

Port Access Route Study

Delaware Bay Entrance - 1994

conducted by
Fifth Coast Guard District

ARE BAY

FI 15s
165ft 24M

R Bn 325

FI R

(use chart 12214)

(use chart 12318)

PRECAUTIONARY AREA

Overfalls Shoal

McCrie Shoal

TRAFFIC LANE INBOUND

SEPARATION ZONE

TRAFFIC LANE OUTBOUND

Y "FB" FI Y 6s WHIS

Y "DC" FI Y 2.5s WHIS

Y "DA" FI Y 2.5s WHIS

(use chart 12214)

Wreck

24 DUMP SITE (Discontinued) (acid waste)

25 (see note S)

22 gy S Depths of survey of 1976

23

22

24

23

22

24

23

22

24

23

22

24

23

22

DUMP SITE (Discontinued)

25 (municipal sewage sludge)

27 (see note S)

23 Depths from survey of 1976

26

25

26

27

28

29

(use chart 12304)

39°

50'

40'

30'

20'

10'

75°

50'

40'

30' (JOINS CHART 12300)

20'

CG

Townsend's Inlet

Cape May C. Ho

Hereford Inlet

FI 10s 57ft 24M

Canal

Cape May Pt

Wildwood

TR

STUDY RESULTS
PORT ACCESS ROUTE STUDY
DELAWARE BAY ENTRANCE - 1994

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I. BACKGROUND

The 1978 amendments to the Ports and Waterways Safety Act (PWSA), 33 U. S. C. 1223(c), require a port access route study be conducted prior to establishing a traffic separation scheme (TSS) or adjusting an existing TSS. A TSS is an internationally recognized routing measure that minimizes the risk of vessels colliding by separating vessels into opposing streams of traffic through the establishment of traffic lanes. Vessel use of a TSS is voluntary; however, vessels operating in or near an International Maritime Organization (IMO) approved TSS are subject to Rule 10 of the International Regulations for Prevention of Collisions at Sea, 1972 (72 COLREGS).

The existing Delaware River Federal navigation channel provides a channel of 40 feet at mean low water. A feasibility study conducted by the Army Corps of Engineers in 1992 recommended modifying the channel navigation project to a depth of 45 feet. The study estimated \$294 million (1991 dollars) will be spent over a five year period for construction and dredging of 50 million cubic yards of material from the navigation channel. Channel deepening was approved by Congress in October 1992 as part of the Water Resources Development Act of 1992.

The Army Corps of Engineers in 1992 initiated the Delaware River Comprehensive Navigation Study - Midstream Deepwater Port. The study's objectives are:

- 1.

(1) to provide improved access to Big Stone Anchorage for deep draft vessels (oil tankers), and;

(2) to dredge a more effective configuration at the anchorage to facilitate better lightering operations.

Under consideration is a one-way access channel leading from the ocean to Anchorage A off the entrance to Mispillion River (33 CFR 110.157) locally known as Bigstone Beach Anchorage. At this writing the study is ongoing.

The Ports of Philadelphia claim the unique distinction of being the world's "largest fresh water port". From 1982 to 1992, foreign tonnage moving through the Philadelphia ports by way of the Bay and River Delaware has increased 37.5 percent, from 42.2 million tons to nearly 58 million tons. About 100,000 port-related jobs generate an estimated \$1 billion in income and \$100 million in state and local taxes each year.

The Ports of Philadelphia Maritime Exchange is anticipating an increase in vessel traffic into Delaware River ports due to:

(1) Unification of the Ports of Camden-Philadelphia under the auspices of the Delaware River Port Authority. Expanded marketing of these ports is expected to create additional waterborne commerce.

(2) Increased land access to points throughout the United States and Canada through the use of three class I railroads servicing the ports.

(3) Expected commencement in 1996 of the deepening of the navigation channel from 40 feet to 45 feet, allowing greater access for deep-draft bulk and general cargo vessels.

(4) \$70 million being invested by the Commonwealth of Pennsylvania along with the three Class I railroads to clear bridge and tunnel restrictions to move higher and wider project cargo including double-stacked container traffic.

For the year 1994, the Ports of Philadelphia Maritime Exchange has reported an increase of 100 vessels calling on the Port over 1993.

The planned closing of the Philadelphia Naval Base is not expected to have a negative impact. Rather, investigations are ongoing to take economic advantage of at least some of the land and port-related facilities of the Naval Base for industrial development with opportunities for the Port and the resulting additional waterborne traffic.

A. History: The Traffic Separation Scheme (TSS) Off Delaware Bay was adopted by the International Governmental Maritime Consultative Organization (predecessor to the International Maritime Organization) on October 28, 1969. A change to the South Eastern Approach lanes was implemented on March 15, 1976. The TSS consists of two parts: Part I, Eastern Approach; Part II, South-Eastern Approach and a precautionary area.

As required by the 1978 amendments to the Ports and Waterways Safety Act (PWSA), 33 U.S.C. 1223(C), the Coast Guard initiated a port access route study on April 16, 1979, (44 FR 22543) to evaluate potential traffic density, traffic patterns, waterway use conflicts, and the need for safe access routes in the Delaware Bay approaches. The Notice of Study Results was published on October 5, 1981 (46FR49035). That study concluded that the existing TSS Off Delaware Bay was adequate for the foreseeable future.

This Port Access Route Study was opened on March 25, 1994 (58FR14125). Conducted by the Fifth Coast Guard District in Portsmouth, VA, the study was opened to evaluate the need for changes to the vessel routing measures in the approaches to Delaware Bay. The area studied encompassed the approaches to Delaware Bay, including the TSS.

The Bay and River Delaware system can be entered or exited

either through the Delaware Bay entrance or through the Chesapeake and Delaware Canal. Two sets of ocean traffic lanes make up the TSS at the mouth of the Delaware Bay and converge at a Precautionary Area. The eastern approach lanes have minimum depths close to the 40 foot main channel depth and are used primarily by smaller vessels and vessels engaged in coastwise commerce. The southeastern approach lanes have minimum depths of about 55 feet outbound and 59 feet inbound. The southeastern lanes are used by most vessels engaged in foreign commerce including large bulk carriers and tankers as well as coastwise movements to the south.

During the 1970's vessel traffic patterns in the region moved toward utilization by deeper draft vessels in order to make full use of the 40 foot main channel. Utilization of tide stages was maximized to allow ships to navigate the channel with drafts approaching the authorized navigation project depth.

The U. S. Army Corps of Engineers has identified a need for a deeper access in order to handle present and future tankers, dry bulk carriers and container vessels more efficiently. A deeper channel will result in larger vessels using the TSS at the Delaware Bay Approaches.

In 1990 a Coast Guard conducted Waterways Analysis and Management System Study of the Delaware Bay Approach recommended reorientation of the eastern approach TSS to the south.

Safety concerns of the Mariners Advisory Committee for the

Bay and River Delaware, primarily generated due to a number of near collisions and the actual collision of the T/V FAITH I and T/B INDEPENDENCE on August 19, 1990, prompted requests that the eastern approach lanes of the TSS be adjusted and an inshore traffic zone be established for coastwise traffic.

In April 1994 four lighted buoys located within the Precautionary Area were repositioned and the Pilot Area was moved one half nautical mile southeastward to allow more sea room for tug and tow traffic approaching from and departing along the New Jersey coast.

B. Action Taken To Date: The TSS in the Approaches to Delaware Bay was the subject of a Port Access Route Study conducted in 1981 with the results being published in the Federal Register on October 5, 1981 (46 FR 49035). The 1981 study was conducted due to the growing multi-use development of the Atlantic Outer Continental Shelf (OCS) and the potential for conflict among the many users.

1981 STUDY FINDINGS

The published findings and conclusions of the 1981 study are as follows:

"(a) An analysis of the exploratory activity thus far, indicates a maximum of 9 exploratory rigs operating on the Atlantic Outer Continental Shelf (OCS) since exploration began in March 1978. Since that time, on the average, only four rigs have been operating at any given time.

(b) No economically retrievable oil or gas finds have been made to date and significant production efforts in Bureau of Land Management lease areas 40, 42 and 49 are considered doubtful. According to the Department of Interior, sale area 42 has not yet had a well drilled although there is considerable industry interest. Sale area 40 has been found to contain significant amounts of hydrocarbons and only further delineation drilling can determine if the resource is commercially recoverable.

(c) Available data does not indicate clearly defined

vessel routes through the OCS.

(d) The risks to vessels, associated with the initial phases of offshore development, seem very low.

(e) While the establishment of a regulatory access system may reduce the already low risk of vessel/structure collision, it would probably increase the risk of vessel/vessel collision due to the concentration of traffic within designated routes.

(f) Concentration of traffic into designated routes is likely to impact negatively on commercial fishing by interfering with the movement of fishing vessels in or across such routes.

1981 STUDY CONCLUSIONS

(a) Further regulation of the shipping, oil and fishing industries by vessel routing measures in areas 5, 5a and 6 is not warranted by the current or projected levels of activity on the OCS.

(b) Current procedures for marking and lighting structures, and publishing their locations in the Local Notice to Mariners are appropriate alternatives that will be continued.

(c) The Third Coast Guard District will continue to monitor OCS activity for its impact on vessel traffic. If economically retrievable oil or gas is found, or significant increase in OCS exploration activity occurs, the affected area or areas will be restudied.

(d) It is expected that any future port access routes, if they become necessary in areas 5, 5a and 6, will utilize existing Traffic Separation Schemes extended to the 1800 meter contour (approximately 1000 fathoms).

1981 STUDY SUMMARY

Based on available data and the first two and one half years of exploratory OCS activity in the region, it seems unnecessary to pursue further routing systems at this time in study areas 5, 5a and 6. Mandatory port access routes are not now required in those areas, nor does it appear that they will be in the foreseeable future. If a significant increase in OCS activity is detected, the affected areas will be restudied."

4. Applicant will record, maintain and preserve permanently in an easily accessible place a written copy of the procedures (and any modifications thereto) described in condition 1 above, and Applicant will record, maintain and preserve for a period of not less than six years (the first two years in an easily accessible place) a written record of the board of directors' considerations and actions taken in connection with the discharge of its responsibilities, as set forth above, to be included in the minutes of the board of directors' meetings. The documents preserved pursuant to this condition shall be subject to inspection by the Commission in accordance with Section 31(b) of the Act as though such documents were records required to be maintained pursuant to rules adopted under Section 31(b) of the Act.

5. The Money Market Portfolio will limit its portfolio investments, including repurchase agreement, if any, to those U.S. dollar-denominated instruments which the board of directors determines present minimal credit risks, and which are of high quality as determined by any major rating service, or, in the case of any instrument that is not rated, of comparable quality as determined by the board of directors.

6. Applicant will include in each quarterly report, as an attachment to Form N-1Q, a statement as to whether any action pursuant to condition 2(c) was taken during the preceding calendar quarter, and, if any action was taken, will describe the nature and circumstances of such action.

On the basis of the foregoing, Applicant requests an order of the Commission exempting its Money Market Portfolio from the provisions of Section 2(a) (41) of the Act and Rules 2a-4 and 22c-1 thereunder to the extent necessary to permit Applicant to value the portfolio securities of its Money Market Portfolio using the amortized cost method of valuation. Applicant submits that such order is appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than October 26, 1981, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the application accompanied by a statement as to the nature of his interest, the reasons for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary,

Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicant at the address stated above. Proof of such service (by affidavit, or in the case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the Rules and Regulations promulgated under the Act, an order disposing of the application herein will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advise as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,
Secretary.

[FR Doc. 81-28892 Filed 10-2-81; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGD 81-074]

Port Access Route Study

AGENCY: Coast Guard, DOT.

ACTION: Notice of Study Results.

The purpose of this notice is to publish results of the Port Access Route study announced on April 16, 1979, in the Federal Register (44 FR 22543) and modified on January 31, 1980 (45 FR 7026). Only the results for study areas 5, 5a, and 6 are published in this notice. Generally, these areas include New York and Delaware Bay approaches and Long Island Sound. Results for areas 13 to 20 (coast of South Carolina, Georgia, Florida) were published in 46 FR 48376, October 1, 1981. Results for the remaining study areas (1 to 4 in New England, 7 to 12 for Maryland, Virginia and North Carolina, and 21 to 32, including the Gulf Coast, West Coast and Alaska) will be published in a future Federal Register.

The Port Access Route study was mandated by the Ports and Waterways Safety Act (PWSA) (Pub. L. No. 95-474; 92 Stat. 1472; 33 U.S.C. 1223) to determine any need for routing measures for vessels using U.S. ports. The study has been performed in accordance with standards contained in sections 4 and 5 of the Act. Final study

results are to be published as a notice in the Federal Register. However, areas may be restudied in the future as conditions warrant.

The Third Coast Guard District performed the study for areas 5, 5a and 6. Geographically, these areas extend from the coast on a line bearing 180°T from Watch Hill Light (41°18.2'N; 71°51.5'W) to 40°40.0'N latitude; thence a line bearing 090°T to 69°57.0'W longitude; thence a line bearing 180°T to 39°44.5'N latitude; thence a line bearing 234°T to 38°31.4'N latitude, 72°07.0'W longitude; thence a line bearing 230°T to 37°38.6'N latitude, 73°26.1'W longitude; thence a line bearing 302°T to Fenwick Island Light (38°27.1'N, 75°03.3'W).

The findings and conclusions of the Third Coast Guard District Port Access Study are as follows:

Findings

(a) An analysis of exploratory activity thus far, indicates a maximum of 9 exploratory rigs operating on the Atlantic Outer Continental Shelf (OCS) since exploration began in March 1978. Since that time, on the average, only four rigs have been operating at any given time.

(b) No economically retrievable oil or gas finds have been made to date and significant production efforts in BLM lease areas 40, 42 and 49 are considered doubtful. According to the Department of Interior: Sale area 42 has not yet had a well drilled although there is considerable industry interest. Sale area 40 has been found to contain significant amounts of hydrocarbons and only further delineation drilling can determine if the resource is commercially recoverable.

(c) Available data does not indicate clearly defined vessel routes through the OCS.

(d) The risks to vessels, associated with the initial phases of offshore development, seem very low.

(e) While the establishment of a regulatory access system may reduce the already low risk of vessel/structure collision, it would probably increase the risk of vessel/vessel collision due to concentration of traffic within designated routes.

(f) Concentration of traffic into designated routes is likely to impact negatively on commercial fishing, by interfering with the movement of fishing vessels in or across such routes.

Conclusions

(a) Further regulation of the shipping, oil and fishing industries by vessel routing measures in areas 5, 5a and 6 is

not warranted by the current or projected levels of activity on the OCS.

(b) Current procedures for making and lighting structures, and publishing their locations in the Local Notice to Mariners are appropriate alternatives that will be continued.

(c) The Third Coast Guard District will continue to monitor OCS activity for its impact on vessel traffic. If economically retrievable oil or gas is found, or a significant increase in OCS exploration activity occurs, the affected area or areas will be restudied.

(d) It is expected that any future port access routes, if they become necessary in areas 5, 5a and 6, will utilize existing voluntary Traffic Separation Schemes extended to the 1800 meter contour (approximately 1,000 fathoms).

Summary

Based on available data and the first two and a half years of exploratory OCS activity in the region, it seems unnecessary to pursue further routing systems at this time in study areas 5, 5a and 6. Mandatory port access routes are not now required in these areas, nor does it appear that they will be in the foreseeable future. If a significant increase in OCS activity is detected, the affected areas will be restudied.

FOR FURTHER INFORMATION CONTACT:

Mr. Christopher Young, Office of Marine Environment and Systems (C-WWM-2), Room 1608, U.S. Coast Guard Headquarters, 2100 Second Street, SW., Washington, D.C. 20593, (202) 426-4958 between 7:30 a.m. and 4:30 p.m. Monday through Thursday, except holidays.

Dated: September 24, 1981.

W. E. Caldwell,

Chief, Office of Marine Environment and Systems.

[FR Doc. 81-28631 Filed 10-2-81; 8:45 am]

BILLING CODE 4910-14-M

Federal Aviation Administration

Realigning of Regional Organizations

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of regional organization.

Notice is hereby given that on October 1, 1981, the Federal Aviation Administration's regional organizational structure and geographic boundaries are reconfigured from the present 11 regions to 9.

a. The existing Northwest and Rocky Mountain (except North and South Dakota) Regions are combined. Regional headquarters of the new Northwest Mountain Region will be in Seattle, Washington.

b. The existing Pacific-Asia and Western Regions are combined. Regional headquarters of the new Western-Pacific Region will be in Los Angeles, California.

c. The existing Great Lakes Region will include the States of North and South Dakota previously in Rocky Mountain Region.

d. The existing New England, Eastern, Southern, Southwest, Central and Alaskan Regions remain unchanged.

The new regional configurations become operational on October 1, 1981. On that date, the Regional directors for Northwest Mountain, Western-Pacific and Great Lakes Regions (for the States of North and South Dakota), will assume all responsibility for actions within the reconfigured regions, including, for example, personnel, regulatory and enforcement actions. These responsibilities may be delegated by the Regional Directors for the reconfigured regions.

(Secs. 301, 302, 313, Federal Aviation Act of 1958, as amended (49 U.S.C. 1341, 1342, 1343 and 1354); and the Administrative Procedure Act, as amended (5 U.S.C. 552(a)(1))

Issued in Washington, D.C., on September 30, 1981.

J. Lynn Helms,

Administrator.

[FR Doc. 81-29023 Filed 10-2-81; 8:45 am]

BILLING CODE 4910-13-M

Air Traffic Procedures Advisory Committee; Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-643; 5 U.S.C. App. 1) notice is hereby given of a meeting of the Federal Aviation Administration Air Traffic Procedures Advisory Committee to be held from October 26 at 1 p.m. through October 30 at 1 p.m., at FAA Headquarters, 800 Independence Avenue, SW., Washington, D.C.

The agenda for this meeting is as follows: A continuation of the Committee's review of present air traffic control procedures and practices for standardization, clarification, and upgrading of terminology and procedures.

Attendance is open to the interested public but limited to the space available. With the approval of the Chairman, members of the public may present oral statements at the meeting. Persons wishing to attend and persons wishing to present oral statements should notify, not later than the day before the meeting, and information may be obtained from Mr. L. Lane Speck, Executive Director, Air Traffic Procedures Advisory Committee, Air

Traffic Service, AAT-300, 800 Independence Avenue, Washington, D.C. 20591, telephone (202) 426-3725.

Any member of the public may present a written statement to the Committee at any time.

Issued in Washington, D.C., on September 28, 1981.

L. Lane Speck,

Executive Director, ATPAC.

[FR Doc. 81-28650 Filed 10-2-81; 8:45 am]

BILLING CODE 4910-09-M

Effectiveness of Aircraft Noise Abatement Procedures; Meeting

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of meeting.

SUMMARY: The Federal Aviation Administration (FAA) hereby announces that the results of the evaluation of the effectiveness of aircraft noise abatement procedures will be discussed as a major topic of the Transport Airplane Takeoff Performance Requirements Conference.

DATE: The conference will be held November 16-20, 1981, beginning at 8:30 a.m. and adjourning at 5:00 p.m. each day.

ADDRESS: The conference will be held at the Seattle Hilton, Sixth and University, Seattle, Washington 98101.

FOR FURTHER INFORMATION CONTACT:

Mr. Charles H. Huettner, Air Transportation Division, Office of Flight Operations, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591. Telephone (202) 426-8166.

SUPPLEMENTARY INFORMATION:

Background

The Federal Aviation Administration (FAA) is currently evaluating the effectiveness of aircraft noise abatement procedures at John Wayne Airport, Santa Ana, California, during September and October.

The 8-week study involves noise measurement readings of actual takeoff operations as well as FAA in-flight monitoring of noise reduction procedures. The study includes a survey response on possible benefits of the different procedures on the local community, as well as an analysis of airport noise complaints.

The takeoff procedures will utilize various thrust reduction procedures at different altitudes designed to reduce the overall impact of aircraft takeoff noise.

C. STATUTORY REQUIREMENT: Section 4(c) of the Ports and Waterways Safety Act (PWSA) (P.L. 95-474, 33 U.S.C. 1223) authorizes the Secretary of Transportation to "designate necessary fairways and traffic separation schemes" in order to "provide safe access routes for movement of vessel traffic proceeding to or from the ports or other places subject to the jurisdiction of the United States". This authority was delegated to the Commandant, U. S. Coast Guard by 49 CFR 1.46(n).

The PWSA requires the Secretary of Transportation to undertake a study of the potential traffic density and the need for safe access routes for vessels in any area for which fairways or traffic separation schemes are proposed or otherwise considered and publish the notice in the Federal Register.

The PWSA also authorizes the Secretary of Transportation to adjust the location or limits of designated fairways or traffic separation schemes in order to accommodate the needs of other uses which cannot be reasonably accommodated otherwise. The adjustment cannot unacceptably adversely affect the purpose for which the existing designation was made and the need for which continues. If adjustment is supported by a Port Access Route Study, the IMO adoption process is initiated in addition to the rulemaking process.

D. THE STUDY AREA: The study area is bound by a line connecting the following NAD 83 geographic positions:

<u>Latitude</u>	<u>Longitude</u>
39°00'N	75°10'W
38°50'N	74°30"W
38°25'N	74°30'W
38°25'N	75°10'W

The study area encompasses the existing TSS which was adopted by the International Governmental Maritime Consultative Organization (predecessor to the International Maritime Organization) on October 28, 1969. A change to the southeastern approach lanes was implemented on March 15, 1976.

The TSS Off Delaware Bay consists of two parts as described below:

Part I: Eastern Approach

(a) A separation zone bounded by a line connecting the following geographical positions:

<u>Latitude</u>	<u>Longitude</u>
38°46.8'N	74°34.6'W
38°46.8'N	74°55.7'W
38°47.8'N	74°55.4'W
38°47.8'N	74°34.6'W

(b) A traffic lane for westbound traffic between the separation zone and a line connecting the following geographical positions:

<u>Latitude</u>	<u>Longitude</u>
38°49.8'N	74°34.6'N
38°48.8'N	74°55.3'W

(c) A traffic lane for eastbound traffic between the separation zone and a line connecting the following geographical positions:

<u>Latitude</u>	<u>Longitude</u>
38°45.8'N	74°56.1'W
38°44.8'N	74°34.6'W

Part II: Southeastern Approach

(a) A separation zone bounded by a line connecting the following geographical positions:

<u>Latitude</u>	<u>Longitude</u>
38°27.0'N	74°42.3'W
38°42.2'N	74°57.2'W
38°43.4'N	74°58.0'W
38°27.6'N	74°41.3'W

(b) A traffic lane for north-westbound traffic between the separation zone and a line connecting the following geographical positions:

<u>Latitude</u>	<u>Longitude</u>
38°28.8'N	74°39.3'W
38°45.1'N	74°56.6'W

(c) A traffic lane for south-eastbound traffic between the separation zone and a line connecting the following geographical positions:

Latitude

Longitude

38°42.8'N

74°58.9'W

38°27.0'N

74°45.4'W

Precautionary Area

A precautionary area with a radius of eight miles centered upon Harbour of Refuge Light in geographical position 38°48.9'N, 75°05.6'W.

