence to 42-20-12 N, 070-59-15 W; thence to Boston Main Channel Lighted Buoy "4"; thence to point of beginning. Spectator Area H is temporarily established from 12 noon on July 10, 1992 to 6 p.m. on July 11, 1992, and from 12 noon on July 15, 1992, to 5 p.m. on July 16, 1992.

(16) *Spectator Area J*. In the inner harbor to include the eastern side of the disestablished President Roads 35-foot anchorage, beginning at 42-20-12 N, 070-59-14.5 W; thence to 42-20-30 N, 070-59-14.5 W; thence to President Roads Anchorage Lighted Buoy "C", 42-20-33 N, 070-58-52 W; thence to 42-20-05 N, 070-58-43.5 W; thence to Boston Main Channel Lighted Bell Buoy 4, 42-20-04 N, 070-59-26 W; thence to point of beginning. Spectator Area J is temporarily established from 12:00 noon on July 10, 1992, to 6 p.m. on July 11, 1992, and from 12:00 noon on July 15, 1992, to 5 p.m. on July 16, 1992.

(17) *Spectator Area K*. In the inner harbor, constituting the disestablished President Roads 40-foot anchorage, as described in paragraph (a)(2)(i) of this section. Spectator Area K is temporarily established from 12 noon on July 10, 1992, to 6 p.m. on July 11, 1992, and from 12 noon on July 15, 1992, to 5 p.m. on July 16, 1992.

(18) *Spectator Area L*. In the inner harbor off the northwestern edge of Long Island into the entrance to Sculpin Ledge Channel, beginning at Boston Main Channel Lighted Buoy "13"; thence to 42-19-40 N, 070-57-50 W; thence to 42-19-40 N, 070-58-40 W; thence to point of beginning. Spectator Area L is temporarily established from 8 p.m. on July 10, 1992 to 6 p.m. on July 11, 1992, and from 8 p.m. on July 15, 1992, to 5 p.m. on July 16, 1992.

(19) *Spectator Area M*. In the inner harbor along the northern edge of Spectacle Island, beginning at Boston Main Channel LIGHT "5"; thence to Boston Main Channel Lighted Buoy "3"; thence to Boston Main Channel Lighted Buoy "1"; thence to Dorchester Bay Buoy "2"; thence to point of beginning. Spectator Area M is temporarily established from 8 p.m. on July 10, 1992 to 6 p.m. on July 11, 1992, and from 8 p.m. on July 15, 1992, to 4 p.m. on July 16, 1992.

(20) *Spectator Area N*. In the outer harbor along the western edge of the Boston North Channel, extending 200 yards west, bounded on the north by Boston North Channel Lighted Buoy "4" and bounded on the south by Boston North Channel Lighted Bell Buoy "10". Off Little Faun Shoal. Spectator Area N is temporarily established from 6 a.m. to 6 p.m. on July 11, 1992, and from 6 a.m. to 6 p.m. on July 16, 1992.

(21) *Spectator Area P*. In the outer harbor between the eastern edge of the Boston North Channel and Boston South Channel, beginning at Boston North Channel Lighted Buoy "1"; thence southeast to Boston South Channel Buoy "6"; thence along the northern edge of Boston South Channel to Boston North Channel Lighted Buoy "9"; thence along the eastern edge of the Boston North Channel to point of beginning. Spectator Area P is temporarily established from 6 a.m. to 6 p.m. on July 11, 1992, and from 6 a.m. to 6 p.m. on July 16, 1992.

(22) *Spectator Area Q*. In the outer harbor at the entrance to the Boston South Channel, beginning at Boston North Channel Lighted Buoy "9"; thence to 42-20-48 N, 070-55-10 W; thence to Boston South Channel Buoy "11"; thence to 42-20-15 N, 070-56-23 W; thence to the point of beginning. Spectator Area Q is temporarily established from 6 a.m. to 6 p.m. on July 11, 1992, and from 6 a.m. to 6 p.m. on July 16, 1992.

(b) *Effective dates*: These regulations are effective from 2 p.m. July 4, 1992 to 6 p.m. July 16, 1992.

