

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 (34)(g), of the Instruction, from further environmental documentation. A final "Environmental Analysis Checklist" and a final "Categorical Exclusion

Determination" will be available in the docket.

List of Subjects in 33 CFR Part 165

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

- 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. 1226, 1231; 46 U.S.C. Chapter 701; 50 U.S.C. 191, 195; 33 CFR 1.05–1(g), 6.04–1, 6.04–6 and 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

- 2. Add temporary § 165.T05–059, to read as follows:

§ 165.T05–059 Route 33 Bridge Construction, Pamunkey River, West Point, VA.

(a) *Location.* The following area is a safety zone: All waters of the Pamunkey River, from surface to bottom, within 600 feet of position 37–32–01 N/076–48–21 W in the vicinity of West Point, VA.

(b) *Definition.* For purposes of this section, *designated representative* means any U.S. Coast Guard commissioned, warrant or petty officer who has been authorized by the Captain of the Port, Hampton Roads, Virginia to act on his behalf.

(c) *Regulations.* (1) In accordance with the general regulations in 165.23 of this part, entry into this safety zone is prohibited unless authorized by the Captain of the Port, Hampton Roads or his designated representatives.

(2) The operator of any vessel in the immediate vicinity of this safety zone must comply with all directions given by the COTP or the COTP's designated representative.

(3) The Captain of the Port, Hampton Roads and the Sector Duty Officer at Sector Hampton Roads in Portsmouth, Virginia can be contacted at telephone number (757) 668–5555 or (757) 484–8192.

(4) The Designated Representatives enforcing the safety zone can be contacted on VHF–FM 13 and 16.

(d) *Effective date:* This regulation is effective from 6:30 a.m. on August 15, 2006 until 6:30 a.m. on August 20, 2006 and from 6:30 a.m. September 12, 2006 until 6:30 a.m. on September 17, 2006.

Dated: August 4, 2006.

Patrick B. Trapp,

Captain, U.S. Coast Guard, Captain of the Port, Hampton Roads.

[FR Doc. E6–13798 Filed 8–18–06; 8:45 am]

BILLING CODE 4910–15–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[FRL–8211–6]

National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List Update

AGENCY: Environmental Protection Agency.

ACTION: Notice of deletion of the T.H. Agriculture and Nutrition Superfund site from the National Priorities List.

SUMMARY: The Environmental Protection Agency (EPA) announces the deletion of the T.H. Agriculture and Nutrition Site in the City of Fresno, Fresno County, California, from the National Priorities List (NPL). The NPL is Appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended. EPA and the State of California have determined that the Site poses no significant threat to public health or the environment and, therefore, no further remedial measures pursuant to CERCLA are appropriate.

DATES: *Effective Date:* August 21, 2006.

FOR FURTHER INFORMATION CONTACT:

Lynn Suer, Remedial Project Manager, U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, SFD–7–2, San Francisco, California 94105, (415) 972–3148.

SUPPLEMENTARY INFORMATION: The site to be deleted from the NPL is: T.H. Agriculture and Nutrition, City of Fresno, Fresno County, California. A Notice of Intent to Delete for this Site was published in the **Federal Register** on July 11, 2006 (71 FR 39032). The closing date for comments on the Notice of Intent to Delete was August 10. No comments were received. Therefore, EPA has not prepared a Responsiveness Summary. EPA identifies sites that appear to present a significant risk to public health, welfare, or the environment and it maintains the NPL as the list of those sites. Any site deleted from the NPL remains eligible for Fund-financed remedial actions in the

unlikely event that conditions at the site warrant such action. Section 300.425(e)(3) of the NCP states that Fund-financed actions may be taken at sites deleted from the NPL. Deletion of a site from the NPL does not affect responsible party liability or impede agency efforts to recover costs associated with response efforts.

List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous substances, Hazardous waste, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: August 11, 2006.

Keith Takata,

Acting Regional Administrator, Region 9.

■ For the reasons set out in the preamble, 40 CFR part 300 is amended as follows:

PART 300—[AMENDED]

■ 1. The authority citation for part 300 continues to read as follows:

Authority: 42 U.S.C. 9601–9657; 33 U.S.C. 1321(c)(2); E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p.193.

