

do not require skeletal muscle relaxation.

(2) *Subhuman primates*—(i) *Amount*. 3 to 15 mg/kilogram body weight intramuscularly, depending upon the species, general condition, and age of the subject.

(ii) *Indications for use*. For restraint.

Dated: February 27, 2002.

**Stephen F. Sundlof,**

*Director, Center for Veterinary Medicine.*

[FR Doc. 02-8569 Filed 4-9-02; 8:45 am]

**BILLING CODE 4160-01-S**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 520

#### Oral Dosage Form New Animal Drugs; Lincomycin Hydrochloride Soluble Powder

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of a supplemental new animal drug application (NADA) filed by Pharmacia and Upjohn Co. The supplemental NADA provides for the use of lincomycin hydrochloride soluble powder in the drinking water of swine weighing greater than 250 pounds for the treatment of swine dysentery.

**DATES:** This rule is effective April 10, 2002.

**FOR FURTHER INFORMATION CONTACT:**

Janis R. Messenheimer, Center for Veterinary Medicine (HFV-135), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301-827-7578, e-mail: jmessenh@cvm.fda.gov.

**SUPPLEMENTARY INFORMATION:** Pharmacia and Upjohn Co., 7000 Portage Rd., Kalamazoo, MI 49001-0199, filed a supplement to NADA 111-636 that provides for use of LINCOMIX

(lincomycin hydrochloride) Soluble Powder for making medicated drinking water for the management of various bacterial diseases of swine and chickens. The supplemental NADA provides for replacement of the limitation "Not for use in swine weighing more than 250 pounds" with "The safety of lincomycin has not been demonstrated for pregnant swine or swine intended for breeding." The supplemental application is approved as of December 31, 2001, and the regulations are amended in 21 CFR

520.1263c to reflect the approval. Section 520.1263c is also being revised to reflect current editorial format.

In accordance with the freedom of information provisions of 21 CFR part 20 and 514.11(e)(2)(ii), a summary of safety and effectiveness data and information submitted to support approval of this supplemental application may be seen in the Dockets Management Branch (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852, between 9 a.m. and 4 p.m., Monday through Friday.

The agency has determined under 21 CFR 25.33(a)(1) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

This rule does not meet the definition of "rule" in 5 U.S.C. 804(3)(A) because it is a rule of "particular applicability." Therefore, it is not subject to the congressional review requirements in 5 U.S.C. 801-808.

#### List of Subjects in 21 CFR Part 520

Animal drugs.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, 21 CFR part 520 is amended as follows:

#### PART 520—ORAL DOSAGE FORM NEW ANIMAL DRUGS

1. The authority citation for 21 CFR part 520 continues to read as follows:

**Authority:** 21 U.S.C. 360b.

2. Section 520.1263c is amended by revising paragraphs (a), (b), and (d) to read as follows:

#### § 520.1263c Lincomycin hydrochloride soluble powder.

(a) *Specifications*. Each gram of soluble powder contains lincomycin hydrochloride equivalent to 0.4 grams of lincomycin.

(b) *Sponsors*. See Nos. 000009, 046573, and 051259 in § 510.600(c) of this chapter for use as in paragraph (d) of this section.

\* \* \* \* \*

(d) *Conditions of use*—(1) *Swine*—(i) *Amount*. 250 milligrams per gallon of drinking water to provide 3.8 milligrams per pound of body weight per day.

(ii) *Indications for use*. For the treatment of swine dysentery (bloody scours).

(iii) *Limitations*. Discard medicated drinking water if not used within 2

days. Prepare fresh stock solution daily. Do not use for more than 10 days. If clinical signs of disease have not improved within 6 days, discontinue treatment and reevaluate diagnosis. The safety of lincomycin has not been demonstrated in pregnant swine or swine intended for breeding.

(2) *Chickens*—(i) *Amount*. 64 milligrams per gallon of drinking water.

(ii) *Indications for use*. For the control of necrotic enteritis caused by *Clostridium perfringens* susceptible to lincomycin in broiler chickens.

(iii) *Limitations*. Discard medicated drinking water if not used within 2 days. Prepare fresh stock solution daily. Administer for 7 consecutive days. Do not allow rabbits, hamsters, guinea pigs, horses, or ruminants access to water containing lincomycin. Not for use in layer and breeder chickens.

Dated: March 25, 2002.

