

responsibilities between the Federal Government and Indian tribes.

Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

Environment

We have considered the environmental impact of this rule and concluded that, under figure 2-1, paragraph 34(f), of Commandant Instruction M16475.1D, this rule is categorically excluded from further environmental documentation. A final "Categorical Exclusion Determination" and a final "Environmental Analysis Check List" are available in the docket for inspection or copying where indicated under **ADDRESSES**. This rule fits the category selected from paragraph (34)(f) as it would establish two special anchorage areas.

List of Subjects in 33 CFR Part 110

Anchorage grounds.

■ For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 110 as follows:

PART 110—ANCHORAGE REGULATIONS

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

Authority: 33 U.S.C. 471; 1221 through 1236, 2030, 2035, 2071; 33 CFR 1.05-1(g); and Department of Homeland Security Delegation No. 0170.

■ 2. Amend § 110.4 by adding paragraph (b) to read as follows:

§ 110.4 Penobscot Bay, Maine.

* * * * *

(b) *Camden Harbor, Sherman Cove and adjacent waters.*

(1) *Anchorage A.* All of the waters enclosed by a line beginning at Eaton Point at latitude 44°12'31" N, longitude 069°03'34" W; thence to latitude 44°12'28" N, longitude 069°03'33" W; thence to latitude 44°12'32" N, longitude 069°02'49" W; thence along the shoreline to the point of beginning. DATUM: NAD83

(2) *Anchorage B.* All of the waters enclosed by a line beginning at Dillingham Point at latitude 44°12'12" N, longitude 069°03'20" W.; thence to latitude 44°12'14" N, longitude 069°02'58" W.; thence to latitude 44°12'19" N, longitude 069°03'08" W; thence to latitude 44°12'28" N, longitude 069°03'13" W; thence to latitude 44°12'26" N, longitude 069°03'39" W; thence along the shoreline to the point of beginning. DATUM: NAD83

Note to paragraph (b): Anchorages A and B are special anchorage areas reserved for yachts and other recreational craft. Fore and aft moorings will be allowed in this area. Temporary floats or buoys for marking anchors or moorings in place will be allowed. Fixed mooring piles or stakes are prohibited. All moorings must be so placed that no vessel when anchored is at any time extended into the thoroughfare. This is to ensure that a distance of approximately 150 feet is left between Anchorages A and B for vessels entering or departing from Camden Harbor. All anchoring in the area is under the supervision of the local harbor master or such other authority as may be designated by the authorities of the Town of Camden, Maine.

Dated: December 15, 2006.

Timothy S. Sullivan,

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

[FR Doc. E6-22613 Filed 1-4-07; 8:45 am]

BILLING CODE 4910-15-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[CGD07-06-130]

RIN 1625-AA09

Drawbridge Operation Regulations; Southern Boulevard (SR 700/80) Bridge, Atlantic Intracoastal Waterway, Mile 1024.7, Palm Beach, FL

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is changing the operating regulation governing the operation of the Southern Boulevard (SR 700/80) Bridge across the Atlantic Intracoastal Waterway, mile 1024.7, Palm Beach, Florida. The rule will require the drawbridge to open twice an hour. The schedule is based on requests from vessel operators along the Atlantic Intracoastal Waterway. The schedule will require the bridge to open on the quarter and three quarter hour and would meet the reasonable needs of navigation while not impacting vehicular traffic.

DATES: This rule is effective February 5, 2007.

ADDRESSES: Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket (CGD07-06-130) and are available for inspection or copying at Commander (dpb), Seventh Coast Guard District, 909 SE. 1st Avenue, Room 432, Miami, Florida 33131-3050 between 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Mr. Barry Dragon, Seventh Coast Guard District, Bridge Branch, telephone number 305-415-6743.

SUPPLEMENTARY INFORMATION:

Regulatory Information

On August 30, 2006, we published a notice of proposed rulemaking (NPRM) entitled "Drawbridge Operation Regulations; Southern Boulevard (SR 700/80) Bridge, Atlantic Intracoastal Waterway, mile 1024.7, Palm Beach, FL" in the **Federal Register** (71 FR 51540). We received no comments on the proposed rule. No public meeting was requested, and none was held.

Background and Purpose

The current regulation governing the operation of the Southern Boulevard Bridge is published in 33 CFR

117.261(w) and states the draw shall open on the hour and half-hour.

In 2005, the Coast Guard changed the regulations on most of the bridges in Palm Beach County to facilitate increased vehicular traffic while meeting the reasonable needs of navigation. Recently waterway users have requested that the Southern Boulevard (SR 700/80) Bridge regulation be changed from opening on the hour and half-hour to opening on the quarter and three-quarter hour in order to improve vessel transit sequencing on the Atlantic Intracoastal Waterway through Palm Beach County. This schedule will improve transit times for vessels while not impairing vehicular traffic.

Discussion of Comments and Changes

The Coast Guard received no responses to the Notice of Proposed Rulemaking. The rule will improve staggered bridge openings and allow vessels traveling at five knots to significantly reduce wait times to pass through the Southern Boulevard (SR 700/80) Drawbridge. The schedule will have the Southern Boulevard (SR700/80) Bridge opening on the quarter and three-quarter hour.