(c) *The Regulations*. The anchorages and spectator areas designated in paragraphs (a)(1) through (a)(21) of this section are subjects to the following temporary regulations:

(1) *Bird Island Anchorage*. While the Bird Island Anchorage is disestablished, reconfigured, and redesignated, as specified in paragraphs (a)(1), (a)(10), and (a)(11) of this section, vessels anchored in this area must comply with the operational restrictions imposed in paragraphs (c)(9), (c)(10), and (c)(16) of this section. Except for those periods when Bird Island Anchorage is redesignated as spectator areas for tall ship parade and departure, only deep draft commercial vessel traffic or Third Harbor contractor vessels may anchor in this area.

(2) *President Roads Anchorage*
(i) *40-foot anchorage*. While the President Roads 40-foot anchorage is disestablished and redesignated, as specified in paragraphs (a)(2)(i) and (a)(17) of this section, vessels anchored in this area must comply with the operational restrictions imposed in paragraphs (c)(14) and (c)(16) of this section. Except for those periods when the President Roads 40-ft anchorage is redesignated as a spectator area for tall ship parade and departure, only deep draft commercial vessel traffic may anchor in this area.

(ii) *35 foot anchorage*. While the President Roads 35-foot anchorage is disestablished, reconfigured, and redesignated, as specified in paragraphs (a)(2)(ii), (a)(15), and (a)(16) of this section, vessels anchored in this area must comply with the operational restrictions imposed in paragraphs (c)(12), (c)(13), and (c)(16) of this section. Except for those periods when the President Roads 35-ft anchorage is redesignated as spectator areas for tall ship parade and departure, only deep draft commercial vessel traffic may anchor in this area.

(3) *Long Island Anchorage*. From 12 noon, July 10, 1992, to 9 a.m., July 11, 1992, Long Island Anchorage is designated for the exclusive use of tall ships participating in the Sail Boston 1992 Grand Parade of Sail. Except for that period, Long Island Anchorage is open for use by recreational vessels on hand for Boston Harborfest and Sail Boston 1992. Vessel operators using Long Island Anchorage must comply with the general operational requirements specified in paragraph (c)(16) of this section.

(4) *Castle Island Anchorage*. From 6 a.m. on July 2, 1992, to 4 p.m. July 16, 1992, the Castle Island Anchorage is open for use by recreational vessels on hand for Boston Harborfest and Sail Boston 1992. Vessel operators using Castle Island Anchorage must comply with general operational requirements specified in paragraph (c)(16) of this section.

(5) *Explosives Anchorage*. From 12 noon, July 10, 1992, to 9 a.m. July 11, 1992, Explosive Anchorage is designated for the exclusive use of tall ship participating in the Sail Boston 1992 Grand Parade of Sail. Except for that period, Explosives Anchorage is open for use by recreational vessels on hand for Boston Harborfest and Sail Boston 1992. Vessel operators using Long Island Anchorage must comply with the general operational requirements specified in paragraph (c)(16) of this section.

(6) *Tall Ship and Mystic Anchorages*. For the period specified in paragraphs (a)(6) and (a)(7) of this section, Tall Ship and Mystic Anchorages are designated for the exclusive use of tall ships participating in the Sail Boston 1992 activities. Vessel movements through these areas during the periods specified will be as directed by on-scene Coast Guard patrol personnel. Operators of tall ships anchoring in these areas whose anchors become fouled in lines of lobster traps will work cooperatively with on-scene lobstermen prior to getting underway so as to minimize damage to lobster pots.

(7) *Spectator Areas A, N, and P*. For the periods specified in paragraphs (a)(8), (a)(20), and (a)(21) of this section, Spectator Areas A, N, and P, are designated for any latecoming spectator craft on hand to view Sail Boston 1992 tall ship parade and departure. Vessel operators using Spectator Areas A, N, or P must comply with the general operational requirements specified in paragraph (c)(16) of this section.

(8) *Spectator Areas B, F, and G*. For the periods specified in paragraphs (a)(9), (a)(13), and (a)(14) of this section, Spectator Area B, F, and G are designated for the exclusive use of recreational vessels 45 feet or less in length with superstructures not to exceed 10 feet in height. Vessel operators using Spectator Areas B, F, or G must comply with the general operational requirements specified in paragraph (c)(16) of this section.