II. ELEMENTS CONSIDERED

A. Vessel Traffic Density: Data was obtained from U. S. Army Corps of Engineer's Publication Waterborne Commerce of the United States ,1993, for the Philadelphia Army Corps of Engineers District and the Ports of Philadelphia Maritime Exchange.

Data from Waterborne Commerce of the United States tallies marine traffic to/from a port but does not indicate whether vessels entered the Ports of Philadelphia by way of the mouth of the Delaware Bay or through the Chesapeake and Delaware Canal or, in the case of tugboats/towboats, whether these type vessels were intra-Delaware Bay transits or were bound for the Atlantic Ocean or Chesapeake Bay via the Chesapeake and Delaware Canal.

Government vessels are not tabulated in vessel transits by Waterborne Commerce of the United States . A comparison of Waterborne Commerce of the United States for 1984 data with the 1993 data for Delaware River, Trenton, N.J. to the sea (consolidated report), indicates an increase of total tonnage from 98,084,000 to 120,510,000 - a 22.9% increase in 9 years.

The following information was obtained from the Ports of Philadelphia Maritime Exchange:

ANNUAL FROM THE SEA ARRIVALS BY YEAR: DELAWARE RIVER PORTS		
Year	Total Ship Arrivals	Tug/Barge Arrivals
1987	2,959	Not Available
1988	3,041	Not Available
1989	3,002	Not Available

1990	2,936	Not Available
1991	2,700	Not Available
1992	2,581	Not Available
1993	2,579	Not Available
1994	2,679	1,015

Additionally, projections to the year 2005, based on a U. S. Maritime Administration report entitled "Merchant Fleet Forecast of Vessels in U.S. - Foreign Trade", indicate the number of dry bulk vessels serving the Atlantic Coast is expected to rise from 327 in 1980 to 463 in 1995 and 833 in the 2005-2050 period. This increase in vessels is expected to include a general shift towards larger bulk carriers.

The number of general cargo carriers serving the Atlantic Coast is expected to decline from 630 in 1980 to 267 in 1995 and then increase slightly to 298 in the 2005-2050 period. Total container vessels serving the Atlantic Coast are expected to increase significantly from 256 in 1980 to 566 in 1995 and 869 in the 2005-2050 period.

The number of neo-bulk carriers serving the Atlantic Coast is expected to increase from 12 in 1980 to 16 in 1995 and 19 in the period 2005-2050. The trend here is also expected to shift towards larger sized carriers.

U.S. Department
of Transportation

United States
Coast Guard



Commander
Fifth Coast Guard District

431 Crawford Street
Portsmouth, VA 23705
Staff Symbol: oan
Phone: (804) 398-6285

16651
17 MAY 1994

Mr. William A. Harrison
President
Ports of Philadelphia Maritime Exchange
913 Lafayette Building
Philadelphia, PA 19106

Dear Mr. Harrison:

On Friday, March 25, 1994 the Federal Register announced the Coast Guard was conducting a port access route study of the approaches to Delaware Bay to evaluate the need for changes to vessel routing measures.

To help us conduct the study, we are requesting any information you may have concerning the quantity of ships and tug/barge combinations; the types of vessels calling on the ports of Philadelphia; commodities carried and their tonnage, both exported and imported; any projections for the future; and any expected or projected changes for the future use of the ports of Philadelphia and their associated waterways.

If you have any questions my project officer is LT Tom Flynn at (804) 398-6285.

Sincerely

A handwritten signature in black ink, appearing to read "J. M. VAUGHN".

J. M. VAUGHN
Captain, U. S. Coast Guard
Chief, Aids to Navigation and
Waterways Management Branch
By direction of the Commander
Fifth Coast Guard District

Encl: 58 FR 14126

mailed file

LT Flynn Copy

Ports of Philadelphia
**MARITIME
EXCHANGE**



Leading the way to port progress

J. M. Vaughn
PLANS

June 21, 1994

J. M. Vaughn, Captain
U.S. Coast Guard
Chief, Aids to Navigation and
Waterways Management Branch
Fifth Coast Guard District
431 Crawford Street
Portsmouth, VA 23705

Dear Capt. Vaughn:

Thank you for your letter of 17 May 1994 requesting information on vessel traffic; commodities carried and their tonnage, both exported and imported; any projects for the future; and any expected or projected changes for the future use of the Ports of Philadelphia and their associated waterways. We note this information is required in connection with a port access route study of the approaches to Delaware Bay.

To assist, we are pleased to enclose herewith data which we believe to be self-explanatory concerning both ship and tug/barge traffic.

We will attempt to cover the additional requirements which you have listed as a part of your study as follows:

Commodities Carried and Their Tonnage

Included in the statistical data enclosed you will find general commodity information listed under category headings entitled "Discharged and Loaded". Please note that we are not the primary source for commodity type information and we do not have available commodity tonnages. We believe you will be able to obtain more comprehensive information utilizing the waterborne commerce statistics published by the Bureau of the Census and the U.S. Army Corps of Engineers.

Projects for the Future

We look for an increase in vessel traffic into Delaware River ports as a result of the following:

Samuel M. Schellenger, Chairman
Alfred J. Castagnola, Vice Chairman
William A. Harrison, President
Dennis J. Rochford, Vice President
James F. Young, Esq., Secretary/Solicitor
Mary Elisa Reeves, Esq., Assistant Secretary
Charles E. Mather III, Treasurer

437 Chestnut Street Suite 913
Philadelphia, PA 19106-2409 U.S.A.
Telephone (215) 925-1522
Fax: Corporate (215) 925-7489
Fax: Operations (215) 925-1128
Easylink/Telex 62857977

J. M. Vaughn, Captain
U.S. Coast Guard
Chief, Aids to Navigation and
Waterways Management Branch
June 21, 1994
Page Two

Upgrades now in place or expected within the next several years:

1. Unification of the Ports of Camden-Philadelphia under the auspices of the Delaware River Port Authority is expected to allow expanded marketing of these ports in a coordinated and cohesive fashion; creating additional waterborne commerce in the region;
2. The ports are now served by three Class I railroads which provide increased land access nationally to points throughout the United States and Canada;
3. In 1992, Congress authorized the deepening of the Delaware River navigable channel from 40 feet to 45 feet. Construction on this project is scheduled to begin in 1996. This will allow greater access for deep-draft bulk and general cargo vessels.
4. The Commonwealth of Pennsylvania, along with the three Class I railroads are investing a total of \$70 million in clearing bridge and tunnel restrictions to move high and wide project cargo including double-stacked container traffic.

Expected Changes for the Future Use of the Ports of Philadelphia

With the upcoming closure of the Philadelphia Naval Base, investigation is taking place to utilize at least some of the available land and port-related development, i.e. intermodal yard, industrial development associated with opportunities for the Port and future land banking for related uses.

If you require any additional information, please feel free to contact me.

Best wishes.

Sincerely,



Dennis Rochford
President

DJ:eab
Enclosure

Based upon data from October 1993 to April 1994*, the following is our 12-month projection for ships and tug/barges transiting to and from the Delaware Bay:

SHIPS:	SEA TO BALTIMORE.....	638
SHIPS:	SEA TO DEL RIV PORTS...	2,629
SHIPS:	BALTIMORE TO SEA.....	531
SHIPS:	DEL RIV PORTS TO SEA...	2,508

		6,306

TUG/BARGES:	SEA TO BALTIMORE.....	149
TUG/BARGES:	SEA TO DEL RIV PORTS...	1,015
TUG/BARGES:	BALTIMORE TO SEA.....	96
TUG/BARGES:	DEL RIV PORTS TO SEA...	975

		2,235

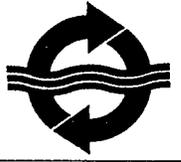
* The period selected reflects the most current vessel data that contains the most accurate ship, tug and barge information available.

COMPILED BY: PORTS OF PHILA. MARITIME EXCHANGE

ANNUAL ARRIVALS BY RIG & YEAR : DELAWARE RIVER PORTS

YEAR	G E N E R A L C A R G O					MEAT-FRUIT & DAIRY		D R Y B U L K			BULK PRODUCTS or P E T R O L E U M				AUTOS	PASSENGER	Totals
	Breakbulk	Container	Part Cont	Ro Ro's	Reefers	Bulk	Ore	Bulk Oil	Ore Oil	Tanker	Chem Tank	Liq-Gas	Vehicle	Passenger			
1987	364	296	48	169	222	633	17	73	11	955	-	26	104	41	2,959		
1988	333	324	42	204	266	662	19	63	1	981	-	18	109	19	3,041		
1989	262	355	32	190	340	599	10	42	4	893	123	19	114	19	3,002		
1990	249	377	12	170	382	531	18	50	3	846	120	39	117	22	2,936		
1991	259	381	8	129	413	406	16	33	4	800	96	43	97	15	2,700		
1992	261	375	7	133	330	338	16	32	-	819	99	44	101	26	2,581		
1993	302	362	5	120	306	349	13	34	-	857	96	32	88	15	2,579		

COMPILED BY: PORTS OF PHILA. MARITIME EXCHANGE



Leading the way to port progress

1993

MONTHLY:

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
1991	238	210	245	257	250	214	236	205	220	209	208	208
1992	231	206	232	226	211	239	203	206	188	219	203	217
1993	214	197	242	213	223	221	202	210	213	230	197	217

1993	TOTALS
BULK/OIL	34
BULK CARRIER	349
CONTAINER	362
CHEMICAL TANKER	96
BREAKBULK	302
LIQUID GAS	32
ORE CARRIER	13
PART CONTAINER	5
PASSENGER CARRIER	15
ROLL ON ROLL OFF	120
REFRIGERATED	306
TANKER	857
VEHICLE CARRIER	88

CUMULATIVE:

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
1991	238	448	693	950	1,200	1,414	1,650	1,855	2,075	2,284	2,492	2,700
1992	231	437	669	895	1,106	1,345	1,548	1,754	1,942	2,161	2,364	2,581
1993	214	411	653	866	1,089	1,310	1,512	1,722	1,935	2,165	2,362	2,579

AGENT TOTALS	
A W IVERS	1
ALLIED	11
ASPEN	224
ATLANTIC TANK	15
AUTOLINERS	66
BILL BLACK	20
BREAKWATER MAR	9
CAPIES SHIPPING	129
COASTAL	7
COLUMBUS	65
DEEPSEA	19
DEL VAL MAR	88
DELMONTE	52
DOLE	36
EKLOF	2
EKLOF MARINE	13
GENERAL	55
GULF & ATLANTIC	27
HORIZON MARINE	2
HVIDE	20
INCHCAPE	384
IVERS	3
KERR	44
KURZ MORAN	57
LUKOWSKI	8
MAERSK	2
MANATEE	4
MARINE CARGO	50
MASTER	87
MCAULIFFE	27
NAVIOS	48
NORTON LILLY	17
OMI	3
PENN-ATTRANSO	1
R & O	58
RAFFERTY	1
RAINBOW NAV	1
ROMAST	31
RUOREYH.	540
SALEM MARITIME	14
SANDPIPER	40
SOBELMAN	4
T PARKER HOSI	8
TECMARINE	45
TERMINAL	71
TEXACO	23
TRANS ATLANTIC	43

PIER TOTALS	
1 BROADWAY	20
122 SOUTH	59
2 GIRARD PT	1
5 BROADWAY	50
80 SOUTH	95
82 SOUTH	5
84 SOUTH	15
BP PAULS	27
BPMH	80
BSB ONLY	12
C GIRARD PT	19
CAMDEN TERM	130
CITGO PETRO	50
DELMRE CITY	95
DOMTAR	9
EAGLE POINT	81
FAIRLESS	8
FORT MIFFLN	84
GATX-NJ	7
GATX-PA	67
GIBBSTOWN	8
H PORT RICH	18
HESS	17
HOG ISLAND	74
HOLT	44
KOCH	2
KOCH OIL	1
MC & FORBES	3
MCA ONLY	3
MHA ONLY	9
MID-AIL	59
MOBIL PAULS	111
NAT GYPSUM	16
NAVY YARD	1
NORTHERN	36
OCEANPORT	4
PACKER AVE	173
PECO	1
PENN TERM	286
PENNS LNDG	12
PETIYS IS	10
PHL HARBOR	1
PT BREEZE	1
SUN OIL	215
TCI	4
TIOGA	167
TRANSOIL	2

FLAGS	
LI	549
BS	316
PA	250
AM	239
NX	202
CY	135
GE	123
GR	112
IT	66
DU	49
SG	38
DX	36
NA	28
PI	27
SV	26
NA	25
KO	22
LU	22
AI	22
NO	21
RC	19
HK	18
VA	17
BD	17
FI	15
RS	12
TV	12
JA	11
PH	10
TU	9
BR	9
BZ	9
IN	9
CA	8
VE	8
CQ	6
SS	6
LV	6
SW	6
UE	6
CH	6
BM	5
MISC	47

DISCHARGED	
#2 OIL	2
#6 OIL	38
AMMONIA	2
ASPHALT	12
AUTOS	44
BAUXITE	2
BENZENE	5
BUTANE	7
CASHEW OIL	1
CAUSTICSODA	11
CHEMICALS	83
CHROME ORE	2
COAL	4
COCOA	34
COCOA/LUMBR	2
COCOA/MINS	1
COCOA/ORE	1
CONTAINERS	305
CRUDE	536
CUMENE	1
DOLOMITE	1
ETHENOL	1
EXPLOSIVES	2
FRUIT	373
FUEL OIL	18
GARLIC	1
GAS	5
GAS OIL	6
GAS	1
GENERAL	74
GYPSUM	36
HEAVY LIFT	1
IRON ORE	10
JUICE	15
LICORICE	3
LIQUID GAS	2
LUBES	11
LUMBER	23
MACHINERY	1
MAGNESITE	7
MANGANESE	1
MEAT	17
MEAT/DAIRY	22
MEAT/FISH	15
MEAT/FRUIT	1
METHANOL	2
MINERALS	1
MOLASSES	2
MIBE	17
NAPHTHA	8
NITRATE	6
NONENE	2
NUT OIL	3
OCTANE	1
OIL	11
ORE	47
PAPER	92
PASSENGERS	11
PETCOKE	4
PIPES	1
PLYWOOD	57
PRODUCT	1
PROJECT	2
PULP	1
RESIN	1
SALT	13
SCRAP	5
SLAG	3
STEEL	106
STEEL/WOOD	1
SULFATE	3
TOLUENE	1
UREA	3
AUTOS	1
VGO	21
VGO-FUELOIL	1
WAX	2
WIRE RODS	5
WOOD	1
WOODPULP	1
ZINC	2
ZIRCON	2

LOADED	
#2 OIL	3
AUTOS	84
AUTOS/PAPER	1
BUTTER	1
CHEMICALS	31
COAL	2
COKE BREEZE	2
CONTAINERS	252
CRANE	1
CUMENE	1
CYLENE	1
DOLOMITE	3
FRUIT	2
FUEL OIL	2
GAS	2
GASOLINE	1
GENERAL	42
HEAVY LIFT	1
LEAD	1
LUBES	14
MACHINERY	1
MCB	1
MILK	1
NAPHTHA	2
NONENE	1
NONENE/ZYLN	1
OIL	1
PAPER	3
PASSENGERS	8
PETCOKE	6
PROJECT	18
PROPLYENE	1
PROPLYENE	9
REBARS	2
SCRAP	15
STEEL	2
WASTE PAPER	1
ZINC	3

U.S. Department
of Transportation

United States
Coast Guard



Commander
Fifth Coast Guard District

431 Crawford Street
Portsmouth, VA 23704-5004
Staff Symbol: oan
Phone: (804) 398-6285

16651
19 October 1994

Ms. Lisa B. Humber
Manager, Computer Operations TRACS Division
Ports of Philadelphia MARITIME EXCHANGE
512 Lafayette Building
Philadelphia, PA 19106

Dear Ms. Humber:

This letter is in regard to telephone conversations you have had with LCDR Tom Flynn concerning statistics on tug/barge movements on the Delaware Bay.

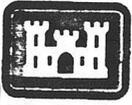
LCDR Tom Flynn is the project officer for a Port Access Route Study (PARS) of the Delaware Bay Entrance. You have previously provided shipping information for the Bay and River Delaware which has proven very beneficial. However, in order to determine a better picture of traffic density and trends, more information concerning the movement of tug/barge traffic at the mouth of the Delaware Bay from 1989 forward would be extremely helpful. We are only looking for the number of transits to and from Bay and River Delaware ports, no company names, tug names or other proprietary information please. If you could obtain this information, it will help us to determine if any changes in traffic routing at the bay entrance are necessary or beneficial.

If you have any questions please call LCDR Tom Flynn at (804) 398-6285.

Sincerely,

A handwritten signature in cursive script that reads "J. M. VAUGHN".

J. M. VAUGHN
Captain, U. S. Coast Guard
Chief, Aids to Navigation and
Waterways Management Branch
By direction of the Commander
Fifth Coast Guard District



U.S. Army Corps
of Engineers

Navigation Data Center Update Waterborne Commerce Statistics Center

flw 12/2
Jan
12/2

NDC
Casey Building
Fort Belvoir, VA 22060-5586
(703) 355-3062

WCSC
P.O. Box 61280
New Orleans, LA 70161-1280
(504) 862-1424

November 16, 1993

Notice of Availability

(1) 1991 Waterborne Commerce of the United States (WCUS), Parts 2, 3, and 4

Copies of calendar year (CY) 1991 WCUS Advance Information is now available for Part 2, Mississippi River System-Gulf Coast Region; Part 3, Great Lakes; and Part 4, Pacific Region. Please note that the advance information contains freight tables for ports and waterways, but does not contain the trip and draft tables. (no charge)

(2) Waterborne Commerce of the United States, National Summaries, Part 5, CY 1990 (\$2.00)

(3) Public Domain Database (Area to Area and State to State) for CY 1990 (\$35.00 hardcopy with diskette for Area to Area or State to State)

(4) Tonnage for Selected United States Ports in 1991 (no charge)

(5) Estimated Waterborne Commerce Statistics for CY 1992 (no charge)

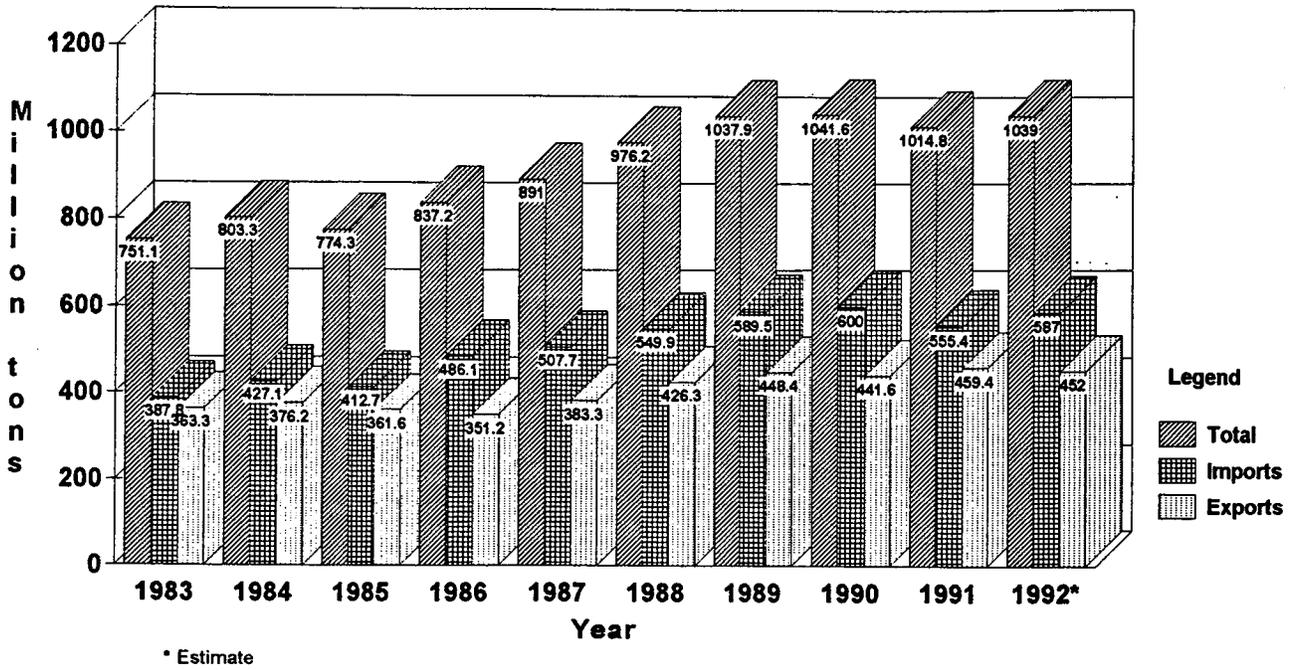
(6) Waterborne Transportation Lines of the United States for CY 1992 (\$7.00)

To obtain copies call Mr. Roy Walsh at (504) 862-1424.