**Andrew J. Beaulieu,**

*Acting Director, Office of New Animal Drug Evaluation, Center for Veterinary Medicine.*

[FR Doc. 02-8570 Filed 4-9-02; 8:45 am]

**BILLING CODE 4160-01-S**

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 165

[CGD01-02-039]

RIN 2115-AA97

#### Safety Zone; Patriots Weekend, Dockside Restaurant Fireworks Display, Port Jefferson, NY

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone for a fireworks display located in Port Jefferson Harbor, Port Jefferson, NY. This action is necessary to provide for the safety of life on navigable waters during the event. This action is intended to restrict vessel traffic in a portion of Port Jefferson Harbor.

**DATES:** This rule is effective from 9:15 p.m. on June 8, 2002, until 10:15 p.m. on June 9, 2002.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket, are part of docket (CGD01-02-039) and are available for inspection or copying at Coast Guard Group/Marine Safety Office, 120 Woodward Ave., New Haven, CT 06512, between 7:30 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Boatswain's Mate Second Class (BM2)

R. L. Peebles, Marine Events Petty Officer, Coast Guard Group/MSO Long Island Sound (203) 468-4408.

#### **SUPPLEMENTARY INFORMATION:**

##### **Regulatory Information**

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing an NPRM. An NPRM was considered unnecessary because the fireworks display is a local event that will have minimal impact on the waterway. The zone is only in effect for 1 hour and vessels can be given permission to transit the zone during all but about 30 minutes of this time. Vessels may transit around the zone at all times. Additionally, vessels would not be precluded from mooring at or getting underway from commercial or recreational piers in the vicinity of the zone.

##### **Background and Purpose**

The Coast Guard establishes a temporary safety zone in the waters of Port Jefferson Harbor, Port Jefferson, NY. The safety zone is intended to protect boaters from the hazards associated with fireworks launched from a barge in the area. This safety zone covers the minimum area needed and imposes the minimum restrictions necessary to ensure the protection of all vessels.

##### **Discussion of Rule**

The safety zone is for a fireworks display in Port Jefferson Harbor that will be conducted to commemorate Patriots Weekend. The safety zone will be in effect from 9:15 p.m. to 10:15 p.m. on June 8, 2002. The safety zone encompasses all waters of Port Jefferson Harbor within a 600' radius of approximate position 40°54'38"N, 73°04'47"W (NAD 1983).

Public notifications will be made prior to the event via the Local Notice to Mariners and Marine Information Broadcasts. Marine traffic will be allowed to transit around the safety zone at all times. Vessels will not be precluded from mooring at or getting underway from recreational or commercial piers in the vicinity of the zone. No vessel may enter the safety zone without permission from the Captain of the Port, Long Island Sound.

##### **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. The Office of Management and Budget has not reviewed it 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 final rule to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary. This finding is based on the minimal time that vessels will be restricted from the zone, the opportunity for vessels to transit around the zone during the event, the ability of vessels to moor at or get underway from commercial or recreational piers in the vicinity of the zone, and the advance notifications that will be made.

The size of this safety zone was determined using National Fire Protection Association standards and the Captain of the Port Long Island Sound Standing Orders for 6-inch mortars fired from a barge combined with the Coast Guard's knowledge of tide and current conditions in the area.

##### **Small Entities**

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we 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 will affect the following entities, some of which may be small entities: the owners or operators of vessels intending to transit or anchor in a portion of Port Jefferson Harbor during the times this zone is activated.

This safety zone will not have a significant economic impact on a substantial number of small entities for the following reasons: it is a local event with minimal impact on the waterway, vessels may still transit around the zone during the event, the zone is only in effect for 1 hour and vessels can be given permission to transit the zone except for all but about 30 minutes during this time. Additionally, vessels would not be precluded from mooring at or getting underway from commercial or recreational piers in the vicinity of the zone. Before the effective period, public notifications will be made via Local Notice to Mariners and Marine Information Broadcasts.

##### **Assistance for Small Entities**

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-121), we want to assist small entities in understanding this rule so that they can better evaluate its effects on them and participate in the rulemaking. If the rule will affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact BM2 Ryan Peebles, in the Command Center at Coast Guard Group/Marine Safety Office Long Island Sound, CT, at (203) 468-4408.

##### **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**

We have analyzed this rule under Executive Order 13132 and have determined that this rule does not have implications for federalism under that Order.

##### **Unfunded Mandates**

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538) governs the issuance of Federal regulations that require unfunded mandates. An unfunded mandate is a regulation that requires a State, local, or tribal government or the private sector to incur direct costs without the Federal Government's having first provided the funds to pay those unfunded mandate costs. This rule will not impose an unfunded mandate.

##### **Taking of Private Property**

This rule will not effect 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 does not concern an environmental risk to health or risk to safety that may disproportionately affect children.

## Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments. A rule with tribal implications has 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. It has not been designated by the Administrator of the Office of Information and Regulatory Affairs as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

## Environment

The Coast Guard considered the environmental impact of this rule and concluded that under figure 2-1, paragraph 34(g), of Commandant Instruction M16475.1D, this rule is categorically excluded from further environmental documentation. This rule fits paragraph 34(g) as it establishes a safety zone. A "Categorical Exclusion Determination" is available in the docket for inspection or copying where indicated under **ADDRESSES**.

## List of Subjects in 33 CFR Part 165

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

## Regulation

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

## PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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, 160.5; 49 CFR 1.46.

2. From 9:15 p.m. on June 8, 2002, through 10:15 p.m. on June 9, 2002, add temporary § 165.T01-039 to read as follows:

### § 165.T01-039 Safety Zone: Patriots Weekend, Dockside Restaurant Fireworks Display, Port Jefferson, NY.

(a) *Location.* The following area is a safety zone: All waters of Port Jefferson Harbor within a 600-foot radius of the fireworks barge in approximate position 40°54'38" N, 073°04'47" W (NAD 1983).

(b) *Enforcement times and dates.* This section will be enforced from 9:15 p.m. until 10:15 p.m. on June 8, 2002. In the event of inclement weather on June 8, 2002, this section will be enforced from 9:15 p.m. until 10:15 p.m. on June 9, 2002.

(c) *Regulations.* (1) The general regulations contained in 33 CFR 165.23 apply.

(2) No vessels will be allowed to transit the safety zone without the permission of the Captain of the Port, Long Island Sound.

(3) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on-scene-patrol personnel. These personnel comprise commissioned, warrant, and petty officers of the Coast Guard. Upon being hailed by a U.S. Coast Guard vessel by siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.

Dated: March 21, 2002.

J.J. Coccia,

*Captain, U.S. Coast Guard, Captain of the Port, Long Island Sound.*

[FR Doc. 02-8590 Filed 4-9-02; 8:45 am]

BILLING CODE 4910-15-U

## NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

### 36 CFR Part 1254

RIN 3095-AB01

### Research Room Procedures; Correction

**AGENCY:** National Archives and Records Administration (NARA).

**ACTION:** Final rule; correction.

**SUMMARY:** NARA published in the **Federal Register** of February 22, 2002, a final rule revising its regulations on use of NARA research rooms to add a policy on use of public access personal computers (workstations) in the research rooms and clarifying researcher identification card issuance. We incorrectly stated that the researcher identification card is valid for one year instead of three years. This document corrects that error.

**EFFECTIVE DATE:** March 25, 2002.

**FOR FURTHER INFORMATION CONTACT:** Nancy Allard at telephone number 301-

713-7360, ext. 226, or fax number 301-713-7270.

**SUPPLEMENTARY INFORMATION:** NARA published a final rule document in the **Federal Register** of February 22, 2002 (67 FR 8199) that revised 36 CFR 1254.6 to clarify that, in research rooms where the plastic researcher identification card is also used with the facility's security system, we will issue a plastic card to researchers who have a paper card from another NARA facility. The proposed rule published on September 7, 2001 (66 FR 46752) correctly stated that the researcher identification card is valid for three years. The final rule incorrectly stated a one-year period. NARA is considering revising the length of time a researcher identification card is valid; however, we will issue a proposed rule for public comment before changing the period.

In the document FR 02-4211 published on February 22, 2002 (67 FR 8199), make the following correction:

### § 1254.6 [Corrected]

1. On page 8200, in the second column, in § 1254.6, correct the fourth line of paragraph (a) of that section to read "valid for three years, and may be renewed".

Dated: April 3, 2002.

Nancy Y. Allard,

*Federal Register Liaison Officer.*

[FR Doc. 02-8571 Filed 4-9-02; 8:45 am]

BILLING CODE 7515-01-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[AL-058-200219(a); FRL-7169-1]

### Approval and Promulgation of Implementation Plans: Revision to the Alabama Department of Environmental Management (ADEM) Administrative Code for the Air Pollution Control Program

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Direct final rule.

**SUMMARY:** The EPA is approving revisions to the Alabama Department of Environmental Management's (ADEM) Administrative Code submitted on February 21, 2002, by the State of Alabama. The revisions comply with the regulations set forth in the Clean Air Act (CAA). The revision was submitted to correct a numbering inconsistency in chapter 335-3-14 "Air Permits."

**DATES:** This direct final rule is effective June 10, 2002 without further notice,