

gas at that point, then the scheduling penalty shall not be assessed.

(6) The scheduling penalty shall be the current Rate Schedule IT Usage Rate multiplied by the quantity of gas in excess of the allowed variance.

(7) Any scheduling penalty assessed by Chandeaur against an affiliate will be flowed through to its firm Shippers. The penalties flowed through to firm Shippers will be apportioned on the basis of the firm Shippers' weighted contract demand, during the applicable penalty period.

(b) Imbalance Management Service

(1) A pipeline imbalance is where Chandeaur over or under delivers Shipper's actual receipts versus deliveries during any calendar month. Shippers can find their pipeline imbalance in their monthly Gas Balance Statement showing monthly and cumulative imbalances. Chandeaur will post on its website monthly pipeline imbalances along with Shippers' cumulative imbalances to facilitate Shippers correcting their imbalances by offsetting with other Shipper's imbalances.

(2) Two six (6) month balancing periods are defined as November 1 through April 30 and May 1 through October 31.

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TF06112000102700RM96-1-014 et al.

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GENERAL TERMS AND CONDITIONS

8.0 ACCOUNTING PROCEDURES (Cont'd)

8.4 Imbalance Management Services (cont'd)

(b) Imbalance Management Service (cont'd)

(3) At the end of each six (6) month balancing period, Chandeaur will notify each Shipper whose pipeline imbalance exceeds the tolerance of either 2% of the Shipper's total receipts or 10,000 Dth. The Shipper will then have 45 days, from the date of the notification mailed by Chandeaur, in which to correct its imbalance. Shippers or their Agents may net their imbalance against any other Transportation Agreements on any Rate Schedule they have with Chandeaur and/or trade their imbalances against any Transportation Agreements on any Rate Schedule that other Shippers may have with Chandeaur without any limitation.

(4) Should Shipper not correct its imbalance within the 45-day grace period, Chandeaur shall arrange for offsetting contract imbalance by first netting against Shipper's other Transportation Agreements on any Rate Schedule with Chandeaur and then, if necessary, trading against other Shipper's Transportation Agreements on any Rate Schedule. Shipper will be obligated to settle per the pre-arranged contract imbalance offset.

(5) The 45-day grace period shall be extended by the number of days, if any, that Chandeaur is unable to receive or deliver all nominated volumes of gas.

(6) Upon correction of the imbalance, Chandeaur will reduce Shipper's imbalance by the net pipeline imbalance. Any imbalance remaining after correction will be

rolled forward into the next six (6) month balancing period.

[FR Doc. 01-6869 Filed 3-19-01; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD07-00-129]

RIN 2115-AE47

Drawbridge Operation Regulations; Gulf Intracoastal Waterway, Boca Grande, Charlotte County, FL

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to permanently change the operating regulations of the Gasparilla Island Causeway Drawbridge across the Gulf Intracoastal Waterway, mile 34.3, in Boca Grande, FL. This proposed rule would increase the current opening schedule by three hours, moving the starting hour from 10 a.m. to 7 a.m., January 1 to May 31. During the scheduled opening period, the draw may open on the hour, quarter hour, half hour and three quarter hour. This change would improve the flow of vehicular traffic during the daytime hours in the winter tourist season.

DATES: Comments and related material must reach the Coast Guard on or before May 21, 2001.

ADDRESSES: You may mail comments and related material to Commander (obr), Seventh Coast Guard District, 909 S.E. 1st Avenue, Miami, FL 33131. Commander (obr) 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, will become part of this docket and will be available for inspection or copying at Commander (obr), Seventh Coast Guard District, 909 S.E. 1st Avenue, Room 406, Miami, FL 33131 between 7:30 a.m. and 4 p.m., Monday through Friday, except Federal Holidays.

FOR FURTHER INFORMATION CONTACT: Mr. Barry Dragon, Project Officer, Seventh Coast Guard District, Bridge Branch, at (305) 415-6743.

SUPPLEMENTARY INFORMATION:

Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related material. If you

do so, please include your name and address, identify the docket number for this rulemaking [CGD07-00-129], 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 proposed rule in view of them.