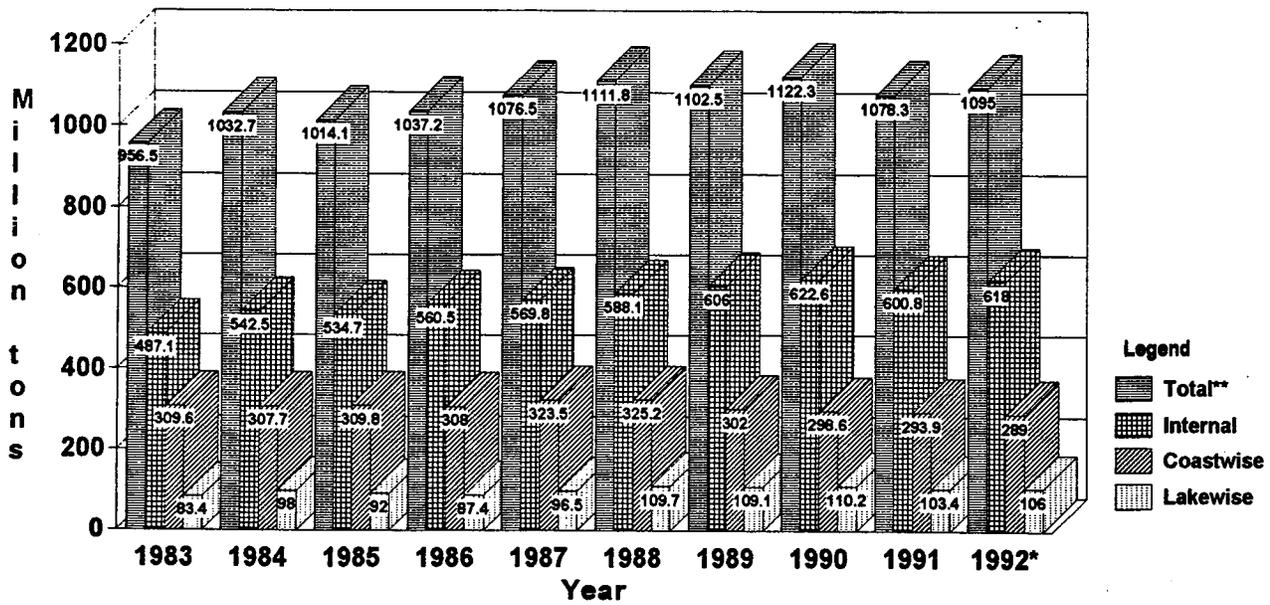
Top 25 U. S. Ports for Preliminary CY 1992 (Thousands of Tons and Change from 1991)

	CY1991	CY1992	% Change
1 South Louisiana, LA, Port of	18,937	19,966	5.2
2 Houston, TX	13,123	13,766	4.7
3 New York, NY & NJ	12,686	11,514	-10.2
4 Valdez, AK	9,962	9,374	-6.3
5 Baton Rouge, LA	8,763	8,457	-3.6
6 New Orleans, LA	6,090	6,601	7.7
7 Corpus Christi, TX	5,905	6,087	3.0
8 Plaquemine, LA, Port of	5,378	5,850	8.1
9 Norfolk Harbor, VA	5,347	5,340	-0.1
10 Long Beach, CA	5,289	5,203	-1.7
11 Tampa, FL	4,955	4,641	-6.8
12 Lake Charles, LA	4,124	4,401	6.3
13 Texas City, TX	4,329	4,310	-0.4
14 Mobile, AL	4,126	4,048	-1.9
15 Philadelphia, PA	3,726	3,971	6.2
16 Los Angeles, CA	4,701	3,954	-18.9
17 Duluth-Superior, MN & WI	3,772	3,826	1.4
18 Baltimore, MD	3,774	3,766	-0.2
19 Pittsburgh, PA	3,128	3,434	8.9
20 Port Arthur, TX	2,984	3,352	11.0
21 St. Louis, MO & IL	2,926	3,195	8.4
22 Pascagoula, MS	2,957	2,925	-1.1
23 Portland, OR	2,930	2,823	-3.8
24 Newport News, VA	2,917	2,445	-19.3
25 Beaumont, TX	2,238	2,270	1.4

Foreign Waterborne Imports and Exports 1983-1992



Domestic Waterborne Commerce of the U.S. by Type of Traffic 1983-1992



B. PORT DESCRIPTION

In a Navigation Data Center Update issued by the U. S. Army Corps of Engineers dated November 1993, the port of Philadelphia was listed number 15 in the top 25 U. S. Ports for Preliminary CY 1992 with a 6.2% increase in thousands of tons of cargo handled over CY 1991.

In recent years there have been significant changes to industry along the Delaware River. The Fairless Steel plant located on the Upper Delaware River has closed down, however the steel presses are still in operation and several industries have shown interest in acquiring the property. There has been speculation of establishing a nuclear waste holding and processing facility at the former steel plant.

The National Gypsum facility at Burlington, New Jersey is operating at full-time basis being supplied by a large, Great Lakes seagoing carrier.

The Mercer power plant at Trenton, NJ has been retooled in order to burn coal until 2025 and beyond. The Mercer power plant currently receives 1.4 million tons of coal annually via tug/barge.

A co-generation power plant has recently opened adjacent to the Marcus Hook Anchorage and expects to receive 750,000 tons of coal annually via barge.

On a down note the Philadelphia Naval Base and Shipyard are scheduled to close in 1995, however, there have been proposals

for its continued use upon eventual closure.

Until recently the ports of Philadelphia, PA and Camden, NJ were competing for cargoes. In May 1994, Pennsylvania and New Jersey signed an agreement which merged the two previous port commissions into one known as the Ports of Philadelphia and Camden (PPC). This merger is an attempt to market the entire area and attract new business rather than compete.

Following are excerpts from Waterborne Commerce of the United States indicating the types of cargoes imported and exported through the ports of Philadelphia.

C. DREDGING PLAN

The Philadelphia Harbor to the Sea 45 Foot Channel Project is in its final design phase. Construction is expected to begin in FY-97 and completion forecast for 2003. The following dimensions represent the design vessel for this project:

length	931 feet
beam	145 feet
design draft	58 feet(lightered to 45 feet)
dead weight tons	160,000

These numbers represent crude oil tankers which are the dominant vessel type both in size and numbers. The largest containerized vessel anticipated to use the channel is the post-Panamax vessel of approximate dimensions:

length	950 feet
beam	130 feet
design draft	42 feet
dead weight tons	55,000

The existing authorized channel dimensions present constraints to the efficient movement of bulk vessels (liquid, dry and scrap). Currently, the maximum acceptable ship draft in the 40 foot deep channel is 40 feet (fresh water) for vessels using the tides. Inadequate depths have caused bulk shippers to rely on expensive alternatives such as lightloading, lightering and waiting for tides. According to the U. S. Army Corps of Engineers, the upcoming fleet of container vessels now on order,

would benefit from a deeper channel.

The U. S. Army Corps of Engineers initiated the "Delaware River Comprehensive Navigation Study - Midstream Deepwater Port Study", in 1992. The objectives of this study are to:

(1) provide improved access to Anchorage A off the entrance to Mispillion River [33 CFR 110.157 (a)]; and

(2) to dredge a more effective configuration at Anchorage A off the entrance to Mispillion River [33 CFR 110.157(a)] to facilitate better lightering operations. A one-way access channel leading from the ocean to Anchorage A is under consideration. The results of either of these COE studies will not impact any actions proposed by this Delaware Bay Port Access Route Study.

DEPARTMENT OF THE ARMY
Philadelphia District, Corps of Engineers
Wanamaker Building, 100 Penn Square East
Philadelphia, Pennsylvania 19107-3390

CENAP-PL-PS (1105-2-10a)

29 September 1992

MEMORANDUM FOR Commander, (OAN), Fifth Coast Guard District, 431
Crawford Street, Portsmouth, VA 23704-5004

SUBJECT: Delaware River Comprehensive Navigation Study - Midstream
Deepwater Port (Navigation Aids)

1. The subject study area includes the Lower Delaware Bay, the mouth of the Bay (located between Cape Henlopen, DE and Cape May, NJ), and the ocean lanes leading to the Bay. (Refer to map.)
2. The objectives of the subject study are (1) to provide improved access to Big Stone Beach Anchorage for deep draft vessels (oil tankers) and (2) to dredge a more effective configuration at the anchorage to facilitate better lightering operations.
3. The plan of improvement currently under consideration consists of a one-way access channel leading from the ocean to Bigstone Beach Anchorage. The access channel is first aligned along the outside (seaward) edge of the Delaware to Cape Henlopen inbound ocean lane. The channel then leads to the Pilot Area near Cape Henlopen and from the Pilot Area through the Delaware Bay to Big Stone Beach Anchorage. The plan of improvement also consists of deepening a portion of the anchorage. This portion would be a rectangle located in the lower (southeastern) corner of the anchorage. (Refer to map.)
4. Your assistance is requested in identifying any navigation aids that would be required for the proposed plan of improvement. Also needed are the initial and maintenance costs for the required navigation aids.
5. The analysis of navigation aids should include consideration of improvements that may be needed for zero visibility conditions. Vessels must travel through the ocean lane, the Bay channel, and into Bigstone Beach Anchorage even as visibility goes to zero.
6. For further information on this project, contact Mr. William Mulloy of my staff at (215) 656-6583.

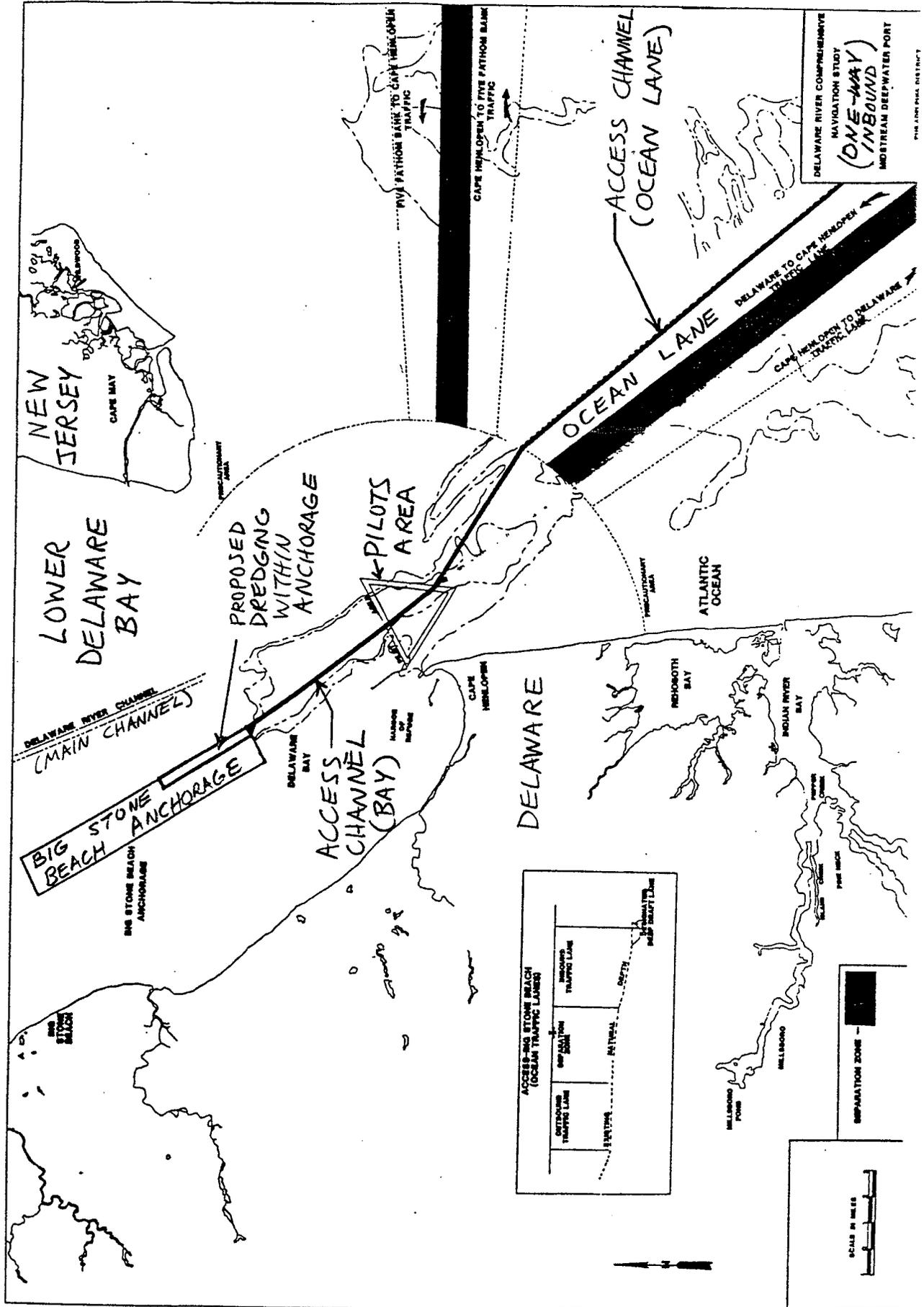
FOR THE COMMANDER:

Encl

ROBERT L. CALLEGARI
Chief, Planning Division

MIDSTREAM DEEPWATER PORT

(ONE-WAY INBOUND PLAN)



D. PORT IMPROVEMENT PLANS

Competition between east coast ports is fierce. The cities of Philadelphia, Trenton, Camden, Chester, Wilmington, Salem and the numerous smaller ports of the Bay and River Delaware comprise the world's largest fresh water port. The Delaware River Port Authority has taken an active role to expand and enhance the marketing of the region world wide with an expected expansion in waterborne commerce.

Located halfway between the ports of New York and Baltimore along the busy northeast corridor, the area is linked by efficient railway and highway transportation systems. The area is a major trucking center and is served by the Conrail, Canadian-Pacific and CSX rail systems - all Class I railroads.

Dredging the main channel to 45 feet is the largest port improvement planned for the near future. The Ports of Philadelphia are depending on this project to remain competitive and safe in a world market.

E. LOCAL CONDITIONS

Weather and Tidal Information: The mean range of the tide ranges from 4.2 feet in Breakwater Harbor at the mouth of the Delaware Bay to 6.8 feet at the head of navigation in Trenton, NJ. The spring range is from 4.9 feet to 7.1 feet respectively. Tides are semidiurnal with variations caused by the distance and phase of the moon. Variations in tidal elevations of more than 10 feet may be encountered from hurricanes and northeasters. Current velocities of 1.8 knots occur in the Delaware Bay entrance.

Wind and Wave Data: Strong northwesterlies prevail from November through March with gales being encountered from 1 to 3 percent of the time. Seas can build to 10 feet or more about 1 percent of the time from November through March. High seas can be encountered with northwest or southeast winds. Seas average 3 feet from October through March. In summer months prevailing southerlies are often reinforced by sea breezes with afternoon wind speeds reaching 15 to 25 knots. Strong easterly or southeasterly winds may cause higher than predicted tides resulting in flooded lowlands and damage to waterfront property.

Visibility Conditions: Visibility is generally good but may be sometimes reduced by fog, precipitation, smoke, and haze. Visibility can be at its worst from December through June. Fog

is a frequent visitor during April, May and June with visibilities decreasing to 0.2 miles or less about 3 percent of the time. Fog is least likely in July, August and September. In January and February visibility may be 2 miles or less due to precipitation, mostly snow.

Ice Conditions: In normal winters there is enough ice to be of concern. Thin ice has been known to form early in December in the upper reaches of the Delaware Bay and River. Tidal currents normally keep the ice moving except in narrow parts of the Delaware River where it packs. Ice rarely lasts beyond late February or early March. In severe winters such as those of 1977 and 1994 ice has hampered navigation even in the mouth of the Delaware Bay.

Severe Weather Conditions: Weather can be hazardous to navigation within the study area in all seasons. Winter navigation can be affected by extratropical storms which occur frequently in the mid-Atlantic coast of the United States. These low pressure systems, originating either in the Gulf of Mexico or along the southeastern coast, usually move northward through northwestward. These systems sweep through the region often producing strong gusty winds and heavy rain or snow. Tropical storms and hurricanes, most likely to appear from June through November, are rare but are none-the-less a threat to navigation.

Tropical storms usually form over a wide range of ocean between the Cape Verde Islands and the Windward Islands, over the western Caribbean Sea, and in the Gulf of Mexico. Tropical storms normally follow a northeast or east track off the mid-Atlantic coast and generate strong winds, heavy seas and significant tides.

Obstructions: There are two approaches to the Delaware Bay entrance within the study area consisting of two traffic separation schemes. The scheme is recommended for use by vessels approaching or departing the Delaware Bay, but not necessarily intended for tugs, tows or other small vessels who normally operate outside the traffic lanes or close inshore. The eastern approach inbound traffic lane has depths from 37 feet or more at its eastern end to 34 feet at the west end. Least depth spots covering 28 to 30 feet are inside the precautionary area in the western extension of the traffic lane. The eastern approach outbound traffic lane has depths of 40 feet or more. The southeastern approach inbound lane has depths of 58 feet or more, while the outbound lane has depths of 51 feet or more.

During 1992 and 1993 the National Ocean Service conducted hydrographic surveys in the study area and the approaches to Delaware Bay. Formerly charted obstructions were investigated, and either proven to exist or disproved. The 58 foot contour at

the western end of the southeastern approach inbound traffic lane was discovered to have migrated to the southwest into the separation zone. A new edition (ed 38) of chart 12214 was published on September 17, 1994 incorporating results of these surveys.

F. ECONOMIC IMPACTS

The intent of any Traffic Separation Scheme or other routing measure is to insure safe navigation. There are currently concerns about deep draft vessels approaching in the eastern approach inbound traffic lane encountering outbound tug and barge traffic who traditionally use the shallower waters inshore of the eastern approach traffic lane.

These concerns have been raised by the Mariners Advisory Committee for the Bay and River Delaware. The Committee was established in 1964 to promote the economic success of the Port of Philadelphia. It is a fundamental part of the Delaware River Traffic Management Service and has become a forum for the users of the Delaware River to work out practical solutions to shared mutual problems. It publishes advisories concerning maximum drafts and ship movements to assist operators scheduling cargo and chartering ships.

The Committee consists of master mariners, river pilots, representatives of transportation and shipping industry interests, the Pilots' Association of the Bay and River Delaware, towing industry, docking pilots, and bulk and general cargo vessel operators. Associate members include the U.S. Coast Guard (Fifth Coast Guard District and Philadelphia Captain of the Port), the Philadelphia District Engineer for the U.S. Army Corps of Engineers, National Oceanic and Atmospheric Administration and other governmental officials.

The cargoes carried by these tugs and tows include various petroleum fuels, and other hazardous chemicals. There have been a number of near misses and at least one collision within the past five years in this locale that spilled approximately 150,000 gallons of unleaded gasoline. Outbound tugs with tows routinely take departure from Brandywine Channel, head on a southeasterly course past Delaware Bay Entrance Channel Lighted Buoy 8 and in the vicinity of Delaware Bay Entrance Lighted Buoy 6 change course to a north easterly heading. This course change occurs within the Precautionary Area near the Pilot Area. This traditional route frequently confuses inbound deep draft vessels who are unaware of local tug practices. These tug practices place inbound vessels, initially in a crossing situation, transition into a possible collision situation, and then again into a crossing situation. Licensed state pilots have not yet boarded the incoming deep draft vessel and the master of the inbound ship must now determine what options apply as the situation changes while entering unfamiliar pilotage waters. To complicate the situation further, voice communications are hampered due to language barriers. This situation is worsened at night when the inbound ship sees a green, then red and green then red side lights in a close quarters situation. Any alteration or reorientation of the eastern approach traffic lanes needs to eliminate or reduce crossing/meeting situations between these vessels. If this can be accomplished, a much higher degree of

safety will be realized. Any collision that might occur will definitely have an adverse economic affect on the region due to the high potential for an oil spill and possible channel closure.

The summer resort community of Cape May, New Jersey is located approximately seven miles north, and the summer resort community of Rehobeth Beach, Delaware lies approximately ten miles to the southwest of the area of concern. Any large spill poses a severe threat to the economic stability of both communities.

III. Environmental Considerations

General. This section is a summary of the results of studies conducted and/or funded by the U. S. Army Corps of Engineers, Philadelphia District, in conjunction with the Delaware River Comprehensive Navigation Study. The Final Interim Feasibility Report was completed in February 1992. The main emphasis of the Army Corps of Engineers study was to analyze the ability of the various channels to respond to the needs of current and future waterborne commerce. The objective of the study was to address and evaluate current problems, such as adequacy of facilities, delays in intermodal transfers, channel dimensions, storage locations and capacities, and other physical factors affecting waterborne commerce on the Delaware River. The goal of the study was to identify an appropriate plan for the efficient use and logical development of the Delaware River port system. Additionally the study addressed the disposal of dredged material.

Study Area. The Delaware River Comprehensive Navigation Study (DRCNS) addressed the navigation related problems of all waterways supporting commercial activity along the Delaware River and tributaries from Trenton, New Jersey to the sea. The study area of the Port Access Route Study (PARS) overlaps with the study area of the Delaware River Comprehensive Navigation Study and therefore the Army Corps of Engineers DRCNS Final

Environmental Impact Study complements this PARS and appropriate sections are included.

A Categorical Exclusion Determination for the study area of this Port Access Route Study has been made by Commanding Officer, Coast Guard Civil Engineering Unit Cleveland and is included.

The summer resort communities of Cape May, New Jersey and Rehobeth Beach, Delaware are made up of coastal wetlands and sand dunes inhabited by many varieties of fish, mammals, reptiles and birds. Any large spill poses a severe threat to the environmental stability of both communities. Further, any large spill also has the potential to migrate with the tides and currents posing threats to other bayside and coastal communities in the states of Delaware and New Jersey.

U. S. COAST GUARD
 CATEGORICAL EXCLUSION DETERMINATION
 FOR DELAWARE BAY APPROACHES PORT ACCESS STUDY
 IN DELAWARE BAY, DELAWARE AND NEW JERSEY

The Fifth Coast Guard District proposes to conduct a Port Access Route Study of approaches to Delaware Bay to determine the need for changes to vessel routing measures. This proposed study was advertised in the Federal Register on March 25, 1994, and only two comments in favor of the study were received.

This action has been thoroughly reviewed by the Coast Guard and it has been determined, by the undersigned, to be categorically excluded from further environmental documentation, in accordance with 2.B.2.d of The NEPA Implementing Procedures, COMDTINST M1 16475.1B, since implementation of this action will not result in any:

1. Significant cumulative impacts on the human environment;
2. Substantial controversy or substantial change to existing environmental conditions;
3. Impacts which are more than minimal on properties protected under 4(f) of the DOT Act as superseded by Public Law 97-449, and Section 106 of the National Historic Preservation Act;
4. Inconsistencies with any Federal, State, or local laws or administrative determinations relating to the environment.

Should be 2.B.2.c.

<u>9/28/94</u> Date	<u><i>Gary L. Nelson</i></u> Mr. Gary L. Nelson Preparer	Environmental Protection Specialist Title/Position
<u>9/29/94</u> Date	<u><i>Frank Blaha</i></u> Mr. Frank Blaha Environmental Reviewer	Chief, Environmental Compliance Section Title/Position
<u>9/29/94</u> Date	<u><i>R A Koehler</i></u> R. A. Koehler, Commander Responsible Official	Commanding Officer Civil Engineering Unit, Cleveland, Ohio Title/Position

U.S. Department
of Transportation

United States
Coast Guard



Commander
Fifth Coast Guard District

431 Crawford Street
Portsmouth, VA 23705
Staff Symbol: oan
Phone: (804) 398-6285

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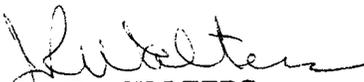
From: Commander, Fifth Coast Guard District
To: Commanding Officer, Coast Guard Civil Engineering Unit
Cleveland

SUBJ: PORT ACCESS ROUTE STUDY DELAWARE BAY APPROACHES

Ref: (a) 58 FR 14126

1. Reference (a) announced the Coast Guard was conducting a Port Access Route Study of the approaches to Delaware Bay to determine the need for changes to vessel routing measures.

