

TABLE FIVE

Vessel	No.	Masthead lights not over all other lights and obstructions. Annex I, sec. 2(f)	Forward masthead light not in forward quarter of ship; Annex I, sec. 3(a)	After masthead light less than 1/2 ship's length aft of forward masthead light; Annex I, sec. 3(a)	Percentage horizontal separation attained
USS MAKIN ISLAND	LHD 8	.....	X	X	40.9

Approved: August 7, 2008.

**M. Robb Hyde,**

*Commander, JAGC, U.S. Navy, Deputy Assistant Judge Advocate, General (Admiralty and Maritime Law).*

[FR Doc. E8-19159 Filed 8-19-08; 8:45 am]

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## DEPARTMENT OF DEFENSE

### Department of the Navy

#### 32 CFR Part 706

#### Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea, 1972

**AGENCY:** Department of the Navy, DoD.

**ACTION:** Final rule.

**SUMMARY:** The Department of the Navy is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), to reflect that the Deputy Assistant Judge Advocate General (Admiralty) of the Navy has determined that USS LABOON (DDG 58) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with certain provisions of the 72 COLREGS without interfering with its special functions as a naval ship. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

**DATES:** This rule is effective August 20, 2008 and is applicable beginning 7 August 2008.

#### FOR FURTHER INFORMATION CONTACT:

Commander M. Robb Hyde, JAGC, U.S. Navy, Deputy Assistant Judge Advocate General (Admiralty and Maritime Law), Office of the Judge Advocate General, Department of the Navy, 1322 Patterson Ave., SE., Suite 3000, Washington Navy Yard, DC 20374-5066, telephone 202-685-5040.

**SUPPLEMENTARY INFORMATION:** Pursuant to the authority granted in 33 U.S.C. 1605, the Department of the Navy amends 32 CFR part 706.

This amendment provides notice that the Deputy Assistant Judge Advocate General (Admiralty and Maritime Law) of the Navy, under authority delegated by the Secretary of the Navy, has certified that USS LABOON (DDG 58) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with the following specific provision of 72 COLREGS without interfering with its special function as a naval ship: Annex I, paragraph 3(a), pertaining to the location of the forward masthead light in the forward quarter of the vessel, the placement of the after masthead light, and the horizontal distance between the forward and after masthead lights. The Deputy Assistant Judge Advocate General (Admiralty) has also certified that the lights involved are located in closest possible compliance with the applicable 72 COLREGS requirements.

Moreover, it has been determined, in accordance with 32 CFR parts 296 and 701, that publication of this amendment for public comment prior to adoption is

impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on this vessel in a manner differently from that prescribed herein will adversely affect the vessel's ability to perform its military functions.

#### List of Subjects in 32 CFR Part 706

Marine Safety, Navigation (water), and Vessels.

■ For the reasons set forth in the preamble, amend part 706 of title 32 of the Code of Federal Regulations as follows:

#### PART 706—CERTIFICATIONS AND EXEMPTIONS UNDER THE INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA, 1972

■ 1. The authority citation for 32 CFR part 706 continues to read as follows:

**Authority:** 33 U.S.C. 1605.

■ 2. Section 706.2 is amended as follows:

■ A. In Table Four paragraph 16 by removing the entry, in numerical order, for USS LABOON (DDG 58); and

■ B. In Table Five by revising, in numerical order, the following entry for USS LABOON (DDG 58):

#### § 706.2 Certifications of the Secretary of the Navy under Executive Order 11964 and U.S.C. 1605.

\* \* \* \* \*

TABLE FIVE

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USS LABOON	DDG 58	X	X	X	20.3

Approved: August 7, 2008.

**M. Robb Hyde,**

*Commander, JAGC, U.S. Navy, Deputy Assistant Judge Advocate, General (Admiralty and Maritime Law).*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[USCG-2008-0833]

RIN 1625-AA09

#### **Drawbridge Operation Regulation; Atlantic Intracoastal Waterway (AIWW), Elizabeth River, Southern Branch, Chesapeake, VA**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, Fifth Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the Gilmerton (U.S. 13/460) Lift Bridge, at AIWW mile 5.8, across the Elizabeth River (Southern Branch) in Chesapeake, VA. This deviation is necessary to facilitate structural repairs and allows the bridge to remain closed to navigation during the specified dates and times to facilitate structural repairs.