Regulatory Evaluation

This rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered whether this rule would have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

This rule would affect the following entities, some of which may be small entities: The owners or operators of vessels needing to transit the Intracoastal Waterway in the vicinity of the Broward County bridges. The rule would not have a significant economic impact on a substantial number of small

entities because the rule provides timed openings for vehicular traffic and continues to provide twice an hour sequenced openings for vessel traffic.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we offered to assist small entities in understanding the rule so that they could better evaluate its effects on them and participate in the rulemaking process.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This rule will not affect a taking of private property or otherwise have

taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and would not create an environmental risk to health or risk to safety that might disproportionately affect children.

Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling

procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

Environment

We have analyzed this rule under Commandant Instruction M16475.ID, and Department of Homeland Security Management Directive 5100.1, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, this rule is categorically excluded, under figure 2–1, paragraph (32)(e) of the Instruction, from further environmental documentation. Under figure 2–1, paragraph (32)(e), of the Instruction, an “Environmental Analysis Check List” and a “Categorical Exclusion Determination” are not required for this rule.

List of Subjects in 33 CFR Part 117

Bridges.

■ For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

■ 1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; Department of Homeland Security Delegation No. 0170.1; 33 CFR 1.05–1(g); § 117.255 also issued under the authority of Pub. L. 102–587, 106 Stat. 5039.

■ 2. Amend § 117.261 by revising paragraph (w) to read as follows:

§ 117.261 Atlantic Intracoastal Waterway from St. Marys River to Key Largo.

* * * * *

(w) Southern Boulevard (SR 700/80) bridge, mile 1024.7 at Palm Beach. The draw shall open on the quarter and three-quarter hour.

* * * * *

Dated: December 17, 2006.

D.W. Kunkel,

Rear Admiral, U.S. Coast Guard, Commander, Seventh Coast Guard District.

[FR Doc. E6–22555 Filed 1–4–07; 8:45 am]

BILLING CODE 4910–15–P

POSTAL SERVICE

39 CFR Part 111

New Polywrap Standards for Automation-Rate Flat-Size Mail

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: The Postal Service™ has simplified the standards for polywrap film on automation-rate flat-size mailpieces, so that customers only have to meet one set of standards instead of the previous two.

DATES: *Effective Dates:* February 4, 2007, for manufacturers; March 4, 2007, for mailers.

FOR FURTHER INFORMATION CONTACT: Bill Chatfield, Mailing Standards, U.S. Postal Service, 475 L’Enfant Plaza SW., RM 3436, Washington, DC 20260–3436; 202–268–7278.

SUPPLEMENTARY INFORMATION: Postal Service automated flat sorting machines (AFSM 100s) process the majority of non-carrier route flat-size mail. To improve our ability to process polywrapped pieces on our primary flat-mail processing equipment, we published a proposed rule in the *Federal Register* on August 22, 2006 (71 FR 48868), regarding polywrap used on automation-rate flat-size mailpieces.

Our proposed rule included the following changes:

- We removed two characteristics, tensile strength and density, because they were irrelevant to performance.
- We removed the “USPS AFSM 100 Approved Polywrap” endorsement requirement.
- We modified the testing protocol to measure the minimum film-to-metal coefficient of friction.
- We increased the allowable film-to-film coefficient of friction to be more compatible with mailer bindery operations.
- We changed the method to measure blocking to more closely match the environment that mailpieces undergo during normal transportation and storage.

The new standards eliminate the difference in polywrap specifications for mailpieces designed for processing on the AFSM 100 and the upgraded flat sorting machine (UFSM) 1000.

Comments Received

We received comments and questions on the proposed rule from two customers. One customer suggested that we allow successful testing of the thinnest gauge of a specific polywrap film to suffice for certification of all

thicknesses of the same film. We made that change in the final standards.

Another customer raised several questions. One question pertained to how the Postal Service would process UFSM 1000 pieces in the future. Pieces with polywrap meeting either the old specifications or the new specifications may be processed on a UFSM 1000 machine. Another question was about how the changes would impact the standard that requires a “Periodicals” endorsement for mailpieces with a wrapper. This rule does not change any standards for Periodicals, but, as information, the “Periodicals” endorsement may be placed on either the mailpiece contents or the polywrap. Another question was about polywrap film meeting all of the new specifications except haze when the address information is on the outside of the film. Such a film will remain eligible as it is under current standards.

A customer commented about the testing specification, USPS–T–3204, *Test Procedures for Automatable Polywrap Films*, listed on our Rapid Information Bulletin Board System (RIBBS). The specification indicated that the tests were required for polywrap film used on AFSM 100-qualifying pieces, whereas the proposed rule stated that the new standards would apply for polywrap used on all automation-rate flats. We revised the testing specification to indicate that the new specifications apply to polywrap used on all automation-rate flats. The customer also questioned if the supplementary testing indicated in the specification would be required in addition to the American Society for Testing and Materials (ASTM) tests. As noted in the testing specification, some of the testing methods required are necessary supplements to each other.

New Test Procedures

To ensure that all manufacturers use the same criteria in meeting the new specifications, we developed USPS–T–3204, *Test Procedures for Automatable Polywrap Films*. Manufacturers may obtain the new test procedures at <http://ribbs.usps.gov> (click on “Polywrap Manufacturers” in the left frame) or by contacting the Postal Service’s Engineering office at: Engineering, Flat Mail Technology, U.S. Postal Service, 8403 Lee Hwy, Merrifield VA 22082–8101.

The specification describes exact test procedures and acceptable values for polywrap film characteristics. If the manufacturer lacks the facilities or experience to conduct each of the test procedures in USPS–T–3204, the specification also provides a list of