2. A determination is requested for a categorical exclusion for this port access route study.


J. R. WALTERS
By direction

Encl: (1) 58 FR 14126

Applicability: Model 382, 382E, and 382G airplanes; equipped with a servo-type housing assembly, having part number 25-2, -3, -5, -6, or -7, installed on any card engine; certificated in any category.

Compliance: Required as indicated, unless accomplished previously. To ensure that the airplane is operated at sufficient speeds to mitigate the problems associated with a faster thrust decay and to prevent the airplane from departing the side of the runway, accomplish the following:

(a) Within 60 days after the effective date of this AD, revise the Limitations and Performance Data Sections of the FAA-approved Airplane Flight Manual (AFM) to include the information specified in Lockheed Airplane Flight Manual (AFM) Supplement 382-16, dated August 11, 1993, and operate the airplane accordingly thereafter. The requirements of this paragraph may be accomplished by inserting AFM Supplement 382-16 into the AFM.

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Atlanta Aircraft Certification Office (ACO), FAA, Small Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Atlanta ACO.

Note: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Atlanta ACO.

Special flight permits may be issued in accordance with Federal Aviation Regulations (FAR) 21.197 and 21.199 to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on March 21, 1994.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 94-7069 Filed 3-24-94; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 101

[Docket No. 90N-0134]

RIN 0905-AD08

Food Labeling: Reference Daily Intakes; Reopening of Comment Period and Correction

AGENCY: Food and Drug Administration, HHS.

ACTION: Proposed rule; reopening of comment period and correction.

SUMMARY: The Food and Drug Administration (FDA) is reopening until

April 25, 1994, the comment period on a proposed rule to establish Reference Daily Intakes (RDI's) for vitamin K, selenium, chloride, manganese, fluoride, chromium, and molybdenum for use in declaring the nutrient content of a food on its label or labeling; to change the units of measure for biotin, folate, calcium, and phosphorus; and to make consideration of selenium, molybdenum, fluoride, and chromium optional when determining nutritional inferiority, which appeared in the *Federal Register* of January 4, 1994 (59 FR 427). FDA is taking this action because of an inadvertent error in the document on the date on which comments were due. In addition, the document was published with some editorial errors. This document corrects those errors.

DATES: The comment period is reopened until April 25, 1994. The agency is proposing that any final rule that may issue based on this proposal become effective 30 days after date of publication of that final rule.

ADDRESSES: Submit written comments to the Dockets Management Branch (HFA-305), Food and Drug Administration, rm. 1-23, 12420 Parklawn Dr., Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Camille E. Brewer, Center for Food Safety and Applied Nutrition (HFS-165), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-205-5483.

SUPPLEMENTARY INFORMATION: In the *Federal Register* of January 4, 1994 (59 FR 427), FDA issued a proposed rule to amend the food labeling regulations to establish Reference Daily Intakes (RDI's) for vitamin K, selenium, chloride, manganese, fluoride, chromium, and molybdenum for use in declaring the nutrient content of a food on its label or labeling; to change the units of measure for biotin, folate, calcium, and phosphorus; and to make consideration of selenium, molybdenum, fluoride, and chromium optional when determining nutritional inferiority. Because of an inadvertent error, the proposed rule specified two dates for the close of the comment period. On page 427, in the "DATES" section of the document, FDA listed March 7, 1994, as the close of the comment period. On page 431, in the "COMMENTS" section, however, the document incorrectly stated that July 7, 1994, would be the close of the comment period.

The agency's intent was to give the normal 60 days for comment; that is, to close the comment period on March 7, 1994. However, because of this error, the agency's intent was obviously

obscured. As a result, there may be interested persons who have not yet sent in their comments even though March 7, 1994 has passed. Therefore, to ensure that all interested parties have an opportunity to comment, FDA is reopening the comment period for an additional 30 days. Comments must be received no later than April 25, 1994.

In addition, the agency discovered some editorial errors in the document. This document corrects these errors.

In FR Doc. 93-31816, appearing on page 427 in the *Federal Register* of Tuesday, January 4, 1994, the following corrections are made:

1. On page 430, in the second column, in the 4th full paragraph, in the last line, the words "being an" are corrected to read "being labeled"; and in the third column, in the third line from the bottom, "section IV.C.1." is corrected to read "section IV.B."

2. On page 431, in the first column, in the first full paragraph, in the second line, the date "July 7, 1994" is corrected to read "March 7, 1994". This date is, of course, being extended until April 25, 1994 by this correction document.

Dated: March 17, 1994.

Michael R. Taylor,

Deputy Commissioner for Policy.

[FR Doc. 94-7034 Filed 3-24-94; 8:45 am]

BILLING CODE 4160-01-F

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 166

[CGD 94-023]

Port Access Routes; Approaches to Delaware Bay

AGENCY: Coast Guard, DOT.

ACTION: Notice of study.

SUMMARY: The Coast Guard is conducting a port access route study to evaluate the need for changes to the vessel routing measures in the approaches to Delaware Bay. Due to a number of near collisions, and at least one collision between an outbound tug-barge and an inbound deep draft ship, the Mariner's Advisory Committee of the Bay and River Delaware has requested that the eastern approach lane of the Traffic Separation Scheme (TSS) be adjusted and that an inshore traffic zone be established for coastwise traffic. This port access route study will determine what, if any, changes to the vessel routing measures are needed in the approaches to Delaware Bay. As a result of the study, a new or modified

TSS may be proposed in the Federal Register.

DATES: Comments must be received on or before June 23, 1994.

ADDRESSES: Comments should be mailed to Commander (oan), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, VA 23704-5004. The comments and other materials referenced in this notice will be available for inspection and copying at 431 Crawford Street, Portsmouth, VA, room 116. Normal office hours are between 8 a.m. and 4 p.m., Monday through Friday, except holidays. Comments may also be hand delivered to this address.

FOR FURTHER INFORMATION CONTACT: LT Tom Flynn, (804) 398-6285.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard is interested in receiving information and opinions from persons who have an interest in safe routing of ships in the study area. Vessel owners and operators are specifically invited to comment on any positive or negative impacts that they foresee, and to identify and support with documentation any costs or benefits which could result from the reconfiguration of the existing TSS.

Commenters should include their names and addresses, identify this notice (CGD 94-023), and give reasons for each comment. Receipt of comments will be acknowledged if a stamped, self-addressed post card or envelope is enclosed. In addition to the specific questions asked herein, comments from the maritime community, offshore development concerns, environmental groups and any interested parties are invited. All comments received during the comment period will be considered in the study and in development of any regulatory proposals.

The Fifth Coast Guard District will conduct the study and develop recommendations. LT Tom Flynn, Assistant Chief, Planning and Waterways Management Section, Aids to Navigation and Waterways Management Branch, Fifth Coast Guard District (804) 398-6285, is the project officer responsible for the study.

Background and Purpose

The 1978 amendments to the Ports and Waterways Safety Act (PWSA), 33 U.S.C. 1223(c), require that a port access route study be conducted prior to establishing or adjusting a traffic separation scheme (TSS). The Coast Guard is undertaking a port access route study to determine the effect of

amending the TSS on vessel traffic safety in the study area.

A TSS is an internationally recognized routing measure that minimizes the risk of collision by separating vessels into opposing streams of traffic through the establishment of traffic lanes. Vessel use of a TSS is voluntary; however, vessels operating in or near an International Maritime Organization (IMO) approved TSS are subject to Rule 10 of the International Regulations for Prevention of Collisions at Sea, 1972 (72 COLREGS).

The TSS in the Approaches to Delaware Bay was last studied in 1981, and the results were published on October 5, 1981, (46 FR 49035). The study concluded that the existing TSS was adequate for the foreseeable future.

A Coast Guard initiated Waterways Analysis and Management System Study (WAMS) of the Delaware Bay Approach, conducted in 1990, recommended reorientation of the eastern approach TSS to the south. WAMS was developed to serve as the basis for a systematic analysis and management of the aids to navigation in our nation's waterways. WAMS is intended to identify the navigational needs of the users of a particular waterway, the present adequacy of the aids system in terms of those needs, and what is required in those cases where the users' needs are not being met. The WAMS process also looks into the resources—physical, financial, and personnel—needed to carry out the Aids to Navigation program responsibilities. The analyses of each waterway and the attendant resources are then integrated to provide documentation for both day to day management and future planning within the Aids to Navigation program.

Because of safety concerns, the Mariners Advisory Committee for the Bay and River Delaware has also requested that the eastern approach lanes of the TSS be adjusted and that an inshore traffic zone be established for coastwise traffic.

As part of the Delaware River Comprehensive Navigation Study, the U.S. Army Corps of Engineers is also conducting a study to consider construction of a Midstream Deepwater Port to provide deep draft crude oil carriers improved access for lightering operations in Anchorage A (off the entrance to the Mispillion River), 33 CFR 110.157, southwest of Brandywine Channel. If the Army Corps of Engineers determines there is a need for a Midstream Deepwater Port, a one-way access channel leading from the ocean to Anchorage A, in the vicinity of the current Southeastern Approach, may be designed to facilitate the safe movement

of deep draft crude oil carriers to Anchorage A for lightering operations, and to encourage the use of larger and more efficient transport vessels to Delaware River ports. This channel would then lead through the Pilot Area near Cape Henlopen to Anchorage A, with the deepening of the lower (southeastern) corner of the anchorage. Incorporation of this study with the Army Corps of Engineers study is intended to identify those items of mutual concern and to blend channel deepening requirements into vessel traffic management requirements.

At the request of the Mariners' Advisory Committee for the Bay and River Delaware, four lighted buoys will be relocated within the Precautionary Area during the week of April 25, 1994. Relocation of these buoys will shift the pilot area one half nautical mile to the southeast and Delaware Bay Approach LB 4 one half nautical mile to the southwest. This will allow more sea room for tug and tow traffic approaching from and departing along the New Jersey coast.

Study Area

The study area is bounded by a line connecting the following geographic positions:

Latitude	Longitude
39°00' N	75°10' W
38°50' N	74°30' W
38°25' N	74°30' W
38°25' N	75°10' W

The study area encompasses the existing TSS which was adopted by the Inter-Governmental Maritime Consultative Organization (as the International Maritime Organization was formerly known) on October 28, 1969. A change to the southeastern approach lanes was implemented on March 15, 1976.

The TSS Off Delaware Bay consists of two parts as described below:

Part I: Eastern Approach

(a) A separation zone bounded by a line connecting the following geographical positions:

Latitude	Longitude
38°46.8' N	74°34.6' W
38°46.8' N	74°55.7' W
38°47.8' N	74°55.4' W
38°47.8' N	74°34.6' W

(b) A traffic lane for westbound traffic between the separation zone and a line connecting the following geographical positions:

Latitude	Longitude
38°49.8' N	74°34.6' N
38°48.8' N	74°55.3' W

A traffic lane for eastbound traffic between the separation zone and a line connecting the following geographical positions:

Latitude	Longitude
38°45.8' N	74°56.1' W
38°44.8' N	74°34.6' W

(a) A separation zone bounded by a line connecting the following geographical positions:

Latitude	Longitude
38°27.0' N	74°42.3' W
38°42.2' N	74°57.2' W
38°43.4' N	74°58.0' W
38°27.6' N	74°41.3' W

(b) A traffic lane for north-westbound traffic between the separation zone and a line connecting the following geographical positions:

Latitude	Longitude
38°28.8' N	74°39.3' W
38°45.1' N	74°56.8' W

(c) A traffic lane for south-eastbound traffic between the separation zone and a line connecting the following geographical positions:

Latitude	Longitude
38°48.9' N	74°58.9' W
38°45.1' N	74°45.4' W

Precautionary Area

A precautionary area with a radius of eight miles centered upon Harbour of Refuge Light in geographical position 38°48.9' N, 75°05.6' W.

Issues

The study may recommend the following options:

(a) Make no changes to the current traffic separation system in the Delaware Bay Approaches.

(b) Discontinue the entire Traffic Separation Scheme (TSS) in the Delaware Bay Approaches.

(c) Adjust the Eastern Approach TSS by narrowing the separation zone to allow the establishment of an inshore traffic zone.

(d) Relocate the Southern Approach TSS, and include a deepwater route similar to the deepwater route in the Southern Approach to Chesapeake Bay, i.e., the deepwater route centered between inbound and outbound lanes.

(e) Adjust the Eastern Approach TSS by narrowing the separation zone to allow the establishment of an inshore traffic zone and retain the current Southern Approach TSS with a stream Deepwater Port on the eastern side of the inbound traffic lane.

(f) Adjust the Eastern Approach TSS by narrowing the separation zone to

allow the establishment of an inshore traffic zone, and, relocate the Southern Approach TSS to include a deepwater route similar to the deepwater route in the Southern Approach to Chesapeake Bay, i.e., the deepwater route centered between inbound and outbound lanes.

(g) Abolish the Eastern Approach TSS and maintain the current Southern Approach TSS.

Procedural Requirements

In order to provide safe access routes for movement of vessel traffic proceeding to and from U.S. ports, the PWSA directs that the Secretary designate necessary fairways and traffic separation schemes in which the paramount right of navigation over all other uses shall be recognized. Before a designation can be made, the Coast Guard is required to undertake a study of potential traffic density and the need for safe access routes.

During the study, the Coast Guard is directed to consult with federal and state agencies and to consider the views of representatives of the maritime community, port and harbor authorities or associations, environmental groups, and other parties who may be affected by the proposed action.

In accordance with 33 U.S.C. 1223(c), the Coast Guard will, to the extent practicable, reconcile the need for safe access routes with the needs of all other reasonable uses of the area involved. The Coast Guard will also consider previous studies and experience in the areas of vessel traffic management, navigation, shiphandling, the effects of weather, and prior analysis of the traffic density in certain regions.

The results of this study will be published in the Federal Register. If the Coast Guard determines that new routing measures are needed, a notice of proposed rulemaking will be published. It is anticipated that the study will be concluded by 30 October 1994.

Dated: March 22, 1994.

W.J. Ecker,

Rear Admiral, U.S. Coast Guard, Chief, Office of Navigation Safety and Waterway Services.

[FR Doc. 94-7103 Filed 3-24-94; 8:45 am]

BILLING CODE 4910-14-M

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

36 CFR Part 1275

RIN 3095-AA59

Preservation and Protection of and Access to the Presidential Historical Materials of the Nixon Administration; Amendment of Public Access Regulations

AGENCY: National Archives and Records Administration.

ACTION: Proposed rule.

SUMMARY: The National Archives and Records Administration proposes to amend regulations on procedures for preserving and protecting the Presidential historical materials of the Nixon administration and for providing public access to these materials. The Archivist of the United States is required by law to issue these regulations, and may amend them from time to time. The proposed regulatory amendments would clarify various terms that appear in 36 CFR part 1275; clarify the nature of the archival processing being conducted on the Nixon Presidential materials; and provide for the reproduction of the Nixon White House tape recordings. The proposed amendments to 36 CFR part 1275 would affect former President Nixon and other individuals whose names appear in the materials, as well as members of the general public interested in conducting research regarding those materials.

DATES: All comments must be received by close of business May 24, 1994.

ADDRESSES: All comments must be submitted in writing to the Policy and Program Analysis Division (NAA), National Archives and Records Administration, The National Archives at College Park, 8601 Adelphi Road, College Park, MD 20740-6001.

FOR FURTHER INFORMATION CONTACT: Mary Ann Hadyka or Nancy Allard at (301) 713-6730.

SUPPLEMENTARY INFORMATION: The current regulations were required to be promulgated because the previous regulations were ruled invalid by the United States District Court for the District of Columbia in *Allen v. Carmen*, 578 F. Supp. 951 (D.D.C. 1983); the case held that the previous regulations were tainted by the legislative veto provision of the Presidential Recordings and Materials Preservation Act ("PRMPA"), 44 U.S.C. 2111 note (1974). The current regulations were published on February 28, 1986, 51 FR 7228, and became effective on June 26, 1986. On April 12,

IV. Public Comments

The Notice of Study was printed in the Federal Register, 58 FR 14126, was corrected in 87 FR 23774, and reprinted in Local Notice to Mariners 14/29 on 5 April 1994. Only two sets of comments have been received concerning the PARS. One letter recommended no change be made to the TSS. The second letter is summarized as follows:

1. " A problem exists with shoaling (55' - 59') along the southern portion of the inbound Delaware Sea Lane as vessels approach lighted buoy "DC"." (This shoal has migrated to the southwest and is no longer a problem as displayed on chart 12214, 38th edition, dated September 17, 1994).

2. "Close calls continue between outbound tugs and tows bound for their traditional coastal route and inbound traffic from the east. The frequency of close calls is as many as 1 or 2 per week."

In November 1993, a Waterways Analysis Management System (WAMS) questionnaire concerning the New Jersey and Delaware Seacoast and Delaware Bay Entrance was received. Various recommendations were made concerning the entire area. Comments related to the PARS are summarized as follows:

1. Implementation of an Inshore Traffic Zone was recommended.

2. A traffic conflict exists between outbound traffic headed for the easterly outbound sea lane and the inbound traffic

lane, usually heavily laden tankers approaching from the southerly sea lane.

WAMS was developed to serve as the basis for a systematic analysis and management of the aids to navigation in our nation's waterways. WAMS is intended to identify the navigational needs of the users of a particular waterway, the present adequacy of the aids to navigation system in terms of those needs and what is required in those cases where the users' needs are not being met. The WAMS process also looks into the resources - physical, financial, and personnel - needed to carry out the Aids to Navigation program responsibilities. The analysis of each waterway and the attendant resources are then integrated to provide documentation for both day to day management and future planning within the Aids to Navigation program.

Letters from the Departments of the Army, Commerce, Interior, Navy and the Philadelphia Regional Port Authority were received in response to the Notice of Study. All were supportive of the Study. The letter from the Department of Interior, Fish and Wildlife Service (FWS) pointed out that "The bay is also recognized as the second largest petrochemical channel and port in the United States, and the lower Delaware Bay is one of the largest transfer sites for petrochemical barges in the world. The potential for a catastrophic oil spill that could do irreparable harm to these resources is high." They further noted

that "the study you are conducting will be beneficial to living resources by reducing the likelihood of collisions and their accompanying oil spills."

The Coast Guard met with representatives of the Mariner's Advisory Committee for the Bay and River Delaware, the Pilots' Association for the Bay and River Delaware, and tug masters for Maritrans Towing on January 19, 1995 in Philadelphia, PA to discuss the results of the study. All present agreed that the proposed changes were needed and would improve the safety and efficiency of navigation at the Delaware Bay entrance.

Additionally, the Coast Guard discussed the results of the study at the regular meeting of the Mariner's Advisory Committee for the Bay and River Delaware held on March 9, 1995. The Committee agreed with the recommendations contained in this notice. No specific circumstances were identified as sensitive to national security or peculiar to the U. S. Navy or other federal government agency.

Michael J. Linton, *President*
 George G. Macinture, *Secretary Treasurer*
 Donald C. Hans, Jr., *Controller*

Philadelphia (215) 922-7165
 Accounting (215) 922-7170
 FAX (215) 627-5386



M E M O R A N D U M

TO: "Ad Hoc Committee for Delaware Bay Entrance"
 Attention: Mike Nesbitt, Member

FROM: William T. Poulterer III, Delaware River Pilot

DATE: June 22, 1994

SUBJ: Comments regarding "Port Access Study"

* * * * *

In response to your request for comments applicable to the "Port Access Route Study" due by June 23, 1994, and as a state licensed Delaware River pilot for 34 years, I submit the following:

1. A problem exists with shoaling (55'-59') along the southern portion of the inbound Delaware Sea Lane as vessels approach buoy "DC". Because of this shoaling, many deeply laden inbound tankers are going outside the Sea Lane to the north as a regular practice as they approach "DC" buoy. This puts them in jeopardy of running aground on a 30'-55' shoal ahead of them. A temporary solution might be to place a buoy on the 50' shoal. The long term solution is to dredge the Sea Lane to eliminate the shoaling just NE of "DC" buoy. This situation is creating the potential for a tanker grounding and needs action.
2. Close calls continue between outbound ships bound for the Eastern Sea Lane (Five Fathom Lane) and inbound traffic from the south and east. With the outbound ship having to cross the bow of the inbound ships (or ships), failure to properly communicate and reach a meeting & passing agreement often creates a dangerous situation. The only

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solution that readily occurs to me is to mandate that the pilot of the outbound ship (when it is bound to the east and there is inbound traffic to meet) stays aboard the ship until it reaches "CH" buoy. Frequency of close calls is probably 1 or 2 per week, so this is a problem of immediate and real concern.

I have observed these problems both as a Watch Officer on the Maritime/Pilot Tower at Cape Henlopen, and as a working pilot. I urge you to develop recommendations to alleviate them.

W. T. Foutner

cc: Captain Michael J. Linton

WTP:dfa

M/T " SERENA SKY "

At Sea, May 5th 1994

To:
U.S.C.G.
5th Coast Guard District
431 Crawford Street
PORTSMOUTH - VA 23704 -5004

Dear Sirs,

With regards to your enquire Ref- Port Access Routes, Approaches to Delaware Bay (CGD 94-023).

I have been trading to the area for more than 10 years and during such time I have experienced no problems with the existing traffic separation system.

In my opinion the TSS is logically laid down, therefore I would reccomend no changes arē made.

Yours Faithfully

Giuseppe FRAZZITTA
Master Serena Sky



c.c. Keystone Shipping Co.
313 Chestnut Street
Philadelphia, Pa. 19106

U.S. Department
of Transportation

United States
Coast Guard



Commanding Officer
USCGC HORNBEAM (WLB-394)

c/o USCG TRACEN
Cape May, NJ
08204-5087
(609) 898-6991
FAX: 898-6806

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JNJA

16511
29 November 1993

From: Commanding Officer, USCGC HORNBEAM (WLB-394)
To: Commander, Fifth Coast Guard District (oan)

Subj: ATON CHANGES TO THE DELAWARE BAY ENTRANCE

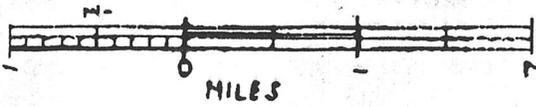
1. In response to many "near misses" at the mouth of the Delaware Bay, the Mariner's Advisory Committee for the Bay and River Delaware (MAC) and MSO Philadelphia sponsored a natural work group. The work group, comprised of the area pilots and tug companies, commissioned an ad hoc committee to examine this problem.