(9) *Spectator Area C*. For the periods specified in paragraph (a)(10) of this section, Spectator Area C is designated for the exclusive use of inspected small passenger vessels (passenger vessels certified by the Coast Guard under Subchapter T of Title 46, Code of Federal Regulations.) Vessel operators using Spectator Area C must comply with the general operational requirements specified in paragraph (c)(16) of this section.

(10) *Spectator Area D*. For the periods specified in paragraph (a)(11) of this section, Spectator Area D is designated

for the exclusive use of recreational vessels 45 feet or less in length. Vessel operators using Spectator Area D must comply with the general operational requirements specified in paragraph (c)(16) of this section.

(11) *Spectator Area E.* For the periods specified in paragraph (a)(12) of this section, Spectator Area E is designated for the exclusive use of recreational vessels with height above water at any point not to exceed 50 feet. Vessel operators using Spectator Area E must comply with the general operational requirements specified in paragraph (c)(16) of this section.

(12) *Spectator Areas H and M.* For the periods specified in paragraphs (a)(15) and (a)(19) of this section, Spectator Areas H and M are designated for the exclusive use of recreational vessels. Vessel operators using Spectator Areas H or M must comply with the general operational requirements specified in paragraph (c)(16) of this section.

(13) *Spectator Area J.* For the periods specified in paragraph (a)(16) of this section, Spectator Area J is designated for the exclusive use of commercial fishing vessels. Vessel operators using Spectator Area J must comply with the general operational requirements specified in paragraph (c)(16) of this section.

(14) *Spectator Area K.* For the periods specified in paragraph (a)(17) of this section, Spectator Area K is a special use anchorage, as deemed appropriate by the COTP Boston. No vessel may anchor in this area without the permission of the COTP Boston. Vessel operators using Spectator Area K must comply with the general operational requirements specified in paragraph (c)(16) of this section.

(15) *Spectator Areas L and Q.* For the periods specified in paragraphs (a)(18) and (a)(22) of this section, Spectator Areas L and Q are designated for the exclusive use of inspected small passenger vessels, sailing school vessels, uninspected passenger vessels, and bareboat charter vessels. Vessel operators using Spectator Areas L or Q must comply with the general operational requirements specified in paragraph (c)(16) of this section.

(16) *General Operational Requirements for Anchorages and All Designated Spectator Areas.* Vessel operators using any of the anchorages or spectator areas established in this section shall:

- (i) Ensure their vessels are properly anchored and remain safely in position at anchor under all prevailing conditions.
- (ii) Comply as directed by on-scene Coast Guard patrol personnel. On-scene

Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard on board Coast Guard, Coast Guard Auxiliary, U.S. Navy, or local law enforcement vessels.

(iii) Vacate anchorages and spectator areas after termination of the effective period for those areas.

(iv) Buoy with identifiable markers and release anchors fouled on lines of lobster traps if such anchors cannot be freed or raised.

(v) Use only Spectator Areas N, P, or Q if going offshore to view tall ship events occurring in Massachusetts Bay on July 18, 1992.

(vi) Display anchor lights when anchoring at night in any anchorage or designated spectator area.

(vii) Not leave vessels unattended in any anchorage or spectator area at any time.

(viii) Not tie off to any buoy.

(ix) Not maneuver between anchored vessels.

(x) Not nest or tie off to other vessels in that anchorage or spectator area.

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS.

6. The authority citation for part 165 continues to read:

Authority: 33 U.S.C. 1225 and 1231; 50 U.S.C. 191; 49 CFR 1.46 and 33 CFR 1.05-1(G), 6.04-1, 6.04-6, and 160.5.

7. A new § 165.T01-165-4 is added to read as follows:

§ 165.T01-165-4 Safety Zone: CONSTITUTION Turnaround, Boston Inner Harbor, Boston, MA.

