

TABLE 165.T08–019(G). REQUIRED INFORMATION TO BE REPORTED TO THE INLAND RIVER VESSEL MOVEMENT CENTER (IRVMC)—Continued

	24 hr contact no.	Name and location of the facility or terminal where the barge(s) will be loaded	Name of vessel moving the barge(s)	Barge(s) name	Type, name and amount of CDC to be loaded or onboard	Estimated time of departure from the fleet area, facility or terminal	Planned route, name and location of "final destination" (fleet area, receiving facility or terminal), including estimated date of arrival	Reporting point	Estimated time of arrival (ETA) to next reporting point
(6) At designated reporting points in Table 165.T08–019(f) .....	.....	.....	X	X	(¹)	.....	(¹)	X	X
(7) When ETA to a reporting point varies by 6 hours from previously reported ETA .....	.....	.....	X	X	(¹)	.....	.....	.....	X
(8) Any significant deviation from previously reported information	X	X	X	X	X	X	X	X	X
(9) Upon arrival at destination .....	.....	.....	X	X	.....	.....	.....	.....	.....
(10) Upon departing the RNA .....	.....	.....	X	X	.....	.....	.....	X	.....
(11) When directed by the IRVMC	X	X	X	X	X	X	X	X	X

¹ If changed.

(h) Deviation from the requirements of this section is prohibited unless specifically authorized by the Commander, Eighth Coast Guard District or designated representatives. Designated representatives include Captains of the Port within the Eighth Coast Guard District.

Dated: April 16, 2003.

J.W. Stark,

Captain, Coast Guard, Commander, Eighth Coast Guard District, Acting.

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[CGD09–03–209]

RIN 1625–AA11

Regulated Navigation Area; Reporting Requirements for Barges Loaded With Certain Dangerous Cargoes, Illinois Waterway System Within the Ninth Coast Guard District

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule; request for comments.

SUMMARY: The Coast Guard is establishing a regulated navigation area (RNA) for all portions of the Illinois Waterway System located in the Ninth Coast Guard District. This rule requires that barges loaded with certain dangerous cargoes (CDCs) report their position and other information to the Inland River Vessel Movement Center (IRVMC) and is intended to safeguard

vessels, ports and waterfront facilities from sabotage or terrorist acts. This action is necessary to ensure public safety, prevent sabotage or terrorist acts, and facilitate the efforts of emergency services and law enforcement officers responding to terrorist attacks.

DATES: This rule is effective April 16, 2003 through October 31, 2003.

ADDRESSES: You may mail comments and related material to Commander (m), Ninth Coast Guard District, 1240 E. Ninth Street, Cleveland, OH 44199–2060. Commander (m), Ninth Coast Guard District maintains the public docket for this rulemaking. 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 CGD09–03–209 and are available for inspection or copying at Commander (m), Ninth Coast Guard District, 1240 E. Ninth Street, Cleveland, OH 44199–2060 between 8 a.m. and 3:30 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Commander Michael Gardiner or Lieutenant Matthew Colmer, Ninth Coast Guard District Marine Safety Division, at (216) 902–6045.

SUPPLEMENTARY INFORMATION:

Regulatory Information

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under 5 U.S.C. 553(b), the Coast Guard finds that good cause exists for not publishing an NPRM, and under 5 U.S.C. 553(d)(3), good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. The Maritime Administration (MARAD) recently issued MARAD Advisory 03–03 (182100Z MAR 03)

informing operators of maritime interests of increased threat possibilities to vessels and facilities and a higher risk of terrorist attacks to the transportation community in the United States.

Further, national security and intelligence officials warn that future terrorist attacks against the United States interests are likely. The measures contemplated by this rule are intended to prevent waterborne acts of sabotage or terrorism, which terrorists have demonstrated a capability to carry out. Any delay in making this regulation effective would be contrary to the public interest because immediate action is necessary to protect U.S. maritime transportation interests against the possible loss of life, injury, or damage to property.

Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related material. We encourage comments on whether a Regulated Navigation Area is the appropriate tool for a long-term solution to the security risk at issue. If you do so, please include your name and address, identify the docket number for this rulemaking [CGD09–03–209], indicate the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this temporary final rule in view of them.