2. The ad hoc committee met on 05 October and 04 November. The changes that were recommended involve shifting Buoy 4 approximately .4 NM to the Southwest and move the pilot triangle (Buoys 5, 6, and CH) approximately .6 NM to the Southeast. This will ensure that 2, 4, and 6 line up (Encl (1)). The ad hoc committee also recommended that a "recommended towing channel" be labeled on the chart. This "channel" would run through the South Shoal 8A and 8B and Buoy 8 triangle and to the North of Buoy 4 and 2, keeping the tug and tows well clear of inbound commercial ships. This proposal was taken to the pilots and the pilot tower watchstanders by a member of the ad hoc committee for their input. Discussion of the proposal resulted in Mr. Robert D. Johnson's submission of an old WAMS survey and attached letter (Encl (2)). On 07 December the ad hoc committee will meet again to develop the final proposal to be presented to the MAC at the 09 December meeting. The survey and attached letter will be forwarded to the members of the ad hoc committee.

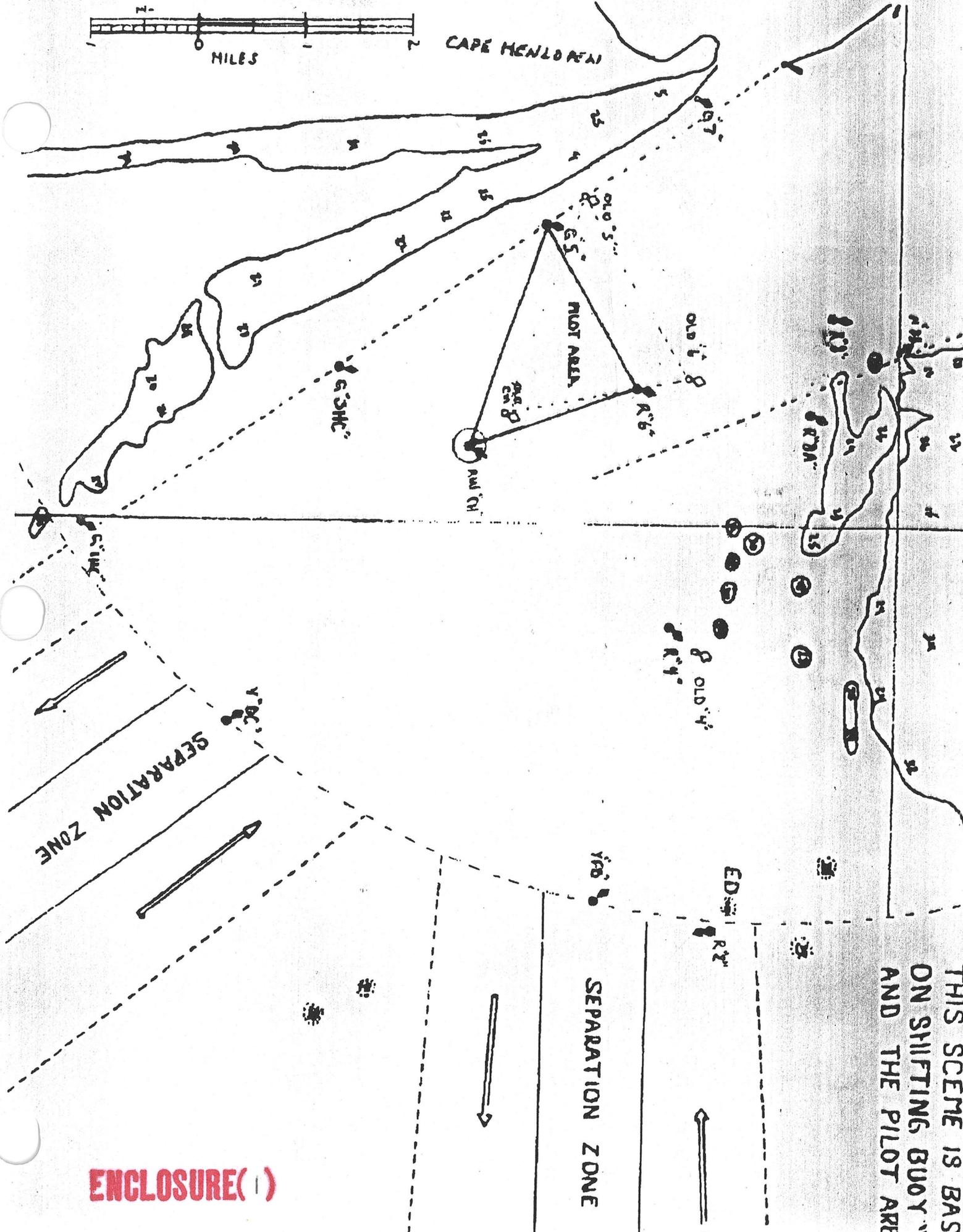
3. Following the acceptance of the proposal by the MAC at the 09 December meeting, HORNBEAM will be submitting an amendment to the Delaware Bay Entrance WAMS reflecting the proposed changes. POC is LTjg John Luce (410) 636-7592 (Baltimore) or (609) 898-6991 (Cape May).


F. H. Kingett
Acting

Encl: (1) Chartlet of proposed changes
(2) Robert D. Johnson's WAMS Survey and attached letter



CAPE MENLO BEACH



ENCLOSURE(1)

THIS SCENE IS BASED ON SHIFTING BUOY AND THE PILOT AREA

12

**WATERWAY ANALYSIS MANAGEMENT SYSTEM (WAMS)
SURVEY OF THE NEW JERSEY AND DELAWARE SEACOAST
AND THE DELAWARE BAY ENTRANCE**

The Fifth Coast Guard District in Portsmouth, Virginia is conducting a WAMS survey of the New Jersey and Delaware Seacoasts from Barnegat Inlet to Fenwick Island Shoal including the Delaware Bay Entrance from Brown Shoal Light to the terminus of both traffic separation schemes. The WAMS system was developed to determine the navigational needs of the waterway's users, the adequacy of the aids to navigation system in terms of those needs, and what changes are required in those areas where the needs are not being met. The analysis of this waterway will be used in determining the future funding and resources for this region. Please contribute to this analysis by providing comments or suggestions relating to the aids to navigation system, or the waterway itself. For more information on this WAMS project contact:

LTJG Chris Lund or ENS John Luce at (609) 884-6991

Comments should be received by January 15, 1993.

Part 1. DELAWARE BAY ENTRANCE

In the below statements, please circle the number that most closely corresponds to your answer and provide comments under each question if you desire.

1. The current buoyage system is adequate for navigation (daytime).

Strongly Agree (Agree) Don't Know Disagree Strongly Disagree
5 4 3 2 1

BUT COULD BE GREATLY IMPROVED, SEE NOTE #1 - IN BAY.

2. The current buoyage system is adequate for navigation (nighttime).

Strongly Agree (Agree) Don't Know Disagree Strongly Disagree
5 4 3 2 1

SAME AS ABOVE

3. The changes to South Shoal 8A and 8B and Buoy 8 have made the entrance safer for Piloted Vessels and Towing Vessels.

Strongly Agree (Agree) Don't Know Disagree Strongly Disagree
5 4 3 2 1

WOULD STRONGLY AGREE IF MORE TOWS THAT WERE ABLE TO USE IT DID IN FACT UTILIZE IT; AND IF MANY OF THE TOWS THAT USE IT DID NOT VIOLATE THE INBOUND SEA LANE BY PASSING EAST OF #6 & THEN SOUTH OF #4 SEE NOTES #2 IN BAY & #1 PRECAUTIONARY

ENCLOSURE(2)

(ENCLOSURE)

4. The shoals in the bay entrance are adequately marked.
Strongly Agree 5 Agree 4 Don't Know 3 Disagree 2 Strongly Disagree 1

SEE NOTE #1 - IN BAY

5. The bay entrance is easily navigable in times of low visibility or high traffic.
Strongly Agree 5 Agree 4 Don't Know 3 Disagree 2 Strongly Disagree 1

SEE NOTE #2 PRECAUTIONARY

6. The channel depths in the bay entrance are sufficient for the vessel traffic.
Strongly Agree 5 Agree 4 Don't Know 3 Disagree 2 Strongly Disagree 1

SEE NOTE #3 IN BAY

7. What changes would you make to improve the entrance to the Delaware Bay?

SEE ADDENDUM

Part 2. New Jersey and Delaware Seacoasts

1. The waterway is adequately marked (daytime).
Strongly Agree 5 Agree 4 Don't Know 3 Disagree 2 Strongly Disagree 1

SEE NOTE #1 COASTAL

2. The waterway is adequately marked (nighttime).
Strongly Agree 5 Agree 4 Don't Know 3 Disagree 2 Strongly Disagree 1

SEE ABOVE

4. Are the lighthouses in the waterway adequate for your use
Yes or No?

NA

5. Do you operate a GPS or differential GPS receiver Y or N?
The Coast Guard is testing a Differential GPS signal through
the radiobeacon at Cape Henlopen. Do you currently use this
system and or plan to do so in the future Y or N?
If you have used the dGPS signal, are you satisfied with its
performance Y or N?

NA

6. I am very satisfied with the services the Coast Guard provides.

Strongly Agree (5) Agree (4) Don't Know (3) Disagree (2) Strongly Disagree (1)

7. Additional Comments or Suggestions: (use additional sheets if necessary)

SEE APPENDUM

Name/Address/Phone Number (Optional) ROBERT D. JOHNSON
BOX 246, SUSSEX ROAD #250, RD 2
MILTON, DE 19968 302 947 1940

Thank you for your time and input!

NA

3. All shoals are adequately marked for safe avoidance.
Strongly Agree 5 Agree 4 Don't Know 3 Disagree 2 Strongly Disagree 1

NA TO EXPERIENCE

4. All inlets are adequately marked for safe navigation.
Strongly Agree 5 Agree 4 Don't Know 3 Disagree 2 Strongly Disagree 1

NA TO EXPERIENCE

5. All the offshore buoys are necessary for navigation.
Strongly Agree 5 Agree 4 Don't Know 3 Disagree 2 Strongly Disagree 1

6. What changes would you suggest to improve the navigability of the New Jersey and Delaware Seacoasts?

Part 3. GENERAL QUESTIONS

1. What type of vessel do you normally transit the area in (i.e. Tanker, Fishing Vessel, etc.)?

SEE RESPONDENT INFORMATION

2. What is your primary means of navigation (i.e. Loran, GPS, Visual, Radar, etc.)?

ALL AVAILABLE INCLUDING DR FROM VISUAL INPUT

3. Does the vessel you primarily utilize maintain a functional Radio Directional Finder (RDF)? Yes or No
If your vessel maintains this equipment do you use any of the radiobeacons in the waterway and if yes, which beacons do you use?

NA

WAMS ADDENDUM

Comment in mouth of Delaware Bay (Light 9 to 5&6 bouys)

1. The Ice Resistant Structure at #9 has been an improvement, however, it is often difficult to locate in radar during periods of low visibility. The expanding length of the small boat season coupled with the increasing numbers of boaters who fish in that area can make radar identification of #9 nearly impossible. It is often a task that is done by intuition rather than absolute knowledge.

Racon identification of #9 would be of great help to all users, and most importantly to inbound tankers and those tankers coming down from Big Stone and having to round up and make the Brown to begin river transit. It would also give a definitive starting point in times of snow, ice, and summer squalls; all of which tend to have deleterious effect on radar interpretation.

2. The implementation of a charted Coastal Traffic Sea Lane as later discussed in another topic would reinforce the intended intent of those changes and should enhance compliance with the intent of traffic separation.

3. The Wrecks charted just above the #5 & #6 bouy line are a bugaboo to masters of entering ships. Even those who are not of sufficient draft to hit them have them circled in red on their charts for avoidance. Masters of deep tankers are particularly cautious of them, as should be. Perhaps it is time to consider leveling them with the existing bottom by blasting! In the last year or so small boats anchoring over the wrecks to fish have become a problem that eventually will result in disaster. Many don't realize that they impede large vessel traffic in that action, and that it is difficult to tell if they are underway and manuverable or anchored from the bridge of a ship!

4. The current location of the colregs demarkation line is rather difficult to distinguish, particularly when working on reduced radar range in periods of low visibility. It would be more easily recognisable to the mariner if the colregs line ran from Cape May Light to #6 bouy, thence to #5 Bouy, and then 270 degrees True to shore. Such configuration would leave the unassailable knowledge that when you passed the line of 5&6 bouys you change colregs.

Comment pertaining to precautionary zone (5&6 to 8 mile ring)

1. The last changes have worked rather well and the funnel effect concept has vastly reduced the number of loaded tankers attempting to steam up the middle of the bay, disregarding the shoals that lie in wait for their arrival. The Tug & Tow alley, when utilized has reduced traffic conflicts, and magnified the conflicts caused by those tows that violate the Sea Lane Concept.

WAMS ADDENDUM

Creation of a Coastal Traffic Zone from Mc Crie Shoal to a point just North of #2 and continuing to meet the Tow alley East of #6 then continuing up thru the tow alley, when coupled with its presentation on the charts, would provide the desired separation of traffic and have the added bonus of providing a clearly marked no go zone for the protection of ship traffic.

Implementation of the Coastal Traffic Zone would require the movement of #4, #6, CH, and #5; however, that movement should not prove detrimental to ship traffic while enhancing overall safety!

It is, however, crucial to the continued success of the funnel concept to keep a straight line of red bouys across that side of the funnel.

2. A traffic conflict between outbound traffic headed for the Easterly Outbound Sea Lane and inbound, usually heavily laden tankers approaching from the Southerly Sea Lane continues to create many "Heart in Mouth" near misses. The positioning of "CH" has proven effective, and many vessels utilize it as intended; but a great number of vessels still want to shave #6 and head on out to "FB", thus crossing at close ranges the bows of inbound heavily laden and less manuverable vessels. Designation of "CH" as a traffic circle point (or roundabout [as better understood by most foreigners] [and in line with IMO Sea Lane Markings]), coupled with obvious designation as such on the chart, would prove invaluable in inducing compliance with the intended traffic scheme!

Comment on Coastal Approaches (Restricted to Sea Lanes)

1. It is indeed ludicrous to have an internationally recognized Sea Lane with an edge of safe channel bouy right in the middle of it!

A. This was discussed in the last round, and the problems caused by the location of #2 in the middle of the Sea Lane persist.

Many vessels utilizing the sea lane still come to #2, and knowing that they are in the sea lane, assume that because the bouy is on the Port Bow they are in an area OF THE OTHER SYSTEM OF BOUYAGE! They then want to keep all the Red Bouys on the Port Side.

While many shipping interests are opposed to moving the sea lane because of the wreck that currently lies just South of the Henlopen to Five Fathom lane, this does not preclude resolution of the problem.

Why not compress the inner end of the Separation Zone enough to bring #2 up on the corner of the Sea Lane. If needed the width of the inbound traffic lane could also be compressed while leaving the outbound lane untouched.

WAMS ADDENDUM

While this would require IMO action, it would prove beneficial in that it would reorient the inbound sea lane to the new axis needed to aim on in from "FB" to "CH" and #6; and at the same time should resolve the problem of vessels wanting to go on the wrong side of the red bouys. This would also accommodate the lesser training and qualifications of many of the third world officers now navigating so many ships.

2. It should be noted that commercial clam and fish draggers are increasingly working in the sea lanes, and some are getting pretty nasty on the radio when ships pass close aboard. Perhaps it is time to make chart notes about such working in recognized sea lanes on the appropriate charts. What will happen when the master of some 55' draft tanker runs aground and causes an oil leakage simply because of that dragger? I surely would not want to be in that position!

Information about respondent

I have been an active Delaware River Pilot for some 31 1/2 years, have served as Master of the Pilot Station Boat when one was operated in the Delaware Bay Entrance, and currently take turns as Watch Officer in the Pilot Dispatch/reporting/ and Voluntary VTS Tower on Cape Henlopen. My comments are based on observations made while operating under all the above listed functions.

U.S. Department
of Transportation

United States
Coast Guard



Commandant
U.S. Coast Guard

2100 Second Street, SW
Washington, DC 20593-0001
Staff Symbol: G-NVT
Phone: (202)267-0415

16650

26 JAN 1995

Mr. George T. Frampton, Jr.
The Assistant Secretary for Fish
& Wildlife & Parks
Department of the Interior
18th & C Streets, NW, Room 3156
Washington, DC 20240

Dear Mr. Frampton:

The Coast Guard is conducting a port access route study to evaluate the need for changes to the vessel routing measures in the approaches to Delaware Bay. Because there have been a number of near misses and at least one collision between an outbound tug and barge and an inbound deep draft ship in the mouth of the Bay, the Mariner's Advisory Committee for the Bay and River Delaware requested that we adjust the eastern approach lane of the traffic separation scheme (TSS) and create an inshore traffic zone for coastwise traffic in this congested area.

Under the Ports and Waterways Safety Act (PWSA) (33 U.S.C. 1223), the Coast Guard is responsible for designating offshore routing measures in which the right of navigation is recognized as paramount over all other uses. A TSS is an internationally recognized routing measure that minimizes the risk of collision by separating vessels into opposing streams of traffic through the establishment of traffic lanes. Vessel use of a TSS is voluntary; however, vessels operating in or near an International Maritime Organization (IMO) approved TSS are subject to Rule 10 of the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS).

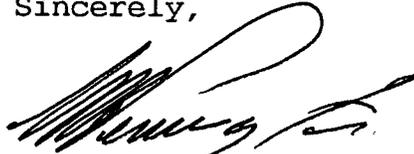
The 1978 amendments to the PWSA require that the Coast Guard conduct a study of the potential traffic density and the need for safe access routes prior to establishing or adjusting a TSS. The approaches to Delaware Bay were last studied in 1981. The study concluded that the existing TSS was adequate for the foreseeable future. However, this finding may no longer be valid.

Enclosure (1) is a copy of the published Notice of Study advising the public of this initiative and requesting their input. At the conclusion of the study, the Coast Guard will publish a Notice of Study Results in the Federal Register. Study recommendations for new or amended routing measures, if any, will be implemented by rulemaking.

20 JAN 1995

Under the PWSA, the Coast Guard is required to consult with other Federal agencies and State governors to reconcile the need for safe access routes with the needs of other reasonable uses to the extent practicable. In order to make a balanced evaluation of potential conflicts among users, you are invited to contribute any information which you believe relevant. Receipt of your comments by February 28, 1995, will enable us to complete the study by early Spring.

Sincerely,



G. A. PENINGTON
Rear Admiral, U. S. Coast Guard
Chief, Office of Navigation Safety
and Waterway Services

Encl: (1) 59 FR 14127



United States Department of the Interior

FISH AND WILDLIFE SERVICE

300 Westgate Center Drive
Hadley, MA 01035-9589



In Reply Refer To:
FWS/Region 5/ES

MAR - 1 1995

Rear Admiral G. A. Penington
U.S. Department of Transportation
United States Coast Guard (G-NVT)
2100 Second Street, SW
Washington, DC 20593-0001

Dear Admiral Penington:

The Delaware Bay is an area of internationally significant living resources. It is the second largest staging site for shorebirds in North America. Up to 80 percent of the entire Western Hemisphere's populations of certain species depend on this critical habitat during spring migration. The arrival of migratory birds coincides with the height of horseshoe crab spawning (the world's largest concentration of breeding horseshoe crabs). Shorebirds feed upon horseshoe crab eggs for necessary sustenance to continue their migration north. In addition, blue crabs, hard clams, mussels, and over 130 species of fish are present, including Atlantic sturgeon, American shad, striped bass, weakfish, black seabass, spot and summer flounder.

In 1985, the lower Delaware Estuary was designated as a Hemispheric Reserve in the Western Hemisphere Shorebird Reserve Network. In 1992 the wetlands surrounding the bay were recognized as being internationally important by the Convention on Wetlands of International Importance (RAMSAR).

The bay is also recognized as the second largest petrochemical channel and port in the United States, and the lower Delaware Bay is one of the largest transfer sites for petrochemical barges in the world. The potential for a catastrophic oil spill that could do irreparable harm to these resources is high.

The study you are conducting will be beneficial to living resources by reducing the likelihood of collisions and the accompanying oil spills. We would like to receive a copy of the final report and recommendations from this study. In addition, if changes to the navigation routes are called for, we would like an opportunity to review and comment upon these during the design phase.

Sincerely,

for
Ronald E. Lambertson
Regional Director

U.S. Department
of Transportation

United States
Coast Guard



Commandant
U.S. Coast Guard

2100 Second Street, SW
Washington, DC 20593-0001
Staff Symbol: G-NVT
Phone: (202)267-0415

16650

26 JAN 1995

Dr. D. James Baker
The Undersecretary
National Oceanic & Atmospheric Administration
Department of Commerce
14th Street & Constitution Ave., NW, Room 1528
Washington, DC 20230

Dear Dr. Baker:

The Coast Guard is conducting a port access route study to evaluate the need for changes to the vessel routing measures in the approaches to Delaware Bay. Because there have been a number of near misses and at least one collision between an outbound tug and barge and an inbound deep draft ship in the mouth of the Bay, the Mariner's Advisory Committee for the Bay and River Delaware requested that we adjust the eastern approach lane of the traffic separation scheme (TSS) and create an inshore traffic zone for coastwise traffic in this congested area.

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26 JAN 1995

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Sincerely,



G. A. PENINGTON
Rear Admiral, U. S. Coast Guard
Chief, Office of Navigation Safety
and Waterway Services

Encl: (1) 59 FR 14127



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
Silver Spring, Maryland 20910

H 3/7
NV 1/1
3-8

March 3, 1995

Rear Admiral G. A. Penington, USCG
Chief, Office of Navigation Safety
and Waterway Services (G-N)
U.S. Coast Guard
2100 Second Street, SW.
Washington, D.C. 20593-0001

Dear Admiral Penington: *Greg*

Thank you for your letter to D. James Baker regarding the U.S. Coast Guard (USCG) port access study to evaluate changing vessel routing measures in the approaches to Delaware Bay.

The National Ocean Service's Nautical Charting Division is assessing the Notice of Study and will provide support, comments, and recommendations directly to the Fifth USCG District project officer, Lieutenant Tom Flynn.