(a) *Location.* The following area is a safety zone:

The Boston Main Channel and Charles River bounded on the east by a line drawn from Boston Main Channel Lighted Buoy "3" to Boston Main Channel Lighted Bell Buoy "4"; bounded on the north by a line drawn from the northeastern corner of Pier 7, Charlestown Navy Yard to the southernmost point of the Boston Towing and Transportation South Yard, East Boston; and bounded on the west by a line drawn from the easternmost point of the MDC pier at Puopolo Park to the northeastern corner of Hoosac Pier, Charlestown. The zone includes also the waters on either side of the channel to the shoreline.

(b) *Effective Date.* This regulation becomes effective on July 4, 1992, at 10 a.m. when the USS CONSTITUTION departs the Charlestown Navy Yard. It terminates on July 4, 1992, at 2 p.m. when the vessel returns and is safely moored at its berth, unless sooner

terminated by the COTP Boston. A rain date of July 5, 1992, is planned with all times remaining the same.

(c) *Regulations.* The following special regulations apply:

(1) Vessels over 100 gross tons may not transit the zone from 10 a.m. to 2 p.m., except as authorized by the COTP Boston.

(2) Other vessels, except CONSTITUTION, those participating in the turnaround, and duly authorized patrol craft, may not transit the affected portion of the Boston Main Channel from 10 a.m. to 2 p.m., July 4, 1992, except as authorized by the COTP Boston.

(3) Vessel operators shall maintain at all times at least 300 yards safe distance from CONSTITUTION while the vessel is underway in Boston Harbor.

(4) Vessel operators, except operators of small passenger vessels, must transit to and select viewing positions outside the Boston Main Channel before CONSTITUTION is underway and must remain in position until CONSTITUTION has finished its twenty-one gun salute.

(5) Vessel operators may not maneuver between anchored vessels during the event.

(6) Vessel operators must maneuver as directed by on-scene Coast Guard patrol personnel. On-scene Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard on board Coast Guard, Coast Guard Auxiliary, U.S. Navy, or local law enforcement vessels.

8. A new § 165.T01-165-6 is added to read as follows:

§ 165.T01-165-6 Safety Zone: Tall Ship Rally, Boston Inner Harbor, Boston, MA.

(a) *Location.* The following area is a safety zone:

President Roads, Boston Main Channel, and Fort Point Channel bounded on the east by Deer Island Light; bounded on the north by a line drawn from Pier 3, USCG Support Center Boston to the northernmost point of the Hodge Boiler Works Building, East Boston; and bounded on the west by the Congress Street Bridge, South Boston, in the Fort Point Channel. The zone includes also the waters on either side of the channels to the shoreline.

(b) *Effective Date.* This regulation becomes effective on July 10, 1992, at 10 a.m., when participating vessels assemble in President Roads for the start of the Tall Ship Rally. It terminates on July 10, 1992, at 12 noon, when participating vessels have completed the rally and disassemble, unless sooner terminated by the COTP Boston.

(c) *Regulations.* The following special regulations apply:

(1) Vessels over 100 gross tons may not transit the zone from 10 a.m. to 12 noon, except as authorized by the COTP Boston.

(2) Other vessels, except those participating in the rally and duly authorized patrol craft, may not transit the affected portion of President Roads, Boston Main Channel, or Fort Point Channel from 10 a.m. to 12 noon, except as authorized by the COTP Boston.

(3) Vessels shall maintain at all times at least 300 yards safe distance from participating vessels while the Tall Ship Rally is underway in Boston Harbor.

(4) Vessel operators, except operators of small passenger vessels, must transit to and select viewing positions outside the Boston Main Channel before the Tall Ship Rally begins and must remain in position until the rally is completed and participating vessels disassemble.

(5) Vessel operators may not maneuver between anchored vessels during the event.

(6) Vessel operators may not obstruct the entrance to or mooring areas in the Fort Point Channel.

(7) Vessel operators must maneuver as directed by on-scene Coast Guard patrol personnel. On-scene Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard on board Coast Guard, Coast Guard Auxiliary, U.S. Navy, or local law enforcement vessels.

9. A new § 165.TO1-165-7 is added to read as follows:

§ 165.TO1-165-7 Safety Zone: Grand Parade of Sail, Boston Harbor, Boston, MA.

