operations would commence on September 15, 1995. Publishing a NPRM and delaying its effective date would be contrary to the public interest, since immediate action is needed to protect the environment and mariners against potential hazards associated with the dredging operations in the Marcus Hook Range channel.

Drafting Information

The drafters of this regulation are LTJG S.J. Kelly, project officer for the Captain of the Port, Philadelphia, and LCDR J.C. Good, project attorney, Fifth Coast Guard District.

Discussion of the Regulation

Upon request from the U.S. Army Corps of Engineers, the Coast Guard is establishing a safety zone around dredging operations in the Marcus Hook Range channel. Ship traffic through the Marcus Hook Range channel will be diverted through anchorage 7 to reduce the hazards associated with dredging of the channel. Anchorage restrictions in the Mantua Creek and Deepwater Point Anchorages are being imposed to accommodate those vessels that will be prevented from anchoring in Marcus Hook Anchorage.

Regulatory Evaluation

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has been exempted from review by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this proposal to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. The Captain of the Port, Philadelphia will direct anchoring of vessels so as not to significantly impede traffic flow in the vicinity of the dredging operations.

Environment

The Coast Guard considered the environmental impact of this proposal and concluded that under section 2.B.2.e. of Commandant Instruction M16475.1B (as revised by 59 FR 38654; July 29, 1994), this rule is categorically excluded from further environmental documentation. A Categorical Exclusion Determination statement has been prepared and placed in the rulemaking docket.

Collection of Information

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

Federalism Assessment

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612 and, it has been determined that it does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

List of Subjects

33 CFR Part 110

Anchorage grounds.

33 CFR Part 165

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

Temporary Regulation

In consideration of the foregoing, the Coast Guard amends 33 CFR 110 and 33 CFR 165 as follows:

PART 110-[AMENDED]

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

Authority: 33 U.S.C. 471, 2030, 2035, and 2071; 49 CFR 1.46 and 33 CFR 1.05–1(g). Section 110.1a and each section listed in 110.1a is also issued under 33 U.S.C. 1223 and 1231.

2. In § 110.157, paragraph (b)(2), is suspended and a new paragraph (d) is added to read as follows:

§110.157 Delaware Bay and River.

(d)(1) Except as otherwise provided in this section, no vessel shall occupy any anchorage for a longer period than 48 hours without a permit from the Captain of the Port. Vessels expecting to be at anchor for more than 48 hours shall obtain a permit from the Captain of the Port for that purpose. No vessel in such condition that it is likely to sink or otherwise become a menace or obstruction to navigation or anchorage of other vessels shall occupy an anchorage except in an emergency, and then only for such period as may be permitted by the Captain of the Port.

(2) Vessels anchoring in anchorage area 7 off Marcus Hook, as described in paragraph (a)(8) of this section, shall obtain permission from the Captain of the Port, Philadelphia, PA, at least 24 hours in advance. Permission to anchor will be granted on a "first-come, firstserved" basis. Only one vessel, at any time, will be permitted to anchor in the anchorage. Vessels will not be permitted to occupy the anchorage for more than 12 hours.

(3) The following regulations apply to anchorage 6 off Deepwater Point and anchorage 9 near the entrance to Mantua Creek, as described in § 110.157 (a)(7) and (a)(10), respectively, of this part:

(i) Vessels 700 feet or greater in length requesting anchorage shall obtain permission from the Captain of the Port, Philadelphia, PA at least 24 hours in advance.

(ii) Vessels 700–750 feet in length shall have one (1) tug alongside at all times while at anchor.

(iii) Vessels greater than 750 feet in length shall have two (2) tugs alongside at all times while at anchor.

(iv) Tugs required for vessels at anchor must be of sufficient horsepower to assist with necessary maneuvers to remain clear of the navigation channel.

PART 165—[AMENDED]

3. 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.

4. A new §165.T05–066 is added to read as follows:

§ 165.T05–066 Safety Zone: Delaware River, Marcus Hook Range Channel.

(a) *Location:* The following area is a moving safety zone: All waters within a 150 yard radius of dredging operations in or near the Marcus Hook Range channel in the vicinity of anchorage 7.

(b) *Effective Dates:* This rule is effective from 12:01 p.m., on September 20, 1994 until 6 a.m., on October 31, 1995, unless terminated sooner by the Captain of the Port, Philadelphia or his designated representative.

(c) *Regulations:* The following regulations shall apply within the safety zone.

(1) Entry into this zone is prohibited unless authorized by the Captain of the Port, Philadelphia, PA.

(2) Vessels transiting the Marcus Hook Range channel shall divert from the main ship channel through Anchorage 7, remain at least 150 yards from the dredging operations, and operate at a minimum safe speed necessary to maintain steerageway and reduce wake.

(3) The operator of any vessel in the safety zone shall proceed as directed by the designated representative of the Captain of the Port, Philadelphia, PA.

(4) The senior boarding officer enforcing the safety zone may be contacted on VHF channels 13 & 16. The Captain of the Port, Philadelphia and the Command Duty Officer at the