Sincerely,

W. Stanley Wilson
Assistant Administrator



Comments on the Delaware Bay Traffic Study Proposal:

- o Restricted Area for barge traffic includes depths in several locations that are shoaler than the drafts (35 ft) of some barges which are expected to use it. An alternative to this route problem would be to extend the restricted area well past McCrie Shoal and then take a more northerly course. Buoys may be required to mark the turn point.
- o The Danger Area in the approaches to Delaware Bay may contain unexploded ordnance on or buried in the bottom. This fact has been brought to the attention of the USACE for consideration in their dredging study for a deep water channel in the southeastern approach to a lightering area within Anchorage A.
- o Another possible alternative to lessen the chance of traffic collisions in the eastern approaches and at the same time reduce the hazard of barge groundings in the proposed restricted area would be to: 1. Require all vessels to enter via the southeastern TSS. 2. Drop the eastern approach TSS except for the southern departure lane of the Eastern TSS. Restrict this lane for departing vessels with specified drafts. 3. Direct barge traffic further off the shoals by moving the restricted area farther to the south before the barges may begin their turn to the north.

GENERAL COMMENTS FROM NOS.
2/9/95

U.S. Department
of Transportation

United States
Coast Guard



Commandant
U.S. Coast Guard

2100 Second Street, SW
Washington, DC 20593-0001
Staff Symbol: G-NVT
Phone: (202)267-0415

16650

20 JAN 1995

Vice Admiral J. Paul Reason
Deputy Chief of Naval Operations
Plans, Policy & Operations (OP-06)
The Department of the Navy
Washington, DC 20350-2000

Dear Admiral Reason:

The Coast Guard is conducting a port access route study to evaluate the need for changes to the vessel routing measures in the approaches to Delaware Bay. Because there have been a number of near misses and at least one collision between an outbound tug and barge and an inbound deep draft ship in the mouth of the Bay, the Mariner's Advisory Committee for the Bay and River Delaware requested that we adjust the eastern approach lane of the traffic separation scheme (TSS) and create an inshore traffic zone for coastwise traffic in this congested area.

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26 JAN 1995

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Sincerely,



G. A. PENINGTON
Rear Admiral, U. S. Coast Guard
Chief, Office of Navigation Safety
and Waterway Services

Encl: (1) 59 FR 14127



DEPARTMENT OF THE NAVY
CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, DC 20350-2000

J. J. Mazach
3/10

IN REPLY REFER TO

16550
Ser 511/5U603297

01 MAR 1995

From: Director, Strategy and Policy Division (N51)
To: Commandant, U. S. Coast Guard (G-N)

Subj: DELAWARE BAY TRAFFIC ROUTE MODIFICATIONS

Ref: *Copy* Commandant ltr 16550 of 26 Jan 95

1. Thank you for your letter requesting Navy comments on proposed changes to vessel traffic lanes in the Delaware Bay approach area. Vice Admiral Reason, OPNAV N3/N5, has asked me to respond for him on this request. Since this is a regional issue, I forwarded your letter to the Commander, Naval Base Philadelphia for comment. The Port Operations Director, Ms. Peggy Porter at (215) 897-8730, is the point of contact.
2. Navy appreciates the opportunity to comment on these maritime planning issues.

J. J. Mazach
J. J. MAZACH
Rear Admiral, U.S. Navy
Director, Strategy and
Policy Division (N51)

Copy to:
COMNAVBASE Philadelphia

U.S. Department
of Transportation

United States
Coast Guard



Commandant
U.S. Coast Guard

2100 Second Street, SW
Washington, DC 20593-0001
Staff Symbol: G-NVT
Phone: (202) 267-0415

16650

28 JAN 1995

Major General Stanley G. Genega
The Department of the Army
Directorate of Civil Works
Office of the Chief of Engineers
20 Massachusetts Ave., NW
Washington, DC 20314-1000

Dear General Genega:

The Coast Guard is conducting a port access route study to evaluate the need for changes to the vessel routing measures in the approaches to Delaware Bay. Because there have been a number of near misses and at least one collision between an outbound tug and barge and an inbound deep draft ship in the mouth of the Bay, the Mariner's Advisory Committee for the Bay and River Delaware requested that we adjust the eastern approach lane of the traffic separation scheme (TSS) and create an inshore traffic zone for coastwise traffic in this congested area.

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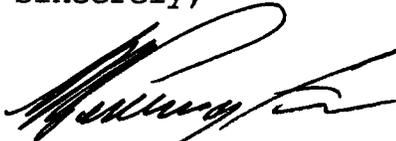
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26 JAN 1995

Under the PWSA, the Coast Guard is required to consult with other Federal agencies and State governors to reconcile the need for safe access routes with the needs of other reasonable uses to the extent practicable. In order to make a balanced evaluation of potential conflicts among users, you are invited to contribute any information which you believe relevant. Receipt of your comments by February 28, 1995, will enable us to complete the study by early Spring.

Sincerely,



G. A. PENINGTON
Rear Admiral, U. S. Coast Guard
Chief, Office of Navigation Safety
and Waterway Services

Encl: (1) 59 FR 14127



DEPARTMENT OF THE ARMY

U.S. Army Corps of Engineers
WASHINGTON, D.C. 20314-1000

03 MAR 1995

Handwritten notes: "N. /", "NVT", "3/8"

REPLY TO
ATTENTION OF:

Operations, Construction
and Readiness Division
Dredging and Navigation Branch

Rear Admiral Gregory A. Penington
Chief, Office of Navigation Safety
and Waterway Services
U.S. Coast Guard Headquarters
2100 Second Street, S. W.
Washington, D. C. 20593-0001

Dear Admiral Penington:

Thank you for your letter (16650), dated January 26, 1995, requesting U.S. Army Corps of Engineers comments regarding the U.S. Coast Guard's study of port access routes and the current Traffic Separation Scheme (TSS) at the approach to Delaware Bay.

As noted in *Federal Register*, Volume 59, No. 58, p. 14127, the Corps is also conducting a study which considers construction of a Midstream Deepwater Port to improve the safety of lightering operations in the area. While personnel from the Corps Philadelphia District have been conducting the Midstream Deepwater Port study, they have been maintaining close contact with the Coast Guard study group. The local Corps personnel report that the Coast Guard study group is fully aware of all Corps concerns regarding the port access route study.

Although the District did not have further comments at this time, they indicated their point of contact, Mr. William Mueller, Chief of the Special Studies Section, at (215) 656-6580 would be glad to answer any specific questions that may come up.

Sincerely,

Stanley G. Genega
Stanley G. Genega
Major General, U.S. Army
Director of Civil Works



U.S. Department
of Transportation

United States
Coast Guard



Commandant
U.S. Coast Guard

2100 Second Street, SW
Washington, DC 20593-0001
Staff Symbol: G-NVT
Phone: (202) 267-0415

16650

26 JAN 1995

The Honorable Parris N. Glendening
State House
Annapolis, MD 21404

Dear Governor Glendening:

The Coast Guard is conducting a port access route study to evaluate the need for changes to the vessel routing measures in the approaches to Delaware Bay. Because there have been a number of near misses and at least one collision between an outbound tug and barge and an inbound deep draft ship in the mouth of the Bay, the Mariner's Advisory Committee for the Bay and River Delaware requested that we adjust the eastern approach lane of the traffic separation scheme (TSS) and create an inshore traffic zone for coastwise traffic in this congested area.

Under the Ports and Waterways Safety Act (PWSA) (33 U.S.C. 1223), the Coast Guard is responsible for designating offshore routing measures in which the right of navigation is recognized as paramount over all other uses. A TSS is an internationally recognized routing measure that minimizes the risk of collision by separating vessels into opposing streams of traffic through the establishment of traffic lanes. Vessel use of a TSS is voluntary; however, vessels operating in or near an International Maritime Organization (IMO) approved TSS are subject to Rule 10 of the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS).

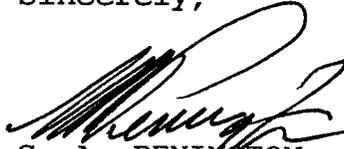
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Enclosure (1) is a copy of the published Notice of Study advising the public of this initiative and requesting their input. At the conclusion of the study, the Coast Guard will publish a Notice of Study Results in the Federal Register. Study recommendations for new or amended routing measures, if any, will be implemented by rulemaking.

JAN 1995

Under the PWSA, the Coast Guard is required to consult with other Federal agencies and State governors to reconcile the need for safe access routes with the needs of other reasonable uses to the extent practicable. In order to make a balanced evaluation of potential conflicts among users, you are invited to contribute any information which you believe relevant. Receipt of your comments by February 28, 1995, will enable us to complete the study by early Spring.

Sincerely,



G. A. PENINGTON
Rear Admiral, U. S. Coast Guard
Chief, Office of Navigation Safety
and Waterway Services

Encl: (1) 59 FR 14127

H¹³ NVT
Margaret (fk) 

STATE OF MARYLAND
OFFICE OF THE GOVERNOR

PARRIS N. GLENDENING
GOVERNOR

ANNAPOLIS OFFICE
STATE HOUSE
100 STATE CIRCLE
ANNAPOLIS, MARYLAND 21401
(410) 974-3901

April 10, 1995

WASHINGTON OFFICE
SUITE 311
444 NORTH CAPITOL STREET, N.W.
WASHINGTON, D.C. 20001
(202) 638-2215

TDD (410) 333-3098

G. A. Penington
Rear Admiral, U.S. Coast Guard
Chief, Office of Navigation Safety
and Waterway Services
2100 Second Street, S.W.
Washington DC 20593-0001

Dear Rear Admiral Penington:

Thank you for your recent letter regarding the Coast Guard Port Access Route Study currently being conducted in the approaches to the Delaware Bay. Our comments on the study have been coordinated by the Maryland Port Administration with the Association of Maryland Pilots and the Pilots Association for the Bay and River Delaware. These two organizations combine their efforts on ships traveling between the Port of Baltimore and points north by piloting them through the Chesapeake Bay, the Chesapeake and Delaware (C&D) Canal and the Delaware River and Bay.

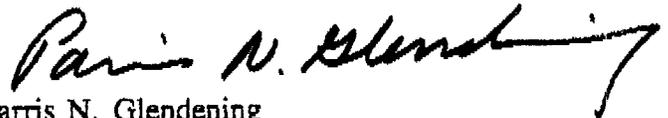
Maryland Pilots work only that portion of this northern route to Baltimore which lies in Maryland waters, and do not transit the channels at the mouth of the Delaware Bay on which the study is focused. I understand, however, that the Pilots Association for the Bay and River Delaware observed the area and its vessel traffic conditions thoroughly, then worked closely with the Mariners Advisory Committee for the Bay and River Delaware, which subsequently requested the Coast Guard perform a port access route study of the area.

The committee's recommendation was made in the best interest of maritime safety and we support the resultant study. We request the study include in its scope the possibility that changing conditions to improve channel safety at the mouth of Delaware Bay could adversely affect the maritime use of the C&D Canal system. If the recommended traffic changes at the mouth of the Bay result in increased congestion time and traffic volume at the canal, I am certain any such adverse effects can be mitigated, as long as they are included in study considerations.

G. A. Penington
Page Two

If you have any questions or require additional information about these comments, please contact Mr. Thomas Osborne, Acting Executive Director, Maryland Port Administration (MPA) at (410) 385-4400. I appreciate this opportunity to provide you with our comments and concerns.

Sincerely,



Parris N. Glendening
Governor

cc: Mr. Thomas Osborne, Acting Executive Director, MPA

Philadelphia Regional Port Authority

Executive Director

10 West Washington Square, Philadelphia, PA 19106
(215) 928-9100 • FAX (215) 928-1488



H3 > N
H2
NUT 4/8

February 28, 1995

*What "concerns"
is he talking
about? What
Recommendations?
What role USCG?*

G. A. Pennington
Rear Admiral, U.S. Coast Guard
Chief, Office of Navigation Safety
and Waterway Services
2100 Second Street, SW
Washington, DC 20593-0001

Dear Admiral Pennington:

After conferring with the Pilots' Association for the Bay and River Delaware, I feel that their recommendations to the entrance of the Delaware Bay are in the best interests of safety. They have worked closely with the Mariners' Advisory Committee and have studied the situation very thoroughly. I understand that the Pilots' Association and the Maritime Exchange in Philadelphia are updating their watch tower at Lewes, Delaware with a new Raytheon 2000 Vessel Traffic System. With this new capability, they should be able to monitor the new traffic lanes with greater ease.

In closing, we hope that this satisfies any of the concerns you may have. Thank you for your attention to this matter.

Sincerely

JAMES T. MCDERMOTT, JR.
Executive Director

ms

U.S. Department
of Transportation

United States
Coast Guard



Commandant
U.S. Coast Guard

2100 Second Street, SW
Washington, DC 20593-0001
Staff Symbol: G-NVT
Phone: (202) 267-0415

16650
26 JAN 1995

The Honorable Tom Ridge
State Capitol
Harrisburg, PA 17120

Dear Governor Ridge:

The Coast Guard is conducting a port access route study to evaluate the need for changes to the vessel routing measures in the approaches to Delaware Bay. Because there have been a number of near misses and at least one collision between an outbound tug and barge and an inbound deep draft ship in the mouth of the Bay, the Mariner's Advisory Committee for the Bay and River Delaware requested that we adjust the eastern approach lane of the traffic separation scheme (TSS) and create an inshore traffic zone for coastwise traffic in this congested area.

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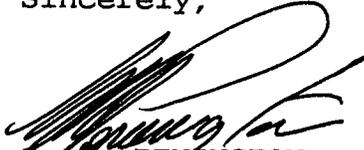
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26 JAN 1995

Under the PWSA, the Coast Guard is required to consult with other Federal agencies and State governors to reconcile the need for safe access routes with the needs of other reasonable uses to the extent practicable. In order to make a balanced evaluation of potential conflicts among users, you are invited to contribute any information which you believe relevant. Receipt of your comments by February 28, 1995, will enable us to complete the study by early Spring.

Sincerely,



G. A. PENINGTON
Rear Admiral, U. S. Coast Guard
Chief, Office of Navigation Safety
and Waterway Services

Encl: (1) 59 FR 14127

U.S. Department
of Transportation

United States
Coast Guard



Commandant
U.S. Coast Guard

2100 Second Street, SW
Washington, DC 20593-0001
Staff Symbol: G-NVT
Phone: (202)267-0415

16650

26 JAN 1995

The Honorable Tom Carper
Legislature Hall
Dover, DE 19901

Dear Governor Carper:

The Coast Guard is conducting a port access route study to evaluate the need for changes to the vessel routing measures in the approaches to Delaware Bay. Because there have been a number of near misses and at least one collision between an outbound tug and barge and an inbound deep draft ship in the mouth of the Bay, the Mariner's Advisory Committee for the Bay and River Delaware requested that we adjust the eastern approach lane of the traffic separation scheme (TSS) and create an inshore traffic zone for coastwise traffic in this congested area.

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G. K. PENINGTON
Rear Admiral, U. S. Coast Guard
Chief, Office of Navigation Safety
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Encl: (1) 59 FR 14127

U.S. Department
of Transportation

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Coast Guard



Commandant
U.S. Coast Guard

2100 Second Street, SW
Washington, DC 20593-0001
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16650

26 JAN 1995

The Honorable Christine Todd Whitman
State House
Trenton, NJ 08625

Dear Governor Whitman:

The Coast Guard is conducting a port access route study to evaluate the need for changes to the vessel routing measures in the approaches to Delaware Bay. Because there have been a number of near misses and at least one collision between an outbound tug and barge and an inbound deep draft ship in the mouth of the Bay, the Mariner's Advisory Committee for the Bay and River Delaware requested that we adjust the eastern approach lane of the traffic separation scheme (TSS) and create an inshore traffic zone for coastwise traffic in this congested area.

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Sincerely,



G. A. PENINGTON
Rear Admiral, U. S. Coast Guard
Chief, Office of Navigation Safety
and Waterway Services

Encl: (1) 59 FR 14127

U.S. Department
of Transportation

United States
Coast Guard



Commandant
U.S. Coast Guard

2100 Second Street, SW
Washington, DC 20593-0001
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Phone: (202) 267-0415

16650

26 JAN 1995

Mr. David A. Colson
Deputy Assistant Secretary for
Oceans & Fisheries Affairs
Department of State
2201 C Street, N.W., Room 7829
Washington, DC 20520

Dear Mr. Colson:

The Coast Guard is conducting a port access route study to evaluate the need for changes to the vessel routing measures in the approaches to Delaware Bay. Because there have been a number of near misses and at least one collision between an outbound tug and barge and an inbound deep draft ship in the mouth of the Bay, the Mariner's Advisory Committee for the Bay and River Delaware requested that we adjust the eastern approach lane of the traffic separation scheme (TSS) and create an inshore traffic zone for coastwise traffic in this congested area.

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26 JAN 1995

Under the PWSA, the Coast Guard is required to consult with other Federal agencies and State governors to reconcile the need for safe access routes with the needs of other reasonable uses to the extent practicable. In order to make a balanced evaluation of

April 12, 1995

(Comments)
Regarding Ad-Hoc Proposal Of Changes To:
DELAWARE BAY ENTRANCE

Dear Sirs,

I believe that the creation of an inshore traffic zone is a good idea. But, the proposal you have come up with is not going to suffice in this instance. A traffic zone of one half mile wide will not allow vessels towing astern to safely meet. Vessels towing astern attempting to use the traffic zone can and will have extremely close encounters, especially with tows that tend to wander. I do not foresee any vessels opting to use this traffic zone other than the ones that presently go north and east of buoys "2", "4", "6", and "8".

If tug & tow and other coastwise traffic is heavy enough to constitute a separate traffic zone, then make the zone large enough to handle such volume, yet defined enough to be able to be deciphered by inbound/outbound ships. Since the Ad-Hoc committee is willing to move buoys and compress the eastern separation zone, then I suggest simply moving the Five Fathom Bank to Cape Henlopen Sea-lane further south which would allow more room for an expanded version of the inshore traffic zone. Regarding the drafts of vessels that transit the Five Fathom Bank Sea-lanes, the water is deep enough to move the sea-lanes south without compromising vessel safety.

Lastly, the Pilot Boarding Area is too close to shore. One problem is ships venture in too close to shore and meet traffic in an unfamiliar area prior to pilot boarding. Present placement of the pilot boarding area, is within an area that is very heavily traveled. Any ship, tug and tow, or coastwise traffic going into or out of Delaware Bay has to pass through the pilot boarding area or extremely close to it. The presence of the boarding area in this junction causes potentially dangerous situations due to:

- a) traffic volume
- b) limited space available for meeting and passing
- c) Leeways, created by vessels to assist in boarding pilots
- d) limited sea-room to take evasive action, if needed.

The language differences spoke of on page one; Description Of Proposed Changes, can be resolved by moving the Pilot Boarding Area further offshore and having the pilots onboard the ships prior to meeting any inbound/outbound traffic at Delaware Bay Entrance.

If you have any questions regarding my comments please contact me at home. My home telephone number is (813) 685-4845.

Sincerely,

Randall E. Medard



Mate - Tug Barbara E. Bouchard

April 12, 1995

Proposal For Changes To The:
TRAFFIC SEPARATION SCHEME
@ DELAWARE BAY ENTRANCE

Chart # 12214

Five Fathom Bank Sea-lanes

East End, North Corner - 38deg. 46.78'n. x 74deg. 34.51'w.
 " " , South Corner - 38deg. 41.78'n. x 74deg. 34.51'w.
 " " , North and South corners are 5.0 nm. apart.
 " " , North Corner, Magenta Zone - 38deg. 44.78'n. x 74deg. 34.51'w.
 " " , Centerline - 38deg. 44.28'n x 74deg. 34.51'w.
 " " , South Corner, Magenta Zone - 38deg. 43.78'n. x 74deg. 34.51'w.
 " " , Magenta Zone is 1.0 nm. wide.
 West End, North Corner - 38deg. 46.47'n. x 74deg. 53.18'w.
 " " , South Corner - 38deg. 43.49'n. x 74deg. 54.80'w.
 " " , North and South corners are 3.22 nm. apart, along circumference of
 circle 10.0 mn. off of Harbor Of Refuge Light.
 " " , North Corner, Magenta Zone - 38deg. 45.42'n. x 74deg. 53.61'w.
 " " , Centerline - 38deg. 44.92'n. x 74deg. 53.80'w.
 " " , South Corner, Magenta Zone - 38deg. 44.42'n. x 74deg. 54.10'w.
 " " , Magenta Zone is 1.04 nm. wide along circumference of circle.

Precautionary Area: Extend magenta dotted line from 8.0nm. to 10.0nm. off of
Harbor Of Refuge Light.

Buoy Placement:

	Buoy Placement:	Characteristic:
"F"	Buoy, 38deg. 44.28'n. x 74deg. 34.51'w.	Unchanged
"FA"	Buoy, 38deg. 44.55'n. x 74deg. 44.05'w.	" "
"FB"	Buoy, 38deg. 44.92'n. x 74deg. 53.80'w.	" "
"DC"	Buoy, 38deg. 42.19'n. x 74deg. 56.01'w.	" "
"2"	Buoy, 38deg. 46.47'n. x 74deg. 53.18'w.	FL.R. 2.5sec.
"4"	Buoy, 38deg. 46.40'n. x 74deg. 57.00'w.	Unchanged
"6"	Buoy, 38deg. 46.32'n. x 75deg. 00.86'w.	" "
"CH"	Buoy, 38deg. 45.12'n. x 74deg. 58.82'w.	" "
"8"	Buoy, 38deg. 50.00'n. x 75deg. 02.90'w.	" "

Additional Buoys:

Yellow Buoy "A"	, 38deg. 48.38'n. x 74deg. 55.19'w.	QK.FL.Y.
" "	"B", 38deg. 48.15'n. x 74deg. 58.50'w.	FL.Y. 4sec.
" "	"C", 38deg. 48.24'n. x 75deg. 00.00'w.	FL.Y. 2.5sec.
" "	"D", 38deg. 49.33'n. x 75deg. 01.85'w.	FL.Y. 2.5sec.
"HC"	" ---, 38deg. 41.08'n. x 74deg. 57.50'w.	FL.G. 4sec.

Pilot Boarding Area; outlined as follows: "2" Buoy, "4" Buoy, "6" Buoy,
"HC" Buoy, "DC" Buoy, "FB" Buoy, "2" Buoy.

Note: possibly remove or replace "8a" Buoy with Yellow "D" Buoy due to
close proximity.

Note: "4FB" Buoy, change characteristic from QK.FL.R. to either a 2.5sec.
or 4sec. Red.

Note: Five Fathom Bank to Cape Henlopen Sea-lane, East End, North Corner,
Add Buoy RG "FFB", FL. (2+1) in position (38deg. 46.78'n. x 74deg.-
34.51'w.) to aid in traffic separation.

April 12, 1995

Summary Of Proposal From:
Randall E. Medard

Dear Sirs,

The proposed changes I have submitted here regarding the traffic problem at Delaware Bay Entrance, will allow all tug & tow and other coastwise traffic with considerable draft to use the inshore traffic zone during any weather, and any other factors. The inshore traffic zone being 1.88nm. wide under my proposal, is wide enough for two vessels towing astern to safely meet and/or overtake each other with tows that tend to wander due to sea conditions, winds, currents, barge characteristics, etc.