(a) *Location.* The following area is a safety zone:

The waters of Boston Harbor west of Longitude 070-52 W, including the following waterways: Nahant Bay, Broad Sound, Boston North Channel, Boston South Channel, Nubble Channel, President Roads, including the President Roads anchorages, Sculpin Ledge Channel, Western Way, the Boston Main Channel, the Reserved Channel to the Summer Street retractile bridge, the Fort Point Channel to the Congress Street bridge, the Charles River to the Gridley Locks at the Charles River Dam, the Mystic River to the Alford Street Bridge, and the Chelsea River to the McArdle Bridge. The zone includes also a staging area for the tall ship parade extending 500 yards in all directions from the position 42-23-06 N, 070-53-26 W, and all tall ship anchorages and spectator areas designated in 33 CFR 110.134.

(b) *Effective Date.* This regulation becomes effective on July 11, 1992, at 6

a.m., when tall ship and spectator vessel traffic is expected to congest Boston Harbor. It terminates on July 11, 1992, at 8 p.m., when visiting tall ships have moored and congestion in Boston Harbor has moderated to an acceptable level, unless sooner terminated by the COTP Boston.

(c) *Regulations.* The following special regulations apply:

(1) Vessels over 100 gross tons may not transit the zone from 6 a.m. to 8 p.m., except as authorized by the COTP Boston.

(2) Other vessels, except those participating in the Grand Parade of Sail and duly authorized patrol craft, may not transit the tall ship staging area in Broad Sound, Boston North Channel, President Roads, or Boston Main Channel and must remain in designated spectator areas from 9 a.m. to 5 p.m., except as authorized by the COTP Boston.

(3) Vessels shall maintain at all times at least 300 yards of safe distance from CONSTITUTION or any other tall ship participating in the Grand Parade of Sail while those vessels are underway in Boston Harbor.

(4) Vessel operators must comply with the temporary restrictions imposed for the anchorages and designated spectator areas, as specified in 33 CFR 110.134.

(5) Vessels, except for those participating in the Grand Parade of Sail or duly authorized patrol craft, may not enter or remain in the Reserved Channel or block access to any tall ship mooring site or emergency medical evacuation area from 9 a.m. to 4:30 p.m., except as authorized by the COTP Boston.

(6) Vessel operators must maneuver as directed by on-scene Coast Guard patrol personnel. On-scene Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard on board Coast Guard, Coast Guard Auxiliary, U.S. Navy, or local law enforcement vessels.

(7) During the effective period operators of vessels transiting the safety zone shall proceed at speeds which will create minimum wake and not to exceed five (5) miles per hour.

(8) Following the tall ship parade, Boston Harbor will reopen in sequence with the movement and mooring of the final flotilla of tall ships:

(i) After the final flotilla of tall ships has passed Castle Island, vessel operators anchored in spectator areas east of Castle Island may depart for locations outside Boston Harbor.

(ii) After the final flotilla of tall ships has moored, vessel operators may depart from designated spectator areas. Vessels transiting inbound through

Boston Harbor must keep to the right in the Boston Main Channel and proceed as directed by on-scene Coast Guard personnel, with vessel traffic moving in a counterclockwise direction around the turning point established off the USCG Support Center Boston, as marked by an appropriate on-scene patrol vessel.

(iii) Inbound vessels must keep to the starboard or "red" side of the channel; and outbound vessels, to the port or "green" side.

10. A new § 165.TO1-165-8 is added to read as follows:

§ 165.TO1-165-8 Safety Zone: Reserved Channel, Boston Inner Harbor, Boston, MA.

(a) *Location.* The following area is a safety zone: The Reserved Channel, South Boston, MA between the Boston Main Channel and the Summer Street retractile bridge.

(b) *Effective Dates.* This safety zone becomes effective at 4:30 p.m. on July 11, 1992, after visiting tall ships are safely moored in the Reserved Channel. It terminates at 9:30 a.m. on July 16, 1992, just prior to the tall ships' departure from Boston Harbor.

(c) *Regulations.* The following special regulations apply:

(1) Vessel operators transiting the safety zone must maneuver or anchor as directed by on-scene Coast Guard patrol personnel. On-scene Coast Guard patrol personnel include commissioned, warrant and petty officers of the Coast Guard on board Coast Guard, Coast Guard Auxiliary, U.S. Navy, or local law enforcement vessels.