Public Meeting

We do not plan to hold a public meeting. But you may submit a request for a meeting by writing to Bridge Branch, Seventh Coast Guard District, 909 SE. 1st Avenue, Room 406, Miami, FL 33131, explaining why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

Background and Purpose

The Gasparilla Island Causeway Drawbridge across the Gulf Intracoastal Waterway, mile 34.3, has a vertical clearance of 9 feet at mean high water and a horizontal clearance of 81 feet. The owner of the bridge requested a change to current operating schedule in effect from January 1 through May 31. The owner requested that scheduled openings start at 7 a.m., three hours earlier than the current regulations provide, to ease the flow of seasonal vehicular traffic during the morning.

Discussion of Proposed Rule

The current operating regulations provide for the draw to open on signal, except from January 1 through May 31, from 10 a.m. until 5 p.m., the draw need only open on the hour, quarter hour, half hour, and three quarter hour. The bridge owner requested a change to the regulations so scheduled openings will begin at 7 a.m. and finish at 5 p.m. This proposed change would ease the flow of increased seasonal vehicular traffic over the bridge during the morning rush hour and would have little or no impact on vessel traffic. Vehicular traffic has steadily increased in volume since 1983, from approximately 1700 vehicles per day to approximately 2200 per day during the winter tourist season, while vessel traffic has remained constant.

Regulatory Evaluation

This proposed 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).

We expect the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary because it only extends the scheduled openings by three hours during the winter season.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we considered whether this proposed 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 proposed rule would not have a significant economic impact on a substantial number of small entities because the proposed rule only extends the scheduled openings by three hours each day during the winter season.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this proposed rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104–121), we want to assist small entities in understanding this proposed rule so that they can better evaluate its effects on them and participate in the rulemaking. If the proposed rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact Mr. Barry Dragon at (305) 415–6743 for assistance in understanding and participating in this rulemaking.

Collection of Information

This proposed rule would call for no new collection of information under the

Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

Federalism

We have analyzed this proposed rule under Executive Order 13132 and have determined that this proposed rule would not have implications under that Order.

Unfunded Mandates Reform Act

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 costs. This proposed rule would not impose an unfunded mandate.

Taking of Private Property

This proposed rule would 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 proposed 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 proposed 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.

Environment

We considered the environmental impact of this proposed rule and concluded that, under figure 2–1, paragraph 32(e), of Commandant Instruction M16475.IC, this proposed rule is categorically excluded from further environmental documentation. A “Categorical Exclusion Determination” is available in the docket where indicated under **ADDRESSES**.

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 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; 49 CFR 1.46; 33 CFR 1.05–1(g); section 117.255 also issued under the authority of Pub. L. 102–587, 106 Stat. 5039.

2. Section 117.287(a–1) is revised to read as follows:

§ 117.287 Gulf Intracoastal Waterway.

* * * * *

(a–1) The draw of the Gasparilla Island Causeway drawbridge, mile 34.3, at Boca Grande shall open on signal; except that from January 1 to May 31, from 7 a.m. to 5 p.m., the draw need open only on the hour, quarter hour, half hour, and three quarter hour.

* * * * *

Dated: December 21, 2000.

T.W. Allen,

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

[FR Doc. 01–6905 Filed 3–19–01; 8:45 am]

BILLING CODE 4910–15–P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD01–01–004]

RIN 2115–AA97

Safety Zone: Indian Point Nuclear Power Station, Hudson River.

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to establish a permanent safety zone on all waters of the Hudson River within a ten mile radius of the Indian Point Nuclear Power Station (IPNPS). This action is necessary to provide for the safety of life on navigable waters during an emergency at the IPNPS. This action establishes a permanent exclusion area that is only active when requested by the Nuclear Regulatory Commission (NRC) during activation of the facility's Emergency Planning Zone, and is intended to restrict vessel traffic in a portion of the Hudson River.

DATES: Comments and related material must reach the Coast Guard on or before May 21, 2001.

ADDRESSES: You may mail comments and related material to Waterways Oversight Branch (CGD01–01–004), Coast Guard Activities New York, 212 Coast Guard Drive, room 204, Staten