Deepdraft tows will enter and exit the inshore traffic zone west of buoy "8". Eastbound deepdraft tows have the option of going inshore via buoy "2MS" or offshore of Five Fathom Bank without interfering with inbound ship traffic headed for the Pilot Boarding Area. Likewise, westbound tows coming in from offshore or via buoy "2MS" can utilize the wider inshore traffic zone comfortably. East or westbound shallow draft vessels can go north and east of the inshore traffic zone if desired.

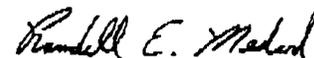
The language differences that cause close and potentially dangerous situations will be eliminated by moving the Pilot Boarding Area further offshore and having the pilots onboard the ships prior to meeting any inbound or outbound traffic at Delaware Bay Entrance. With this wider and deeper inshore traffic zone there should be no reason that a ship would encounter any traffic heading east in the westbound lane of the Five Fathom Bank to Cape Henlopen Sea-lane.

Navigation for ships transiting the westbound lane of the Five Fathom Bank to Cape Henlopen Sea-lane shall remain fairly simple from the "F" buoy to the "FB" buoy. Buoys "2", "4", and "6" will remain in a straight line and they will mark the northern edge of the Pilot Boarding Area. Also, buoys "6" and "8" will remain in a straight line to keep deepdraft vessels West of 60' curve where buoy "6" previously was. Placement of a buoy where buoy "6" originally was will be an obstruction to vessels towing astern while gauging their approach into the turn of the inshore traffic zone. Yellow buoys placed along the shoals, (marking the northern edge of the inshore traffic zone,) will not be misinterpreted by inbound or outbound ships. For navigational reasons, I suggest using yellow in conjunction with red for the special purpose of marking the shoals.

If you have any questions or comments regarding this proposal please contact me at home. My home telephone is (813) 685-4845. I will be looking forward to hearing from you.

Sincerely,

Randall E. Medard



Mate - Tug Barbara E. Bouchard

TUG ELLEN S. BOUCHARD

MR. ROBERT BOUCHARD

4-5-95

REWARDING COMMENTS ON PROPOSED CHANGES ON ENTRANCE
TO DELAWARE BAY:

AS OF NOW WHEN TOWING INBOUND TO DELAWARE BAY
FROM MCCREE SHOAL 'ZMS' TO DELAWARE BAY ENTRANCE #8,
WE HAVE BEEN FOLLOWING THE ROUTE OF MCCREE 'ZMS' TO
BOOYS Z-4-6-8 RED BOOYS TO STARBOARD.

WHILE TOWING LOADED BARKES OUTBOUND WE HAVE BEEN
KEEPING DELAWARE #8 TO PORT, HEADING TO #6-4-Y 'FB'
(TRAFFIC SEPARATION BAY) TO PORT AND THEN IF NO INBOUND
SHIP TRAFFIC IN SEA LANE CROSSING OVER SEPARATION ZONE
AS AT MUCH OF AN ANGLE AS POSSIBLE AND THEN PROCEEDING
UP TO MCCREE SHOAL BOOY 'ZMS'.

THIS ROUTE KEEPS UNIT IN DEEPER WATER WITH RELATION
TO DRAFT, WEATHER, AND AMOUNT OF TOW CABLE OUT. IF WITH
PROPOSED CHANGES WE WILL HAVE TO RUN INSIDE RED BOOY
LINE WITH A 1/2M. CLEARANCE TO SHOAL AREA, WITH TIDE
SET AND WEATHER CONDITIONS ETC. IT DOESN'T LEAVE MUCH
ROOM FOR ERROR.

James Keenan Jr.

TUG ELLEN S. BOUCHARD.

April 10, 1955

DEAR MR. BOUCHARD

AFTER READING THE MATERIAL OF THE AD-HOC COMMITTEE,
I FEEL THERE IS MORE THAT CAN BE DONE.

1. THE $\frac{1}{2}$ MILE INSIDE THE BOOY LINE COULD BE EXTENDED TO POSSIBLY 1 MILE. IF TWO TOWS MEETING ON AN RBB CURRENT WITH A NEW WIND, THIS $\frac{1}{2}$ MILE WILL NOT BE ENOUGH ROOM TO SAFELY PASS EACH OTHER.
2. TRAFFIC SEPARATION ^{ZONE} COULD BE MOVED FURTHER SOUTH. COMPROMISING THE ZONE WOULD DO LITTLE. MOVING IT WOULD GIVE THE ROOM NECESSARY TO WORK THE INSHORE TRAFFIC SCHEME.
3. THE MOVES MADE IN THE RECENT PAST WAS GOOD BUT MORE CAN BE DONE. I REALIZE IT IS NOT AN EASY TASK DUE TO REGULATIONS AND THE INTERNATIONAL GOVERNMENTS AND SHIP USING THIS AREA OF TRANSIT.

Respectfully Submitted



ARTHUR ABRAHAMIAN, CAPTAIN

TUG. "ELLA S. BOUCHARD"

DEAR ROBERT J. BOUCHARD APRIL 10, 1995

RALPH CLINTON AND MYSELF SPOKE
RECENTLY PERTAINING TO THE PROPOSED BUOY
SYSTEM FOR THE DELAWARE BAY ENTRANCE.

THE ONLY PROBLEM WE SEE IS THAT
THERE IS NO MENTION IN THE REPORTS ON
THE SERIOUSNESS PERTAINING TO CURRENTS.

IF YOU ARE BRINGING A LOADED BARGE
IN-BOUND WITH A PRETTY GOOD SWELL,
WITH A FLOOD TIDE AND 500 TO A
THOUSAND FEET OF TOW CABLE BEHIND YOU,
YOU ARE GOING TO BE SITTING ON PINS AND
NEEDLES THREADING YOUR WAY INTO THE
AREA WHICH IS 8, 8A-8B. ITS NARROW
AND THE VELOCITY & DIRECTION TENDS TO PUSH
YOU NORTH EAST WITH A FLOOD TIDE. FORGET
ABOUT MEETING A OUT BOUND TOW IN THIS
AREA, UNLESS HE IS PUSHING, THERE'S NOT
ENOUGH ROOM. THEN TRAVELING THRU THIS
AREA AT NIGHT WITH THOSE CONDITIONS
MAKES IT MORE DANGEROUS. TOWING A
LIGHT BARGE IN-BOUND IS NOT THAT BAD AS
THE CURRENT DOES NOT EFFECT YOU THE
SAME WAY AS IF TOWING A LOADED BARGE.

The same is true out-bound towing
a loaded barge with a Ebb tide
the direction & velocity tends to push
you southwest.

What we normally do when
meeting traffic in this area. If you
are in-bound with a light barge
we go in between the 8, 8A-8B
buoys and the out-bound tow keeps
the #8 buoy on his port side, then
the out-bound tow goes between the
#8 and #6 buoy then follows the
inside track depending on his draft,
but you have to be very well aware of
the direction of tides and not get
too close to the buoys.

If two loaded tows will meet
in this area at #8 then its a good
idea to get a head's up, like 30
minutes before meeting to work
out a safe passage.

Sincerely,

Captain Richard Blake

**Scott W. McRae
604 Division Road
South Dartmouth, MA 02748**

April 4, 1995

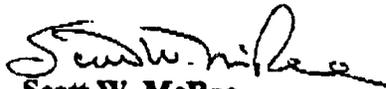
Mr. Robert J. Bouchard

Ref: Traffic separation Zone, Delaware Bay Entrance

Mr. Bouchard,

Enclosed are a few of my ideas about this proposal. Hopefully Tugs/Barges will not be forced to operate in this narrow zone. Moving the Five Fathom Traffic lanes south and compelling the pilots to board and disembark where they should can address the committee's concerns.

Sincerely,


Scott W. McRae

**Scott W. McRae
604 Division Road
South Dartmouth, MA 02748**

April 4, 1995

**Mariner's Advisory Committee
Bay and River Delaware
437 Chestnut Street
Philadelphia, PA 19106-2414**

Ref: Changes to traffic separation scheme at Cape Henlopen

Gentleman,

Having transited these waters for a number of years and in the present capacity as Captain on the Tug Barbara E. Bouchard, I would like to express some comments.

It is agreed the present system has problems, but your proposal falls short in correcting them. A few simple changes could make this area much safer.

First move the Five Fathom traffic lanes south, place the inbound lane where the present outbound lane is and move the new outbound lane south proportionally.

Second move the Pilot boarding triangle, with the CH buoy, offshore and to the southeast.

Third insure that pilots board and disembark in the new area.

Fourth have NOAA survey from the #8 Overfalls buoy to McCrie shoal and up to Avalon shoal.

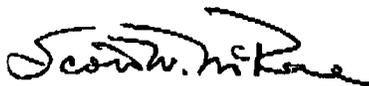
Your proposed "inshore traffic zone" compels Tugs with notoriously wild barges to meet in a confined area with strong cross currents and poorly marked shoals. Most units require at least 3/10 of a mile on either side, more so in bad weather. Also many Tugs do not have gyro stabilized radar's, cannot plot targets, lack navigraphic GPS, and operate vessels far more affected by sea conditions than any ship.

By moving the pilot boarding area offshore you will insure that language problems are eliminated. Present practice has the pilots getting off at the breakwater, well inshore of state waters, even the present triangle is inside state waters. Also the present triangle does not allow enough sea room for safe meeting and boarding.

The need for a updated survey is very important. These waters carry a tremendous amount of cargo, relying on old data, in an area known for shifting shoals, is not prudent.

In review, if the ships and pilots converge near 38.44N 74.58W, the #2, #4 and #6 buoys are moved north to mark shoals, and the Tug/Barge units are operating north of 38.46N in an independent traffic separation zone, marine safety will vastly improve.

Sincerely,



Scott W. McRae

Tug Barbara E. Bouchard



EXPRESS MARINE, INC.

April 21, 1995

Mr. Mike Nesbitt
Senior Port Captain
Maritrans
Fort Mifflin Road
Philadelphia, Pa 19153-3889

Re: Port Access Route Study

Dear Mike:

In response to your request for comments regarding the above subject, we have polled all our wheelhouse personnel for comments.

The majority of the responses seem to be in favor of the proposal and am enclosing copies of their comments for your review.

Please call me if I can be of any further assistance.

Regards,

Stan Latka
Marine Operations

SL/af

4-17-95

ATTN: STAN LITKA

From: Robert BATSON

Re: Delaware ENTRANCE Traffic Pattern

I have looked at the Committee proposals and they seem good to me. I do not like the suggestion to place buoys at the turns of the inshore traffic zone, as that would make it more difficult for Hansen Tows

Robert batson

4-12-95

STAN LATKA

I FULLY AGREE WITH THE ADHOC WORKING GROUPS
PROPOSEL FOR A INSHORE TRAFFIC LANE FOR TUGS & TOWS
TRANSITTING THE DELAWARE CAPES

THANK YOU
JIM PRUITT

March 10, 1995

Dear Mr. Latka,

Compressing the traffic separation zone and straightening the line of buoys is reasonable and should be implemented. Delineating an inshore traffic zone is unnecessary.

Two adjacent traffic zones are confusing.

Tugs and tows often steer, meet and overtake according to their draft, wind and sea conditions and the configuration of the tows. A traffic zone would limit options. A note in the Coast Pilot should suffice.

Sincerely,

Anna D. Kuger

DELAWARE BAY Entrance changes

I AGREE with the need FOR changes
TO EASTERN side of Delaware Bay. This should
HELP TO EASE Potential Congestion & Danger.

I work on Tug: Beppe with a NORMAL Load
DRAIFT of 21 Feet Loaded 10 Feet Empty (Bkwd)
we normally Run FROM 8A Bay to 2MS inshore.

M. Powell
Capt Tug Escort
Express Marine

ATT: STAN LATKA,

My thoughts CONCERNING the proposed
CHANGES IN DELAWARE BAY ENTRANCE ARE AS
FOLLOWS.

CREATING A SEPERATION LANE FOR THE SEPERATION
OF THE INCOMING & OUTGOING OF TOWS & SHIPS
IS A FINE IDEA. HOWEVER BY CREATING &
MAKING A COMPRESSED LANE FOR TOWS
YOU MUST KEEP THE "WEATHER CONDITIONS" OPTIONS
AVAILABLE. IF YOU HAVE A LONG INBOUND &
OUTBOUND TOW MEETING IN THE COMPRESSED LANE
IN BAD WEATHER, ROUGH SEAS, FOG & TIDE
SET, I AM SURE ONE CAN SEE THE POSSIBLE
PROBLEMS WHICH MIGHT OCCUR. HOWEVER BY
ALLOWING ONE OF THESE VESSELS THE OPTION
OF OPERATING OUT OF THIS COMPRESSED LANE
FOR TUGS & TOWS SHOULD ALLEVIATE MOST PROBLEMS.

Yours,
James M. Bradley
Tug Consort.

4-23-95

TO: MARINERS ADVISORY COMMITTEE

FROM: TUG BALTIMORE

RE: DELAWARE CAPES TRAFFIC PATTERN

AFTER REVIEWING THE NEW PROPOSAL TRAFFIC PATTERN.

THIS SHOULD HELP KEEP TUGS AND TOW OUT OF THE ENBOUND SHIP TRAFFIC LANE.

Capt. Henry Frost
TUG BALTIMORE

STAD

I DON'T HAVE ANY PROBLEM WITH THE PROPOSED BUOY SYSTEM. BUT I DO BELIEVE THAT IF THEY WANT TO DEFINE A CHANNEL, IT SHOULD BE MARKED ON ALL CORNERS BY LIGHTED BOUYS (SEE CHART).

I THINK 8B SHOULD BE LIT, 8A SHOULD BE SHIFTED AND 2 MORE LIGHTED BOUYS SHOULD BE PLACED IN THE AREAS INDICATED.

WAYNE NUERSCAMAN
Wayne

P.S. I WOULD BE HAPPY TO TALK TO ANYBODY IN REGARDS TO THIS PROPOSAL

04/18/95 08:40

EMI TUG BALTIMOR

001

ATTN: Stan Latka

From: Carl Foster

Ref: Delaware Entrance Traffic Pattern

I have looked at the Committee Proposals and they seem good to me. I do not like the suggestion to place Buoy at the turns of the inshore Traffic Zone as that would make it more difficult for Hauler Tows.

Carl Foster

Trip Report
20 January 1995

A meeting was held on 19 January 1995 in Philadelphia, PA at the offices of MARITRANS TOWING to discuss finding, conclusions and recommendations of a Port Access Route Study of the Delaware Bay Entrance conducted by the Fifth Coast Guard District.

Present were Lcdr Tom Flynn of D5 (oan), Lt Mark Ledbetter of MSO/Group Philadelphia, Mr. Mike Nesbitt of MARITRANS, Mr. Steve Roberts of the Pilots Association of the Bay and River Delaware, and two vessel masters from MARITRANS.

Chart 12214 with proposed changes/alterations to the Traffic Separation Scheme and proposed establishment of an Inshore Traffic Zone for use by tug/barge traffic transitting along the New Jersey shore was presented. After discussion concerning the placement of buoys in conjunction with the Inshore Traffic Zone, all members present found all recommended Coast Guard changes acceptable.

T. W. FLYNN

Trip Report
3 February 1995

A meeting was held between Margie Hegy and Lcdr Tom Flynn at Coast Guard Headquarters in Washington, DC on 1 February 1995 to discuss the Delaware Bay Port Access Route Study. It was agreed the Inshore Traffic Zone discussed above was misnamed and should be named a Two-Way Route for use by Tug/Barge traffic. Plans and a timetable for study completion were discussed and agreed upon. Following the above, a meeting was held in Silverspring, MD at the offices of NOS. Present were Lcdr Tom Flynn and Mr. Howard Danley, Mr. Steve Hill and Mr. Dennis Rohmsberg of NOS. The proposed changes were discussed and NOS agreed to plot the positions of the proposed changes for later confirmation.

T. W. FLYNN

V. Analysis of Study Data

Input from the public and the Bay and River Delaware Pilots indicates a need to retain the Southeastern Approach and the Precautionary Area. There are no dredging plans at this time to deepen the Southeastern or Eastern Approaches. Existing depths in these approaches will accommodate the drafts of vessels calling on the ports of the Delaware Bay for the foreseeable future. During the course of this study, NOAA's National Ocean Service (NOS) conducted hydrographic surveys which included the area bound by the Eastern Approach, portions of the Precautionary Area and portions of the Southeastern Approach. Results of the surveys have been incorporated into the most recent editions of the charts serving the Delaware Bay Entrance. Formerly charted obstructions were investigated and were either proven to exist or disproved. New obstructions were investigated and charted if proven to be classified as a hazard or obstruction to navigation.

There is a safety need to reconfigure the Eastern Approach Traffic Separation Scheme. Tug and barge traffic exiting the Delaware Bay enroute to ports north of the bay, routinely head east in the west bound lane against prevailing traffic due to their preference of hugging the coast to avoid the worst effects of the weather. This route is shorter and the traditional route for smaller vessels. A number of close calls have occurred in this location between large inbound vessels and outbound tug and tow vessels. On 19 August 1990 there was a collision in this

immediate area between the T/V FAITH I (inbound) and the T/B OCEAN 192 (outbound) which was being pushed ahead by the M/V INDEPENDENCE. This collision resulted in 150,000 gallons of unleaded gasoline being discharged into the sea.

The position of Delaware Bay North Approach Lighted Bell Buoy 2 (LL 1475) marks a 37-foot least depth spot and may have been a contributing factor to this collision. This buoy is located in the middle of the western terminus of the Five Fathom Bank to Cape Henlopen Traffic Lane. The northern boundary of this lane, in conjunction with the position of Delaware Bay North Approach Lighted Bell Buoy 2 (LL 1475), is often confusing to inbound traffic. The buoy is red and thus intended to be passed to starboard by inbound vessels. However, due to the present location of the charted TSS boundary line, inbound ships often mistake the buoy for a safe water buoy. Rotating the west end of the northern boundary of the TSS counterclockwise to the position of Delaware Bay North Approach Lighted Bell Buoy 2 (LL 1475) will eliminate this confusion and serve to better separate tug/barge traffic from inbound seagoing vessels.

There are four lighted buoys with sound signals actuated by wave action. These sound signals have an audible range of less than 1/2 nautical mile, and contribute little or value to safe navigation. The sound signals cannot be heard inside a pilot house of the design vessels and are items the Coast Guard would prefer not to maintain.

The Eastern Approach must be reoriented to allow for the establishment of a Two-Way Traffic Route: a route within defined limits inside which two-way traffic is established, aimed at providing safe passage of ships through waters where navigation is difficult or dangerous.

A Two-Way Traffic Route would necessitate either, the restructuring of the Eastbound separation zone, or reorientating the entire Eastbound traffic separation scheme slightly to the southwest where it joins the Precautionary Zone, or reorienting only the axis of the north boundary of the inbound lane of the Eastbound Approach. The Two-Way Traffic Route would be established to the north and shoreward of the inbound lane of the Eastern Approach extending into the existing Precautionary Zone.

Establishment of a Two-Way Traffic Route would necessitate the redefinition of the Precautionary Area. The current configuration of the Precautionary Area includes numerous shoal areas to the north and east of the marked channel used by deep draft vessels. These shoals are well charted on all area charts, navigationally safe waters are well marked with buoys and therefore the shoals pose no serious threat to the prudent mariner. These shoal areas are used only by recreational, shallow draft vessels. There is no navigational or safety need to include these shoals in the Precautionary Area.

VI. EASTERN APPROACH DESIGN

Design of the new Eastern Approach TSS was based upon correspondence received as a result of the Notice of Study, meetings with users, hydrographic surveys conducted by the National Ocean Survey, guidance provided in the U. S. Coast Guard Short Range Aids to Navigation Design Manual and the IMO publication, Ship's Routeing corrected to Ammendment 7.

VII. CONCLUSIONS AND RECOMMENDATIONS

Navigation safety, economic and environmental considerations necessitate some action be taken to better separate large inbound vessels from tug and barge traffic transiting easterly and northerly along their traditional New Jersey coastal route. In the current configuration near misses occur much too frequently. The probability of another major chemical or petroleum oil spill is much too great to ignore. It is therefore recommended the eastern approach TSS be adjusted and a Two-Way Route for Tug/barge Traffic entering and departing Delaware Bay be established as follows:

Part I: Eastern Approach

(a) A separation zone bounded by a line connecting the following geographical positions:

<u>Latitude</u>	<u>Longitude</u>
38°46'18"N	74°34'27"W
38°46'20"N	74°55'45"W
38°47'27"N	74°55'24"W
38°47'21"N	74°34'30"W

Separation Zone
F
E
C
D

(b) A traffic lane for westbound traffic between the separation zone and a line connecting the following geographical positions:

<u>Latitude</u>	<u>Longitude</u>
38°48'19"N	74°55'18"N
	37.

WESTBOUND
B
A

38°49'40"N

74°36'45"W

(c) A traffic lane for eastbound traffic between the separation zone and a line connecting the following geographical positions:

Latitude

Longitude

38°45'27"N

74°56'12"W

38°44'27"N

74°34'21"W

EASTBOUND

G

H

(3) Redefine the Precautionary Area as follows: from 38°42.8'N, 74°58.9'W; thence northerly by an arc of eight nautical miles centered at 38°48.9'N, 75°05.6'W to 38°47'27"N, 74°55'18"W; thence westerly to 38°47'30"N, 75°01'48"W; thence northerly to 38°50'45"N, 75°03'24"W; thence northeasterly to 38°51'16"N, 75°02'50"W; thence northerly to 38°52'12"N, 75°01'48"W; thence westerly by an arc of 6.8 nautical miles centered at 38°48.9'N, 75°05.6'W to 38°55'55"N, 75°05'48"W; thence southwesterly to 38°54'00"N, 75°08'00"W; thence southerly to 38°42.8'N, 74°58.9'W. Amending the Precautionary Area to this configuration removes areas from the definition that cannot be used by deep draft vessels due to the naturally available water depths and more accurately reflects to the international mariner where precaution should be exercised.