(2) Vessel operators transiting the safety zone must enter along the right side of the Reserved Channel and keep to the right, proceeding as directed by on-scene Coast Guard patrol personnel, with vessel traffic moving in a counterclockwise direction around the turning point established off the Boston Edison power plant, as marked by an appropriate on-scene patrol vessel.

(3) During the effective period operators of vessels transiting the safety zone shall proceed at speeds which will create minimum wake and not to exceed five (5) miles per hour.

(4) Vessel operators transiting the safety zone must maintain at least 50 feet safe distance from all moored vessels, and keep clear of and make way for all deep draft vessel traffic underway in the safety zone enroute to or from Massport's Conley Terminal, Castle Island, South Boston or Coastal Oil Terminal, South Boston.

11. A new § 165.TO1-165-9 is added to read as follows:

§ 165.TO1-165-9 Safety Zone: Sail Boston 1992 Fireworks Extravaganza, Boston Inner Harbor, Boston MA.

(a) *Location.* The following area is a safety zone:

The Mystic River, the Island End River, the Boston Main Channel, and Charles River bounded on the east by a line drawn from the McKay Monument, Castle Island to the end of the approach pier at Logan Airport, East Boston; bounded on the north by the Alford Street Bridge in the Mystic River; and bounded on the west by a line drawn from the easternmost point of the MDC Pier at Puopolo Park to the northeastern corner of Hoosac Pier, Charlestown, MA. The zone includes also the waters on either side of the channel to the shoreline.

(b) *Effective Date.* This zone becomes effective on July 12, 1992, at 5:30 p.m., when Sail Boston 1992 Fireworks Extravaganza barges and attending tugs depart their Everett, MA loading site to take position in the Boston Main Channel off the Pier 4, South Boston, in approximate position, 42-21-26 N, 071-02-22 W. It terminates on July 12, 1992, at 11 p.m., when the vessels return and are safely moored at their respective Everett, MA loading site, unless sooner terminated by the COTP Boston. A rain date of July 15, 1992 is planned, with all times remaining the same.

(c) *Regulations.* The following special regulations apply:

(1) Vessels over 100 gross tons may not transit through the safety zone from 5:30 p.m. to 11 p.m., except as authorized by the COTP Boston.

(2) Vessel operators shall maintain at all times at least 300 yards safe distance from Sail Boston 1992 Fireworks Extravaganza barges and attending tugboats.

(3) Vessel operators must transit to and select viewing positions before 9 p.m. and remain in position until the fireworks display ends at 10 p.m.

(4) Vessel operators may not maneuver between anchored vessels.

(5) Vessel operators must maneuver as directed by on-scene Coast Guard patrol personnel. On-scene Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard on board Coast Guard, Coast Guard Auxiliary, U.S. Navy, or local law enforcement vessels.

(6) During the effective period operators of vessels transiting the safety zone shall proceed at speeds which will create minimum wake and not to exceed five (5) miles per hour.

(7) Following the event, inbound vessels must keep to the starboard or "red" side of the channel; and outbound vessels to the port or "green" side.

(8) After completion of the fireworks display, vessel operators within the safety zone are prohibited from passing outbound patrol vessels showing blue lights.

12. A new § 165.TO1-165-11 is added to read as follows:

§ 165.TO1-165-11 Safety Zone: Farewell Departure, Boston Harbor, Boston, MA.

(a) *Location.* The following area is a safety zone: The waters of Boston Harbor west of Longitude 070-54 W, including the following waterways: Nahant Bay, Broad Sound, Boston North Channel, Boston South Channel, the Narrows, Nantasket Roads, Nubble Channel, President Roads, including the President Roads Anchorage, Sculpin Ledge Channel, Western Way, the Boston Main Channel, the Reserved Channel to the Summer Street retractile bridge, the Fort Point Channel to the Congress Street bridge, the Charles River to the Gridley Locks at the Charles River Dam, the Mystic River to the Tobin Bridge, and the Chelsea River to the McArdle Bridge. The zone includes also all temporary spectator areas designated in 33CFR 110.134.

