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#### Assistance for Small Entities

Under subsection 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 can 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).

#### Collection of Information

This rule calls for new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520). As defined in 5 CFR 1320.3(c), "collection of information" comprises reporting, recordkeeping, monitoring, posting, labeling, and other, similar actions. The title and description of the information collection, a description of those who must collect the information, and an estimate of the total annual burden follow. The estimate covers the time for reviewing instructions, searching existing sources of data, gathering and maintaining the data needed, and completing and reviewing the collection.

**Title:** Regulated Navigation Areas; Reporting Requirements for Barges Loaded with Certain Dangerous Cargoes, Inland Rivers, Eighth and Ninth Coast Guard Districts.

**OMB Control Number:** 1625-0105.

**Summary of the Collection of Information:** The Coast Guard requires position and intended movement reporting, and cargo transfer and fleeting operations reporting, from barges carrying CDCs in the inland rivers within the Eighth and Ninth Coast Guard Districts. This rule will amend 33 CFR part 165 to temporarily require:

Owners and operators of covered barges must report the following information via toll free telephone, toll free fax, or email:

- Name of barge and towboat;
- Name of loading, fleeting, and terminal facility;

- Estimated time of arrival (ETA) at loading, fleeting and terminal facility;
- Planned route, including estimated time of departure (ETD) from loading, fleeting, and terminal facility;
- 4 hours prior to loading covered dangerous cargoes;
- 4 hours prior to dropping off a covered barge in a fleeting area;
- 4 hours prior to picking up a covered barge from a fleeting area;
- 4 hours prior to getting underway with a covered barge;
- At entry into the covered geographical area;
- ETA at approximately 148 designated reporting points within the covered geographical area;
- At any time ETA to a reporting point varies by 6 hours from the previously reported ETA;
- any significant deviation from previously reported information;
- Upon arrival at the "final" destination with a covered barge, if within the covered geographical area;
- Upon departing the covered geographical area; and
- When directed by the Coast Guard.

The temporary changes will be in effect through October 31, 2003.

**Need for Information:** To ensure port safety and security and to ensure the uninterrupted flow of commerce, the Coast Guard must temporarily issue regulations requiring position and intended movement reporting, and cargo transfer and fleeting operations reporting, from barges carrying CDCs in the inland rivers within the Eighth and Ninth Coast Guard Districts.

**Proposed use of Information:** This information is required to enhance maritime security, control vessel traffic, develop contingency plans, and enforce regulations.

**Description of the Respondents:** The respondents are owners, agents, masters, operators, or persons in charge of barges loaded with certain dangerous cargoes operating on the inland rivers located within the Eighth and Ninth Coast Guard Districts.

**Number of Respondents:** The existing OMB-approved collection annual number of respondents is zero(0). This temporary rule will increase the number of respondents by 3,505 to a total of 3,505.

**Frequency of Response:** The existing OMB-approved collection annual number of responses is zero(0). This temporary rule will increase the number of responses by 7,711 to a total of 7,711.

**Burden of Response:** The existing OMB-approved collection burden of response is zero (0). This temporary rule will increase the burden of response by 15 minutes (0.250 hours) to a total of 15 minutes (0.250 hours).

**Estimate of Total Annual Burden:** The existing OMB-approved collection total annual burden is zero (0). This temporary rule will increase the total annual burden by 1,928 hours to a total of 1,928 hours.

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)), we submitted a copy of this rule to the Office of Management and Budget (OMB) for its review of the collection of information. Due to the circumstances surrounding this temporary rule, we asked for "emergency processing" of our request. We received OMB approval for the collection of information on April 15, 2003. It is valid through October 31, 2003.

We ask for public comment on the collection of information to help us determine how useful the information is; whether it can help us perform our functions better; whether it is readily available elsewhere; how accurate our estimate of the burden of collection is; how valid our methods for determining burden are; how we can improve the quality, usefulness, and clarity of the information; and how we can minimize the burden of collection.

If you submit comments on the collection of information, submit them both to OMB and to the Docket Management Facility where indicated under **ADDRESSES**, by the date under **DATES**.

You need not respond to a collection of information unless it displays a currently valid control number from OMB. We received OMB approval for the collection of information on April 15, 2003. It is valid through October 31, 2003.

#### 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