(4) Establish a Two-Way Traffic Route to better separate tug and tow traffic from large inbound traffic in the Eastern Approach. The Two-Way Traffic Route is bounded on the west and south by a line connecting the following geographical positions:

<u>Latitude</u>	<u>Longitude</u>
38°50'45"N	75°03'24"W
38°47'30"N	75°01'48"W
38°48'19"N	74°55'18"W
38°50'12"N	74°49'44"W
39°00'00"N	74°40'14"W

2-WAY
5S
4S
B, 3S
2S
1S

and, bounded on the east and north by a line connecting the following geographical positions:

<u>Latitude</u>	<u>Longitude</u>
39°00'00"	74°41'00"W
38°50'29"N	74°50'18"W
38°48'48"N	74°55'15"W
38°48'20"N	74°59'18"W
38°49'06"N	75°01'39"W
38°51'16"N	75°02'50"W

1 N 2-way
2 N
3 N
4 N
5 N
6 N

- (5) Remove sound signals from all TSS buoys.

All positions are NAD 83.

The Coast Guard will initiate rulemaking and seek IMO approval to reconfigure the Eastern Approach and the Precautionary Area, and establish a Two-Way Traffic Route recommended for use by tug/barge traffic. The Two-Way Traffic Route would not be for the exclusive use by tug and tow traffic, but would be available for use by all vessels with a draft that enables them to operate safely.



FEB 9 1995

MEMORANDUM FOR: Greg Norris
Acting Chief, Source Data Section

FROM:

Justin Pecharka
Justin Pecharka, Source Data Section

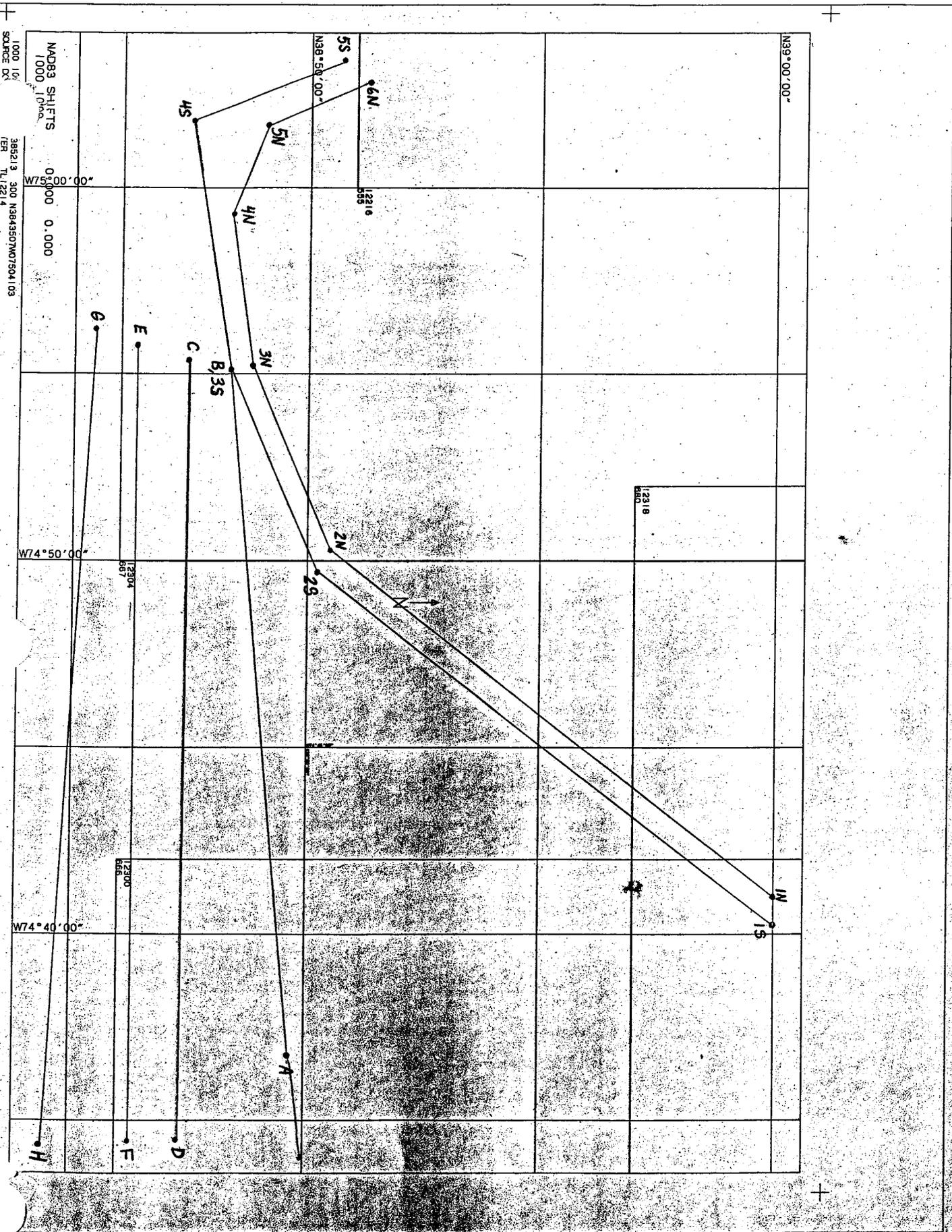
SUBJECT: NAD 83 Geographic Positions for Traffic Lane and
Restricted Area on Chart 12214

1N	39 00' 00"	74 41' 00"
2N	38 50' 29"	74 50' 18"
3N	38 48' 48"	74 55' 15"
4N	38 48' 20"	74 59' 18"
5N	38 49' 06"	75 01' 39"
6N	38 51' 16"	75 02' 50"

1S	39 00' 00"	74 40' 14"
2S	38 50' 12"	74 49' 44"
3S	38 48' 20"	74 55' 09"
4S	38 47' 30"	75 01' 48"
5S	38 50' 45"	75 03' 24"

A	38 49' 40"	74 36' 45"
B	38 48' 19"	74 55' 18"
C	38 47' 27"	74 55' 24"
D	38 47' 21"	74 34' 30"
E	38 46' 18"	74 34' 27"
F	38 46' 20"	74 55' 45"
G	38 45' 27"	74 56' 12"
H	38 44' 27"	74 34' 21"





Estimated total annual reporting burden: 8333 hours. The estimated burden per respondent varies from 0 hours to 2 hours, depending on individual circumstances, with an estimated average of .011 hours.

Estimated number of respondents: 750,000.

Estimated annual frequency of responses: One time per year.

Background

Temporary regulations in the Rules and Regulations portion of this issue of the *Federal Register* amend the Income Tax Regulations (26 CFR part 1) relating to section 411(a)(11) and section 417. The temporary regulations contain rules relating to the notice, consent, and election requirements of those sections.

The text of those temporary regulations also serves as the text of these proposed regulations. The preamble to the temporary regulations explains the temporary regulations.

Special Analyses

It has been determined that this notice of proposed rulemaking is not a significant regulatory action as defined in EO 12866. Therefore, a regulatory assessment is not required. It also has been determined that section 553(b) of the Administrative Procedure Act (5 U.S.C. chapter 5) and the Regulatory Flexibility Act (5 U.S.C. chapter 6) do not apply to these regulations, and, therefore, a Regulatory Flexibility Analysis is not required. Pursuant to section 7805(f) of the Internal Revenue Code, this notice of proposed rulemaking will be submitted to the Chief Counsel for Advocacy of the Small Business Administration for comment on its impact on small business.

Comments and Requests for a Public Hearing

Before these proposed regulations are adopted as final regulations, consideration will be given to any written comments (a signed original and eight (8) copies) that are submitted timely to the IRS. All comments will be available for public inspection and copying.

A public hearing may be scheduled if requested in writing by a person that timely submits written comments. If a public hearing is scheduled, notice of the date, time, and place for the hearing will be published in the *Federal Register*.

Drafting Information

The principal author of these regulations is Marjorie Hoffman, Office of the Associate Chief Counsel, (Employee Benefits and Exempt

Organizations), IRS. However, other personnel from the IRS and Treasury Department participated in their development.

List of Subjects in 26 CFR Part 1

Income taxes, Reporting and recordkeeping requirements.

Proposed Amendments to the Regulations

Accordingly, 26 CFR part 1 is proposed to be amended as follows:

PART 1—INCOME TAXES

Paragraph 1. The authority citation for part 1 continues to read, in part, as follows:

Authority: 26 U.S.C. 7805. * * *

Par. 2. Section 1.411(a)—11 is amended by:

1. Revising paragraphs (c)(2) (ii) and (iii).
2. Adding paragraphs (c)(2) (iv) and (v) and (c)(8).

The revisions and additions read as follows:

§ 1.411(a)—11 Restriction and valuation of distributions.

[The text of proposed paragraphs (c)(2)(ii) through (c)(2)(v) and (c)(8) are the same as the text of § 1.411(a)—11T published elsewhere in this issue of the *Federal Register*].

Par. 3. Section 1.417(e)—1 is amended by:

1. Revising paragraph (b)(3).
2. Adding paragraph (b)(4).

The revision and addition read as follows:

§ 1.417(e)—1 Restrictions and valuations of distributions from plans subject to sections 401(a)(11) and 417.

[The text of proposed paragraphs (b) (3) and (4) is the same as the text of § 1.417(e)—1T published elsewhere in this issue of the *Federal Register*].

Margaret Milner Richardson,

Commissioner of Internal Revenue.

[FR Doc. 95-23264 Filed 9-15-95; 4:00 pm]

BILLING CODE 4830-01-U

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 166

[CGD 94-023]

Port Access Routes: Approaches to Delaware Bay

AGENCY: Coast Guard, DOT.

ACTION: Notice of study results.

SUMMARY: The Coast Guard is publishing the results of a port access route study which evaluated the need for changes to the traffic separation scheme and precautionary area in the approaches to Delaware Bay. The study concluded that the eastern approach lanes of the traffic separation scheme should be adjusted and a two-way route for use by tug and tow traffic should be established to separate tug and tow traffic from large, inbound vessel traffic. The study also concluded that the precautionary area needed to be reconfigured to exclude shoal areas too shallow for deep draft vessels. However, the existing southeastern approach should remain as presently configured.

FOR FURTHER INFORMATION CONTACT: LCDR Tom Flynn, Project Officer, Fifth Coast Guard District at (804) 398-6285, or Margie G. Hegy, Project Manager, Coast Guard Headquarters at (202) 267-0415.

SUPPLEMENTARY INFORMATION: A report on the study addressed in this notice is available for inspection and copying at the Marine Safety Council, U.S. Coast Guard Headquarters, room 3406, 2100 Second Street SW., Washington, DC 20593-0001, or at the Fifth Coast Guard District office, room 509, 431 Crawford Street, Portsmouth, VA 23704-5004, between the hours of 8 a.m. and 3:30 p.m., Monday through Friday, except holidays.

The Study

The Coast Guard has concluded its study of the vessel traffic separation scheme (TSS) and the precautionary area in the approaches to Delaware Bay which was announced in a notice published in the *Federal Register* on March 22, 1994 (59 FR 14126). The TSS is an internationally recognized routing measure intended to minimize the risk of collision by separating vessels into separate, opposing lanes of traffic. It consists of two parts and a precautionary area. The first part, or eastern approach, consists of westbound and eastbound traffic lanes, and a separation zone. The second part, or southeastern approach, consists of north-westbound and south-eastbound traffic lanes, and a separation zone.

Public Comments

The port access route study was opened primarily because of concerns, expressed by the Mariners Advisory Committee for the Bay and River Delaware, about near misses between deep-draft vessels and tugs with tows at Delaware Bay Entrance. Comments were received from vessel operators using the area, the Departments of Army,

Commerce, and Navy, and the Philadelphia Regional Port Authority.

The Coast Guard met with representatives of the Mariner's Advisory Committee for the Bay and River Delaware, the Pilots' Association for the Bay and River Delaware, and tug masters for Maritrans Towing on January 19, 1995, in Philadelphia, PA, to discuss the results of the study. They agreed that the proposed changes were needed and would improve the safety and efficiency of navigation at the Delaware Bay entrance.

Additionally, the Coast Guard discussed the results of the study at the regular meeting of the Mariner's Advisory Committee for the Bay and River Delaware held on March 9, 1995. The Committee agreed with the recommendations in this notice.

Findings and Conclusions

(a) Outbound tugs with tows routinely depart from Brandywine Channel, head on a southeasterly course past Delaware Bay Entrance Channel Lighted Buoy 8, and, in the vicinity of Delaware Bay Entrance Lighted Buoy 6, change course to a northeasterly heading. This course change occurs within the current precautionary area near the pilot area and frequently confuses operators of inbound, deep-draft vessels. Operators not familiar with the local towing practices are placed in what initially appears to be a crossing situation, then appears to be a collision situation, and then again appears to be a crossing situation. These situations occur before a pilot boards the vessel. The master of the inbound vessel must determine what options apply as the situation appears to change, while entering unfamiliar pilotage waters.

(b) The current configuration of the precautionary area includes numerous shoal areas to the north and east of the channel marked for use by recreational vessels. These well marked shoals are used for recreational purposes and use these shoals for navigational purposes. These shoals are included in the discussion of proposed rules section of NPRM.

(c) The total number of arrivals at the ports on the Delaware River between 1989 and 1993 was 100 percent. The number of arrivals on the Delaware River was its highest in 1993 with 2,571 arrivals in 1994, which is an increase of 100 vessels over 1993. A trend for larger capacity vessels calling on the ports of the Delaware Bay and River is expected.

(d) The COE's Philadelphia Harbor to the Sea 45-Foot Channel Project,

scheduled to begin in fiscal year 1997 and be complete in 2003, will allow access to the Delaware Bay and River by larger, deeper-draft, bulk and containerized, cargo vessels. Traffic projections indicate that an increase in the number of vessels entering and departing the Delaware Bay can be expected. The recommended changes to the TSS would allow for safer and more efficient navigation by all vessel traffic.

(e) The Delaware River Port Authority has implemented new marketing strategies to attract new customers to the region. This should result in an increase in traffic.

(f) There were 1,015 tug and tow transits of this area in 1994. Tug and tow traffic departing Delaware Bay and bound for New York, Boston, and other northeast ports tends to hug the deeper water south and east of the shoals located off Cape May, New Jersey. The eastbound track of the traditional tug route runs parallel with the westbound lane of the eastern approach (Five Fathom Bank to Cape Henlopen Traffic Lane) of the TSS. There have been several near misses and at least one collision (T/V FAITH I (BH)) between an inbound deep-draft vessel and a departing tug with tow. That collision resulted in a discharge of approximately 150,000 gallons of unleaded gasoline. A contributing factor was the position of Delaware Bay North Approach Lighted Bell Buoy 2 (LL 1475), which marks a shallow spot with a depth of 37 feet. This buoy is located in the middle of the western terminus of the Five Fathom Bank to Cape Henlopen Traffic Lane. The northern boundary of this lane, in conjunction with the position of Delaware Bay North Approach Lighted Bell Buoy 2 (LL 1475), is often confusing to inbound traffic. The buoy is red and, thus, intended to be passed to starboard by inbound vessels. However, due to the present location of the charted boundary line, inbound vessels often mistake the buoy for a safe water buoy. This confusing situation could be eliminated by rotating the west end of the northern boundary of the TSS clockwise to the position of Delaware Bay North Approach Lighted Bell Buoy 2 (LL 1475) which would serve to better separate tug and tow traffic from inbound seagoing vessels.

(g) During the course of this study, NOAA's National Ocean Service (NOS) conducted hydrographic surveys which included the area bound by the eastern approach, portions of the precautionary area, and portions of the southeastern approach. Results of the surveys have been incorporated into the most recent editions of the charts serving the Delaware Bay entrance. Formerly

charted obstructions were investigated and were either proven to exist or disproved. New obstructions were investigated and charted if proven to be classified as a hazard or obstruction to navigation.

Recommendations

(1) The two lanes and the separation zone of the southeastern approach should remain unchanged.

(2) The western terminus of the eastern approach of the TSS where it joins the Precautionary area should be relocated as follows:

Part I: Eastern approach

(a) A separation zone bounded by a line connecting the following geographical positions:

Table with 2 columns: Latitude and Longitude. Values include 38°46'18" N, 74°34'27" W, 38°46'20" N, 74°55'45" W, 38°47'27" N, 74°55'45" W, 38°47'21" N, 74°34'30" W.

(b) A traffic lane for westbound traffic between the separation zone and a line connecting the following geographical positions:

Table with 2 columns: Latitude and Longitude. Values include 38°48'19" N, 74°55'18" W, 38°49'40" N, 74°36'45" W.

(c) A traffic lane for eastbound traffic between the separation zone and a line connecting the following geographical positions:

Table with 2 columns: Latitude and Longitude. Values include 38°45'27" N, 74°56'12" W, 38°44'27" N, 74°34'21" W.

(3) The boundaries of the precautionary area should be reconfigured as follows: From 38°42.8' N, 74°58.9' W; thence northerly by an arc of eight nautical miles centered at 38°48.9' N, 75°05.6' W to 38°47'27" N, 74°55'18" W; thence westerly to 38°47'30" N, 75°01'48" W; thence northerly to 38°50'45" N, 75°03'24" W; thence northeasterly to 38°51'16" N, 75°02'50" W; thence northerly to 38°52'12" N, 75°01'48" W; thence westerly by an arc of 6.8 nautical miles centered at 38°48.9' N, 75°05.6' W to 38°55'55" N, 75°05'48" W; thence southwesterly to 38°54'00" N, 75°08'00" W; thence southerly to 38°42.8' N, 74°58.9' W. Reconfiguring the precautionary area would remove areas that cannot be used by deep-draft vessels due to the naturally available water depths and more accurately reflects to the mariner where precaution should be exercised.

(4) Two-way traffic route should be established to better separate tug and

Handwritten note: CONSIDER THIS language to be included in the discussion of proposed rules section of NPRM.

tow traffic from inbound large-vessel traffic in the eastern approach. The two-way traffic route should be bounded on the west and south by a line connecting the following geographical positions:

Latitude	Longitude
38°50'45" N	75°03'24" W
38°47'30" N	75°01'48" W
38°48'19" N	74°55'18" W
38°50'12" N	74°49'44" W
39°00'00" N	74°40'14" W

and, bounded on the east and north by a line connecting the following geographical positions:

Latitude	Longitude
30°00'00" N	74°41'00" W
38°50'29" N	74°50'18" W
38°48'48" N	74°55'15" W
38°48'20" N	74°59'18" W
38°49'06" N	75°01'39" W
38°51'16" N	75°02'50" W

(5) The sound signals on all buoys marking the TSS should be removed.

Datum: NAD 83.

The Coast Guard will initiate rulemaking and seek IMO approval to reconfigure the eastern approach and the precautionary area and establish a two-way traffic route recommended for use by tug and tow traffic available to all vessels with a draft that enables them to operate safely.

Dated: September 15, 1995.

Rudy K. Peschel,

Rear Admiral, U.S. Coast Guard Chief, Office of Navigation Safety and Waterway Services.

[FR Doc. 95-23519 Filed 9-21-95; 8:45 am]

BILLING CODE 4910-14-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 260, 264, and 265

[FRL-5301-3]

Hazardous Waste Management System; Testing and Monitoring Activities; Extension of Comment Period

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule; extension of comment period.

SUMMARY: The Environmental Protection Agency (EPA or Agency) is extending the comment period for the proposed rule (Update III of SW-846) that adds, revises, and deletes testing methods from SW-846 and from certain regulations for complying with the requirements of subtitle C of the Resource Conservation and Recovery Act (RCRA) of 1976. The Proposed rule

appeared in the *Federal Register* on July 25, 1995 (see 60 FR 37974). The extension of the comment period is needed because of packaging and shipping problems with the Proposed Update III document. The Government Printing Office plans to distribute new packages to those subscribers whose packages were damaged or lost. This extension will allow commenters an opportunity to review the Proposed Update III package and supply their comments to the Agency.

DATES: EPA will accept public comments on this proposed decision must be submitted on or before December 21, 1995.

ADDRESSES: The public should submit an original and two copies of their comments on this proposed rule to the Docket Clerk (OS-305), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460. The official record for this rulemaking (Docket No. F-95-WT3P-FFFFF) is located at the above address in Room M-2616, and is available for viewing from 9 a.m. to 4 p.m., Monday through Friday, excluding Federal holidays. The public must request material from the RCRA Docket, or they may make an appointment to review docket materials by calling (202) 260-9327. The public may copy a maximum of 100 pages of material from any one regulatory docket at no cost; additional copies cost \$0.15 per page.

Copies of the Third Edition of SW-846, as amended by Updates I, II, IIA, and IIB, and the proposed Update III are part of the official docket for this rulemaking, and also are available from the Superintendent of Documents, Government Printing Office (GPO), Washington, DC 20402, (202) 512-1800. The GPO document number is 955-001-00000-1. Copies of the Third Edition and its updates are also available from the National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, VA 22161, (703) 487-4650. **FOR FURTHER INFORMATION CONTACT:** For general information contact the RCRA Hotline at (800) 424-9346 (toll free) or call (703) 920-9810; or, for hearing impaired, call TDD (800) 553-7672. For technical information, contact Kim Kirkland, Office of Solid Waste (5304), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460, (202) 260-4761.

SUPPLEMENTARY INFORMATION:

Background Summary

On July 24, 1995, EPA proposed to revise certain testing methods used in complying with the requirements of subtitle C of the Resource Conservation

and Recovery Act (RCRA) of 1976, as amended. EPA also proposed to add several new testing methods that may be used in complying with the requirements of subtitle C of RCRA. These new and revised methods, designated as Update III, were proposed to be added to the Third Edition of the EPA-approved test methods manual "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication SW-846. In addition, EPA proposed to delete several obsolete methods from SW-846 and the RCRA regulations. The comment period was to end on September 25, 1995. However, due to problems involving the distribution of the Proposed Update III package, the Agency has decided to extend the comment period to December 21, 1995.

Dated: September 15, 1995.

Elizabeth A. Cotsworth,

Acting Director, Office of Solid Waste.

[FR Doc. 95-23573 Filed 9-21-95; 8:45 am]

BILLING CODE 6560-50-P

40 CFR Part 281

[FRL-5299-2]

Montana; Final Approval of State Underground Storage Tank Program

AGENCY: Environmental Protection Agency.

ACTION: Notice of Tentative Determination on Application of State of Montana for Final Approval, Public Hearing and Public Comment Period.

SUMMARY: The State of Montana has applied for final approval of its underground storage tank program under Subtitle I of the Resource Conservation and Recovery Act (RCRA). The Environmental Protection Agency (EPA) has reviewed the Montana application and has made the tentative decision that Montana's underground storage tank (UST) program satisfies all of the requirements necessary to qualify for final approval. Notably, the State of Montana's statute authorizes the issuance of regulations that are broader in scope than the Federal regulations. EPA intends to grant final approval to the State to operate its program in lieu of the Federal program. The State of Montana's application for final approval is available for public review and comment.

DATES: All comments on Montana's final approval application must be received by the close of business on October 23, 1995. The public hearing is tentatively scheduled for November 13, 1995.