(b) *Effective Date.* This regulation becomes effective on July 16, 1992, at 8 a.m., when tall ship and spectator vessel traffic is expected to congest Boston Harbor. It terminates on July 16, 1992, at 6 p.m., when visiting tall ships have departed Boston Harbor and vessel traffic has moderated to a safe level, unless sooner terminated by the COTP Boston.

(c) *Regulations.* The following special regulations apply:

(1) Vessels over 100 gross tons may not transit the zone from 8 a.m. to 6 p.m., except as authorized by the COTP Boston.

(2) Other vessels, except those participating in the Farewell Departure and duly authorized patrol craft, may not transit the Boston Main Channel, President Roads, Boston North Channel or the Narrows and must remain in designated spectator areas from 8 a.m. to 4 p.m., except as authorized by the COTP Boston. Vessel operators anchored in Spectator Areas N, P, or Q may depart those areas to view offshore activities, provided they transit outside main channels and maintain 300 yards safe distance from participating tall ships.

(3) Vessel operators shall maintain at all times at least 300 yards safe distance from CONSTITUTION, USS CASSIN YOUNG, or any other tall ship participating in the Farewell Departure while those vessels are underway in Boston Harbor.

(4) Vessel operators must comply with the temporary restrictions imposed for the anchorages and designated spectator areas, as specified in 33 CFR 110.134.

(5) Vessels, except for those participating in the Farewell Departure or duly authorized patrol craft, may not enter or remain in the Reserved Channel or block access to any tall ship mooring site or emergency medical evacuation area from 8 a.m. to 4 p.m., except as authorized by the COTP Boston.

(6) Vessel operators must maneuver as directed by on-scene Coast Guard patrol personnel. On-scene Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard on board Coast Guard, Coast Guard Auxiliary, U.S. Navy, or local law enforcement vessels.

(7) During the effective period operators of vessels transiting the safety zone shall proceed at speeds which will create minimum wake and not to exceed five (5) miles per hour.

(8) Following the tall ship departure, Boston Harbor will reopen in sequence with the movement of the last outbound tall ship.

(i) After the last outbound tall ship has passed the Boston North Channel Entrance Lighted Gong Buoy "NC", operators of vessels anchored in designated spectator areas may depart for locations outside Boston Harbor.

(ii) After the last outbound tall ship has passed Castle Island, vessel operators may depart designated spectator areas west of Castle Island and transit to locations within Boston Harbor, but west of Castle Island. Operators of vessels underway within the inner harbor in the Boston Main Channel must keep to the right and proceed as directed by on-scene Coast Guard patrol personnel, with vessel traffic moving in a counterclockwise direction around the turning point established off the USCG Support Center Boston, as marked by an appropriate on-scene patrol vessel.

(iii) Inbound vessels must keep to the starboard side of the channel; and outbound vessels, to the port or "green" side.

13. A new § 165.TO1-165-12 is added to read as follows:

§ 165.TO1-165-12 Safety Zone: Grand Regatta Restart, Massachusetts Bay, Boston, MA.

(a) *Location.* The following area is a safety zone:

A three square mile area in Massachusetts Bay off of Nahant to include a practice area for tall ships to conduct sail crew training in preparation

for the restart of the race and a restart area with a two-mile starting line for the event. The safety zone is bounded by the following:

Point 1: Latitude 42-27.2 N Longitude 070-40.0 W

Point 2: Latitude 42-27.2 N Longitude 070-36.0 W

Point 3: Latitude 42-24.1 N Longitude 070-36.0 W

Point 4: Latitude 42-24.1 N Longitude 070-40.0 W

(b) *Effective Dates.* This safety zone becomes effective on July 16, 1992, at 11:30 a.m., when tall ships participating in the Grand Regatta Restart begin to arrive offshore. It terminates on July 16, 1992, at 6 p.m., just after the restart of the Grand Regatta.

(c) *Regulations.* The following special regulations apply:

(1) The safety zone shall be closed during the effective period to all vessel traffic except participants in this event, duly authorized patrol craft, and those vessels on-scene Coast Guard patrol personnel allow to enter the area, as directed by the COTP Boston.