**DATES:** This deviation is effective from 8 p.m. on September 8, 2008, to 5 a.m. on October 6, 2008.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket are part of docket USCG-2008-0833 and are available online at [www.regulations.gov](http://www.regulations.gov). They are also available for inspection or copying at two locations: The Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays, and the Commander (dpb), Fifth Coast Guard District, Federal Building, 1st Floor, 431 Crawford Street, Portsmouth, VA 23704-5004 between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule call Mr. Bill H. Brazier, Bridge Management Specialist, Fifth Coast Guard District, at (757) 398-6422. If you have questions on viewing the docket, call Renee V.

Wright, Program Manager, Docket Operations, telephone 202-366-9826.

**SUPPLEMENTARY INFORMATION:** The contractor on behalf of the City of Chesapeake, who owns and operates this double-leaf bascule drawbridge, has requested a temporary deviation from the current operating regulations set out in 33 CFR 117.997(d).

The Gilmerton (U.S. 13/460) Lift Bridge, at AIWW mile 5.8, across the Elizabeth River (Southern Branch) in Chesapeake, VA, has a vertical clearance in the closed position to vessels of 11 feet above mean high water.

Under this temporary deviation, structural repairs will restrict the operation of the draw span on the following dates and times:

1. Closed-to-navigation, each day from 8 p.m. to 5 a.m., from September 8, 2008 to September 11, 2008, except vessel openings will be provided with at least two hours advance notice given to the bridge operator at (757) 545-1512 or via marine radio on Channel 13.

2. Closed-to-navigation from 8 p.m. on September 12, 2008 through 5 a.m. on September 15, 2008, except vessel openings will be provided at 7 a.m., 1 p.m., and 7 p.m. each day on September 13, 2008 and September 14, 2008.

3. Closed-to-navigation from 8 p.m. on September 19, 2008 through 5 a.m. on September 22, 2008, except vessel openings will be provided at 7 a.m., 1 p.m., and 7 p.m. each day on September 20, 2008 and September 21, 2008.

4. Closed-to-navigation from 8 p.m. on September 26, 2008 through 5 a.m. on September 29, 2008, except vessel openings will be provided at 7 a.m., 1 p.m., and 7 p.m. each day on September 27, 2008 and September 28, 2008.

5. Closed-to-navigation from 8 p.m. on October 3, 2008 through 5 a.m. on October 6, 2008, except vessel openings will be provided at 7 a.m., 1 p.m., and 7 p.m. each day on October 4, 2008 and October 5, 2008.

The Coast Guard will inform the users of the waterway through our Local and Broadcast Notices to Mariners of the opening restrictions of the draw span to minimize transiting delays caused by the temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the designated time period.

This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: August 8, 2008.

**Waverly W. Gregory, Jr.,**

*Chief, Bridge Administration Branch, Fifth Coast Guard District.*

[FR Doc. E8-19317 Filed 8-19-08; 8:45 am]

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 169

[USCG-2005-22612]

RIN 1625-AB00

#### **Long Range Identification and Tracking of Ships**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice; announcement of approval of collection of information.

**SUMMARY:** On April 29, 2008, we published a final rule entitled "Long Range Identification and Tracking of Ships" (LRIT). In it we noted that the Office of Management and Budget (OMB) had not yet approved a collection of information, "Enhanced Maritime Domain Awareness via Electronic Transmission of Vessel Transit Data," associated with the LRIT rule. This document provides notice that on August 12, 2008, OMB approved the referenced collection of information associated with the LRIT final rule.

**DATES:** On August 12, 2008, OMB approved the collection of information associated with the LRIT final rule published in the **Federal Register** on April 29, 2008 (73 FR 23310).

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this document contact Mr. William Cairns, Office of Navigation Systems, Coast Guard, telephone 202-372-1557, e-mail [William.R.Cairns@uscg.mil](mailto:William.R.Cairns@uscg.mil). If you have questions on viewing the docket (USCG-2005-22612), call Ms. Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

**SUPPLEMENTARY INFORMATION:** The Coast Guard published a final rule concerning long range information and tracking of certain ships to report identifying and position data electronically on April 29, 2008 (73 FR 23310). That rule became effective on May 29, 2008, and contains implementation dates starting December 31, 2008. See 33 CFR 169.220.

The Coast Guard described collection of information provisions in both the final rule and in the LRIT notice of proposed rulemaking (NPRM) published October 3, 2007 (72 FR 56600). In the NPRM, in addition to comments on the