Appendix B—[Amended]

■ 2. Table 1 of Appendix B to part 300 is amended by removing the entry for the “T. H. Agriculture & Nutrition Co.” site in Fresno, Fresno County, California.

[FR Doc. E6–13745 Filed 8–18–06; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

46 CFR Parts 1, 5, 10, 12 and 13

[USCG–2006–25535]

RIN 1625–ZA09

Mariner Licensing and Documentation Program Restructuring and Centralization

AGENCY: Coast Guard, DHS.

ACTION: Technical amendment.

SUMMARY: This technical amendment authorizes the Commanding Officer, National Maritime Center, to perform certain mariner credentialing functions in addition to Officers in Charge, Marine Inspection, who currently perform those functions. At the end of a transitional

period, most credentialing functions will be consolidated at a centralized location. The amendment also makes technical changes to the mariner credentialing appellate process. This rule is organizational in nature and will have no substantive effect on the regulated public. The amendment also will have no effect on any other Coast Guard regulatory projects or policy initiatives.

DATES: These changes are effective September 20, 2006.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call Gerald Miente, Project Manager, Maritime Personnel Qualifications Division (G–PSO–1), U.S. Coast Guard, telephone 202–372–1407. If you have questions on viewing the docket, call Ms. Renee V. Wright, Program Manager, Docket Operations, telephone 202–493–0402.

SUPPLEMENTARY INFORMATION:

Regulatory History

We did not publish a notice of proposed rulemaking (NPRM) for this amendment. Under 5 U.S.C. 553(b)(A), the Coast Guard finds that this technical amendment is exempt from notice and comment rulemaking requirements because the amendment only makes non-substantive changes involving internal rules of agency organization, procedure, and practice. These changes will have no substantive effect on the public; therefore, it is unnecessary and impractical to publish an NPRM.

Background and Purpose

Mariner credentialing functions are currently performed at the Regional Examination Centers (RECs). The Coast Guard is authorizing the Commanding Officer, National Maritime Center (NMC) to perform these functions in addition to the Officers in Charge, Marine Inspection (OCMIs). This is the first step in an incremental restructuring and centralization plan that will eventually streamline the RECs and bring them under the authority of the NMC. During implementation of this plan, some REC credentialing functions will be gradually transferred to the NMC, and some OCMIs will continue to have authority to issue credentials.

When the restructuring and centralization is complete, the Coast Guard will notify the public in the **Federal Register** that the NMC will make decisions on applications and authorize the issuance of mariner credentials. The NMC will also be the central location for mariner records and a processing point for associated fees. RECs will remain open and continue to

assist mariners to complete applications, take fingerprints, verify mariners' citizenship and identities, administer examinations, administer oaths, and conduct oversight for approved courses.

These future changes are designed to improve service to mariners and address national security concerns. The restructuring and centralization will: (1) Enhance security by implementing consolidated system controls for the credentialing process; (2) improve the consistency of information, procedures, and mariner evaluations; and (3) improve program efficiencies and customer service through economies of scale and increased use of technology.

Discussion of the Amendment

Title 46 of the Code of Federal Regulations (46 CFR) is being amended to authorize the Commanding Officer of the NMC, in addition to the OCMIs, to perform mariner credentialing functions. The NMC will begin phasing in the transfer of these functions from the OCMIs when facilities for the new centralized NMC become operational. Additionally, this amendment establishes a single final administrative appellate authority for all appeals concerning mariner credentialing. In § 12.02–3, the term “merchant mariner's documents” has been substituted for “certificates of identification, certificates of service, certificates of efficiency, and continuous discharge books” because the Coast Guard no longer issues the latter documents.

These technical and organizational changes do not change any substantive requirements of existing regulations. Further, this amendment will have no effect on any Coast Guard regulatory projects or policy initiatives, including Merchant Marine Credentials, Docket No. USCG–2006–24371, Transportation Worker Identification Credential, Docket Nos. USCG–2006–24196 and TSA–2006–24191, Validation of Merchant Mariners' Vital Information and Issuance of Coast Guard Merchant Mariner's Documents, Docket No. USCG–2003–14500, and Validation of Merchant Mariners' Vital Information and Issuance of Coast Guard Merchant Mariners' Licenses and Certificates of Registry, Docket No. USCG–2004–17455.

Regulatory Evaluation

This amendment 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