(2) Vessel operators must keep clear of and make way for all tall ships participating in the Grand Regatta Restart.

(3) Vessel operators must maneuver or anchor as directed by on-scene Coast Guard patrol personnel. On-scene Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard on board Coast Guard, Coast Guard Auxiliary, U.S. Navy or local law enforcement vessels.

June 4, 1992.

J.D. Sipes,

Rear Admiral, U.S. Coast Guard, Commander, First Coast Guard District, Boston, Massachusetts.

[FR Doc. 92-13854 Filed 6-17-92; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 165

[COTP Baltimore, Regulation 92-05-21]

Safety Zone Regulation: Patapsco River Inner Harbor, Baltimore, MD

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard Marine Safety Office Baltimore is establishing a safety zone for the Fourth of July fireworks display. The fireworks will be launched from a barge anchored approximately 600 feet south of Pier 6, Patapsco River, Inner Harbor, Baltimore, Maryland. The safety zone is necessary to control spectator craft and to provide

for the safety of life and property on navigable waters during the event. Entry into this zone is prohibited unless authorized by the Captain of the Port.

EFFECTIVE DATES: This regulation is effective from 8:30 p.m. to 11 p.m., July 4, 1992 with a rain date of July 5, 1992.

FOR FURTHER INFORMATION CONTACT: LT Cynthia L. Stowe, U.S.C.G. Marine Safety Office Baltimore, U.S. Custom House, 40 South Gay Street, Baltimore, Maryland 21202-4022, (301) 962-5105.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, a notice of proposed rulemaking has not been published for this regulation and good cause exists for making it effective in less than 30 days from the date of publication. Adherence to normal rulemaking procedures would not have been possible.

Specifically, the sponsor's application to hold the event was not received until June 2, 1992, leaving insufficient time to publish a notice of proposed rulemaking in advance of the event.

Drafting Information

The drafters of this regulation are LT Cynthia L. Stowe, project officer for the Captain of the Port, Baltimore, Maryland, and LCDR David H. Sump, project attorney, Fifth Coast Guard District Legal Staff.

Background and Purpose

The Baltimore Office of Promotion submitted an application to hold a fireworks display on July 4, 1992. As part of the application, the Baltimore Office of Promotion requested that the Coast Guard provide control of spectator and commercial traffic during the fireworks display.

Discussion of Regulations

The fireworks will be launched from a barge anchored approximately 600 feet south of Pier 6, Inner Harbor, Patapsco River, Baltimore, Maryland. This Safety Zone will consist of a circle, with a radius of 600 feet, around the barge located at latitude 39-17-00 North, longitude 076-36-15 West.

This emergency rule is not considered major under Executive Order 12291 and not significant under Department of Transportation regulatory policies and procedures (44 FR 11034; February 26, 1979).

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

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12812, and it has been determined that

this emergency rule does not raise sufficient federalism implications to warrant the preparation of a Federalism Assessment.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Security measures, Vessels, Waterways.

Regulation

In consideration of the foregoing, subpart F of part 165 of 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 § 165.T0526 is added to read as follows:

§ 165.T0526 **Safety Zone: Patapsco River, Inner Harbor, Baltimore, Maryland.**

(a) *Location.* The following area is a safety zone: The waters of the Patapsco River, Inner Harbor bounded by the arc of a circle with a radius of 600 feet and with its center located at latitude 39-17-00 North, longitude 076-36-15 West.

(b) *Definitions.* The designated representative of the Captain of the Port is any Coast Guard commissioned, warrant or petty officer who has been authorized by the Captain of the Port, Baltimore, Maryland to act on his behalf. The Coast Guard Patrol Commander and each Coast Guard vessel enforcing the safety zone can be contacted on VHF-FM channels 13 and 16.

(c) *Local regulations.* Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area.

(1) The operator of any vessel in the immediate vicinity of this safety zone shall:

(i) Stop the vessel immediately upon being directed to do so by any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard Ensign.

(ii) Proceed as directed by any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard Ensign.

(2) Any spectator vessel may anchor outside of the regulated area specified in paragraph (a) of this section, but may not block a navigable channel.

(d) *Effective date.* The regulation in this section is effective from 8:30 PM to